

REPORT OF THE DEPUTY CHIEF EXECUTIVE

REGULATORY COMMITTEE - 26 JANUARY 2015

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 APPLICATION FOR AN ANNUAL CONSENT TO TRADE IN A STREET – LAND BETWEEN MAPLINS AND WH SMITHS, MARKET SQUARE, SUNDERLAND

Mr Sabahat Hussain

1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to request the Committee to consider an application received from Mr Sabahat Hussain for an annual consent to trade in a street at a site situated between Maplins and WH Smiths, Market Square, Sunderland.

2.0 DESCRIPTION OF DECISION (RECOMMENDATION)

- 2.1 The Committee is recommended to give consideration to the application for an annual consent to trade in a consent street as described in paragraph 1(1) above under the terms of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

3.0 INTRODUCTION/BACKGROUND

- 3.1 The site has been designated by the Council as a consent street for street trading purposes under Paragraph 2 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. The Council has discretion to grant or refuse such consent "if it thinks fit".
- 3.2 Mr Hussain has requested consent for this location to sell hot foods – jacket potatoes and fillings, every day for a year between the hours of 10:00 and 17:00.

4.0 CURRENT POSITION

- 4.1 A copy photograph showing the requested trading location is attached as Appendix 1.
- 4.2 An objection has been received in respect of this application from the Council's Area Response Manager (City Centre) and this is attached as Appendix 2.
- 4.3 The Council's City Centre Management Group has asked the Licensing Section to present a report to the Regulatory Committee with the aim of the Committee adopting a policy in respect of street trading applications in the City Centre. The City Centre Management Group work with the Council's partner agencies including Sunderland Live and

the Business Improvement District with a view towards facilitating the economic development of the City Centre. The Group are concerned that unplanned street trading applications of the type dealt with by this report could, if granted, have a negative impact upon, or prevent, other planned uses of the City Centre's streets, e.g. events such as Christmas markets, and thus harm the City Centre's economic vitality. The report relating to a proposed City Centre Street Trading policy will be brought before the Committee as soon as possible. In the meantime, the Committee are requested to consider the concerns of the City Centre Management Group in deciding this application.

5.0 REASONS FOR THE DECISION

- 5.1 Paragraph 7 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 allows the Council to grant or refuse consent if it sees fit to do so. The Council may impose conditions upon the consent.

6.0 ALTERNATIVE OPTIONS

- 6.1 None submitted.

7.0 RELEVANT CONSIDERATIONS

- 7.1 The objection to this application and the information outlined at paragraph 4.0.

8.0 GLOSSARY

- 8.1 No acronyms or abbreviations have been used in this report.

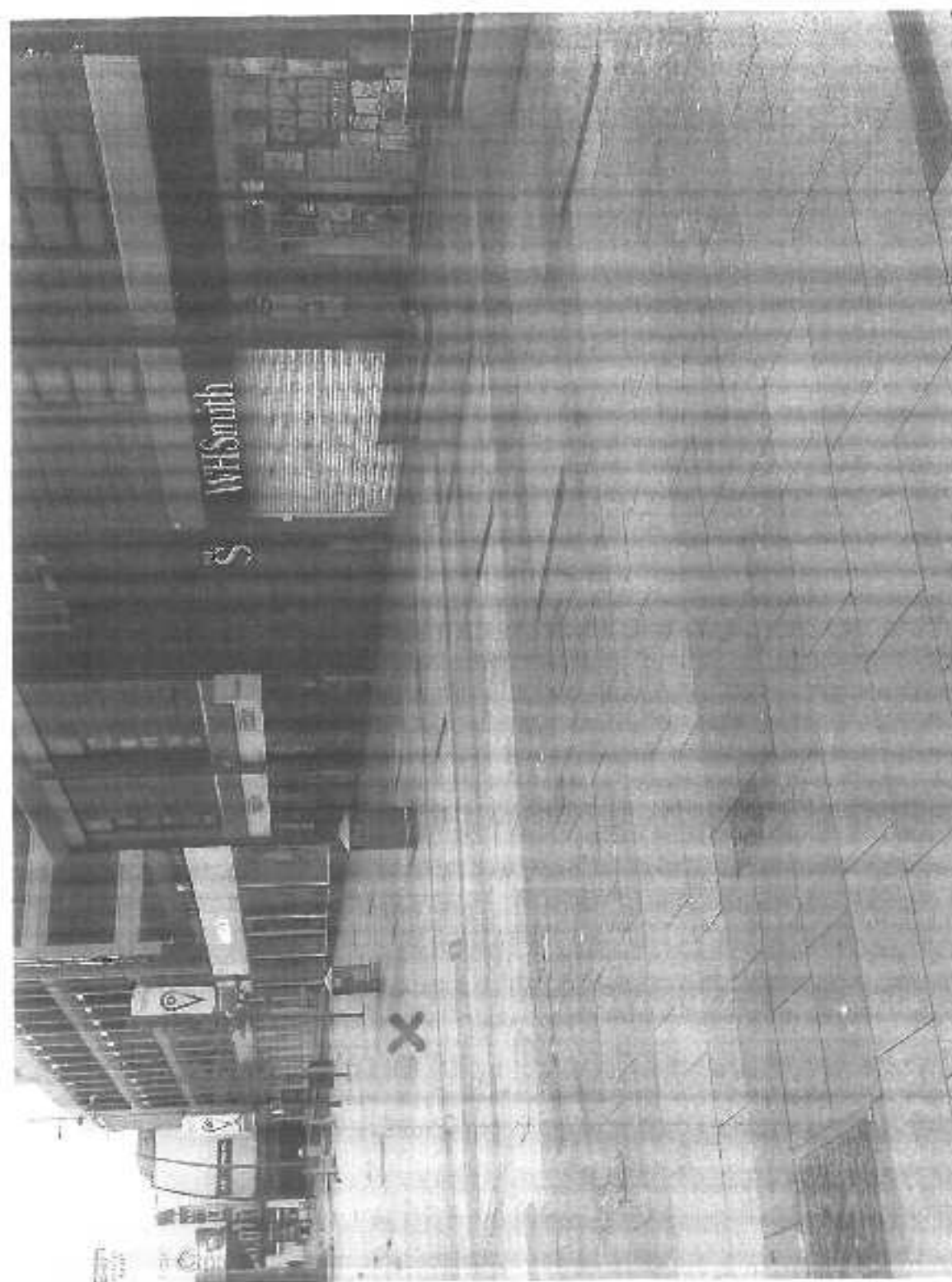
9.0 APPENDICIES

- 9.1 Appendix 1 – Map showing the location of the site.
Appendix 2 – Copy of objection.

10.0 BACKGROUND PAPERS

- 10.1 None.

Appendix 1



Appendix 2

From: David Groark
Sent: 03 December 2014 12:29
To: Tom Tennell
Subject:

I wish to object to the applications for street trading consents in the City Centre listed below.

The applications are:

- 1)
- 2)
- 3) Mr Hussain (Jacket potatoes) - Market Square (next to WHSmith)
- 4)

The Council has an objective of promoting the economic vitality of the City Centre and seeks to attract visitors to the City Centre in order to expand the economy of the wider City. I consider that the sale of the goods requested in the locations identified in the applications listed below would have a negative impact upon the attractiveness of the City Centre to visitors. Additionally, we work with partners in order to manage the City Centre and, in particular, to arrange events and other aspects of the City Centre's "offer" to visitors throughout the year and, in particular, at key times such as Christmas. I consider that unplanned trading of the types requested would have a detrimental impact upon the efforts of partners in seeking to deliver a high quality experience for visitors to the City Centre, including the restriction of access to areas where organised events may be staged.