

REPORT OF THE EXECUTIVE DIRECTOR OF CITY SERVICES

REGULATORY COMMITTEE – 5 SEPTEMBER 2011

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING – PROSECUTION OF AN ILLEGAL STREET TRADER – MARKET SQUARE

1.0 PURPOSE OF THE REPORT

- 1.1** The purpose of this report is to advise Members of a recent Magistrates' Court case regarding street trading.

2.0 DESCRIPTION OF DECISION (RECOMMENDATION)

- 2.1** Members are requested to note the contents of the report.

3.0 INTRODUCTION/BACKGROUND

- 3.1** The Council manages street trading in certain streets by designating them as 'consent streets'.
- 3.2** A consent street is a street in which street trading can only take place legally if the consent of the Council has first been obtained.

4.0 CURRENT POSITION

- 4.1** On 21 December 2010 officers from the Licensing Section observed an unauthorised trader selling hats, gloves and balloons from a trolley in Market Square, Sunderland, which has been designated by the Council as a 'consent street'. They advised the trader, Andrew Kiddy of Bridlington, of the law and warned him to cease trading.
- 4.2** Despite this advice, officers observed Mr. Kiddy trading in Market Square on 22 and 23 December 2010.
- 4.3** Officers reported these offences for prosecution and, on 22 July 2011, the matter came before Sunderland Magistrates' Court. Mr. Kiddy was found guilty and fined £100 plus £120 costs and a £15 victim surcharge.
- 4.4** Officers will continue to enforce the law where contraventions are observed.

5.0 REASONS FOR THE DECISION

- 5.1** To advise Members of the outcome of a recent Magistrates' Court case regarding street trading.

6.0 ALTERNATIVE OPTIONS

6.1 None submitted.

7.0 RELEVANT CONSIDERATIONS

7.1 None.

8.0 GLOSSARY

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

9.0 APPENDICIES

9.1 None.

10.0 BACKGROUND PAPERS

10.1 None.