

# **REPORT OF THE EXECUTIVE DIRECTOR OF COMMERCIAL DEVELOPMENT**

**REGULATORY COMMITTEE – 15 AUGUST 2016**

## **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 VARIATION OF STREET TRADING CONSENTS IN THE VICINITY OF THE STADIUM OF LIGHT**

### **1.0 PURPOSE OF THE REPORT**

- 1.1 To request the Committee to vary the conditions which specify the periods of validity of current street trading consents in respect of locations in a designated area in the vicinity of the Stadium of Light and to impose a condition with the same effect upon any such consent's issued in the future.

### **2.0 DESCRIPTION OF DECISION (RECOMMENDATION)**

- 2.1 The Committee is recommended to consider whether the conditions which specify the periods of validity of current street trading consents relating to locations in in a designated area in the vicinity of the Stadium of Light be varied to indicate that the consents are not valid upon days when notified by Northumbria Police of high risk matches being played at the Stadium of Light and to impose a condition with that effect upon any such consents issued in the future.

### **3.0 INTRODUCTION/BACKGROUND**

- 3.1 The Committee will be aware that certain streets in the vicinity of the Stadium of Light (referred to in this report as being located within the "designated area") have been designated as 'consent streets' under the above-mentioned Act. Any person wishing to trade on those streets requires the consent of the Council. The designated area for the purposes of this report comprises those streets currently designated for street trading purposes in accordance with the above-mentioned Act which are located in the area bounded by the North bank of the River Wear, North Bridge Street and Southwick Road.
- 3.2 The Committee, at its meeting on 11 May 2009, adopted a policy, following advice upon matters of safety received from the Council's Traffic and Road Safety Section and the Development Manager, of refusing applications for street trading consent in the vicinity of the Stadium of Light on days when there are to be high profile non-football events such as concerts at the stadium unless an applicant could demonstrate exceptional reasons where a departure from the policy would be in the interest of the public. On 18 April 2016 the Committee amended this policy to include days when international football games are played at the Stadium of Light, following advice from Northumbria Police and the Council's Special Events Safety Advisory Group.
- 3.3 On 3 September 2012 the Committee agreed that the following condition was to be added to all street trading consents for traders trading in the designated area, either upon the granting of an application or upon renewal of an application:

“On days when football games designated as high risk by Northumbria Police are played at the Stadium of Light this consent will cease validity at the time at which the game is scheduled to commence and the consent holder must ensure that his/her trading equipment is removed from the area no later than forty five minutes before the time of the scheduled conclusion of the game”.

#### **4.0 CURRENT POSITION**

4.1 Northumbria Police have made representations to the Licensing Section of Sunderland City Council on the grounds of public safety and the prevention of disorder in order to seek the suspension of Street Trading Consents in the designated area on 21 August 2016. The Sunderland v Middlesbrough derby is considered to be a game with a high risk of disorder. In order to facilitate the safe movement of people attending the match Northumbria Police require this area to be free from traders.

4.2 A letter was sent to all street traders trading in the vicinity of the Stadium of Light asking them to voluntarily agree with Northumbria Police's request and the following response was received from Mr. Peter Allison:

‘I am replying with our decision regarding trading on the Sunderland v Middlesbrough game. We want to trade as we always do on derby days, we pay annual rent for the matches and we are a business and should not be required to close as and when the police request as we have mortgages and family to look after. I have always left at half time on derby days but to ask us to close for the whole match is not fair to traders when it is potentially one of the busiest days for us to earn a wage.’

4.3 The following comments have been received from Melanie Dorrian:

‘I'm replying to a letter I got from you asking me to voluntarily not to take my stall on the match day of the 21st of August. I understand the police concern but as a trader we pay to be there providing a service to the fans, this is my only income therefor I'm out pocket not only for my rental fees but income on the day, there for I think these matches should be took into consideration either relocate us or refund the days we cannot do. It is a shame as it is always is a good atmosphere especially the first game of the season the fans will be disappointed that we are not there, would the police not consider letting us traders do the first half of the game as we are allowed to do this when Sunderland plays Newcastle.’

4.4 Attached as appendix 1 is a plan showing the location of all street trading consents issued in the vicinity of the Stadium of Light. For Members information Mr. Allison's stalls are STADST11 and STADST26 on the plan and Ms. Dorrian's stall is STADST04.

#### **5.0 REASONS FOR THE DECISION**

5.1 Paragraph 7 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 allows the Council at any time to vary the conditions of a street trading consent in order to prevent obstruction of the street or danger to persons using it.

## **6.0 ALTERNATIVE OPTIONS**

6.1 None submitted.

## **7.0 RELEVANT CONSIDERATIONS**

7.1 None.

## **8.0 GLOSSARY**

8.1 None.

## **9.0 LIST OF APPENDICES**

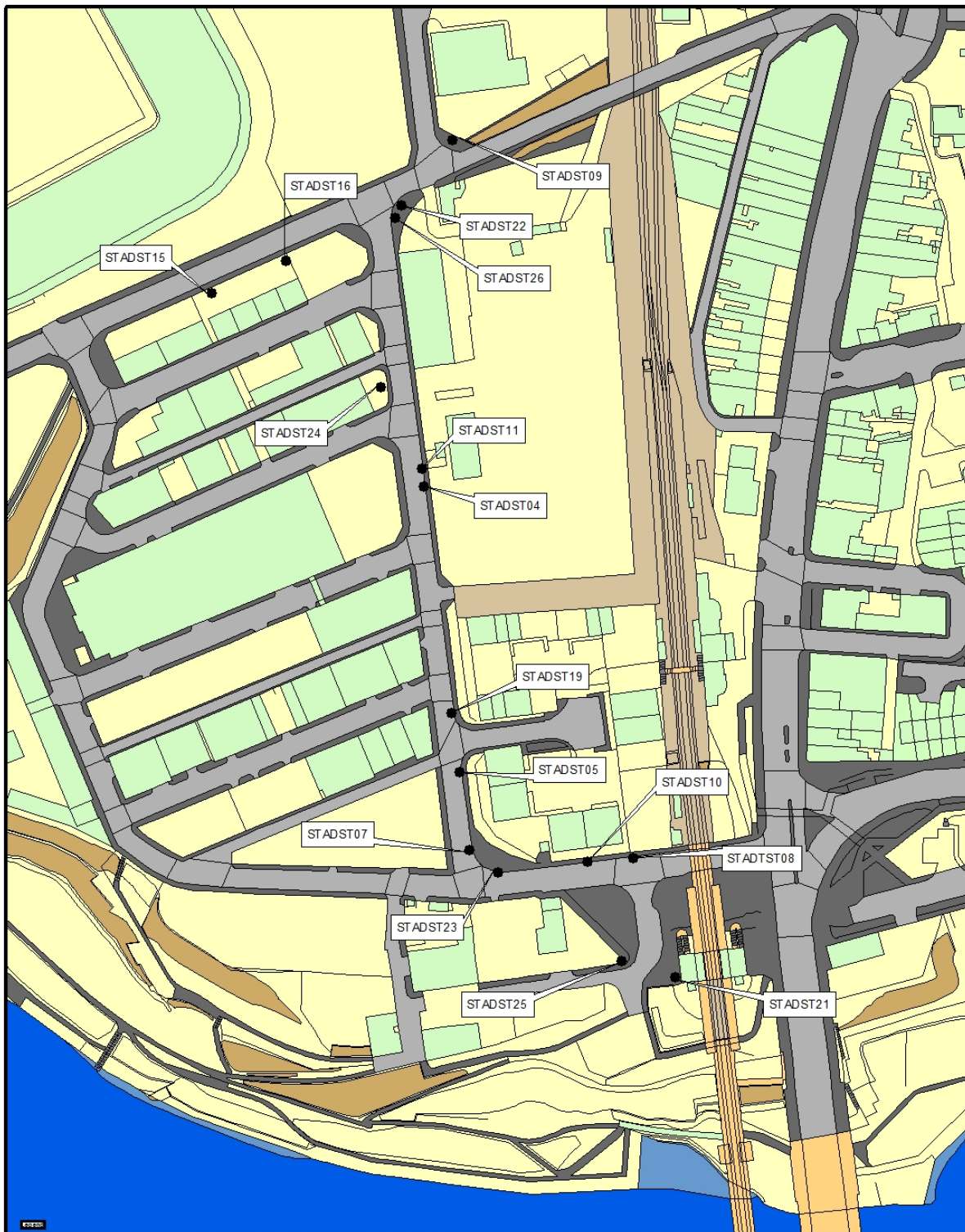
9.1 Appendix 1 – Plan showing locations of street trading consents in the vicinity of the Stadium of Light.

## **10.0 BACKGROUND PAPERS**

10.1 None.

# **Appendix 1**

## Street Trading in the Vicinity of the SOL



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