

**At a meeting of the REGULATORY COMMITTEE held in the CIVIC CENTRE on MONDAY, 23<sup>rd</sup> JULY, 2012 at 2.00 p.m.**

**Present:-**

Councillor Wilson in the Chair

Councillors Emerson, Errington, Farthing, P. Gibson, Macknight, D. Smith, Thompson, and Wiper.

**Declarations of Interest**

**Item 8 Street Collection Permits in the Vicinity of the Stadium of Light**

Councillors Errington and Thompson declared interests in the item as they had links to organisations involved in the draw. Both Councillors left the room and took no part in any discussion or decision thereon.

**Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillors Bonallie, Bell, Dixon, Mordey, Richardson and Waller.

**Minutes of the Last Meeting of the Committee held on 25<sup>th</sup> June, 2012 Part I**

1       RESOLVED that the minutes of the last Ordinary meeting of the Committee held on 25<sup>th</sup> June, 2012 Part I (copy circulated) be confirmed and signed as a correct record.

**Sunderland Stadium of Light – Renewal of Safety Certificate for Season 2012/2013**

The Deputy Chief Executive submitted a report (copy circulated) which sought approval of the application by Sunderland Association Football Club for the renewal of the General Safety Certificate for season 2012/2013.

(For copy report – see original minutes).

2. RESOLVED that:-

- (i) approval be given to the grant of a General Safety Certificate for the Sunderland Stadium of Light for the season 2012/2013 for capacities of 48,900 (non segregated match) and 48,656 (segregated match) on the same terms as in the current Safety Certificate; and
- (ii) no increase be made in the fee payable for the Certificate.

**Local Government (Miscellaneous Provisions) Act 1982 – Application for the Grant of Consent to Trade in a Designated Area – Forecourt Situated On Hay Street, Sunderland – Ms Gemma Muncaster**

The Executive Director of City Services submitted a report (copy circulated) in respect of the above matter.

(For copy report – see original minutes).

Tom Terrett, Trading Standards and Licensing Manager presented the report advising Members that the Committee had previously granted consent to trade at the location. The consent had expired on 30 January, 2012 and was not renewed by the previous applicant. No objections had been made to the application. Consideration having been given to the report it was:-

3. RESOLVED that approval be given to the application for the grant of consent to trade in a designated area (forecourt situated on Hay Street, Sunderland) received from Ms Gemma Muncaster on any day a football match is played at the Stadium of Light three hours before Kick Off and upto one hour at the end of the game for the sale of hot food and hot and cold Drinks.

**Local Government (Miscellaneous Provisions) Act 1982 – Application for the Grant of Consent to Trade in a Designated Area – On the Footpath to the South East of Hay Street, with the Junction of Millennium Way, Sunderland – Mr Duncan Francis**

The Executive Director of City Services submitted a report (copy circulated) in respect of the above matter

(For copy report – see original minutes).

Tom Terrett, Trading Standards and Licensing Manager presented the report and advised that the matter had been referred to the Committee as objections had been received to the application both from the Council's Network Operations Section and Northumbria Police. Mr Paul Robinson of Network Operations was present and highlighted the objections from his Section, as detailed in paragraph 7.1 of the report, which centred on the potential for the application to exacerbate pedestrian / vehicular conflict in the Sheepfolds area on match days.

Mr Terrett advised that the Police objection referred to days upon which high risk matches were played at the Stadium of Light as they made use of barriers pre and post match in the area so restricting access.

Mr Francis advised that he did not intend to trade on the day of high risk matches, as on such days the extended road closures did not make it economically viable. He contended that the proposed site was large enough not to cause an obstruction to the highway and circulated photographic evidence comparing his proposed site with one diametrically opposite from which a hot food trailer already operated. Mr Francis agreed that the surrounding area was busy however his favoured site was a 'little island of calm' tucked away from the flow of pedestrians travelling up and down Millennium Way, Stadium Way and Hay Street. Members who were aware of the situation on match days concurred with this point. Councillor Emmerson advised that he used the site favoured by Mr. Francis as a meeting point simply because it was quiet and away from the main pedestrian flow.

Mrs Francis added that crowds were unlikely to build up at the trailer because it would only sell sweets and soft drinks, with all sales being £1. As a result transactions would be simple and there would be no one milling around waiting for food to be cooked and served. Consideration having been given to the application it was:-

4       RESOLVED that approval be given to the application for the grant of consent to trade in a designated area (footpath to the southeast side of Hay Street with the junction of Millennium Way, Sunderland) received from Mr Duncan Francis on days a football match is played at the Stadium of Light (with the exception of games designated as 'high risk' by Northumbria Police) three hours before Kick Off and upto one hour at the end of the game for the sale of sweets, soft drinks, candy floss, chocolate and water.

**Local Government (Miscellaneous Provisions) Act 1982 – Application for the Grant of Consent to Trade in a Designated Area – Bandstand, Roker Park, Roker Park Road, Sunderland – Sunderland City Council Culture and Tourism Section**

The Executive Director of City Services submitted a report (copy circulated) in respect of the above matter.

(For copy report – see original minutes).

Tom Terrett, Trading Standards and Licensing Manager presented the report advising Members that the application related to the period 27 September 2012 to 12 November 2012. No objections had been received to the application, however as the requested period was greater than one month, a Committee decision was required. Consideration having been given to the report it was:-

5.       RESOLVED that approval be given to the application

## **Street Collection Permits within the Vicinity of the Sunderland Stadium of Light**

The Executive Director of City Services submitted a report (copy circulated) which requested that the Chairman of the Regulatory Committee carry out the draw for the allocation of street collections within the vicinity of Sunderland Stadium of Light for the season 2012/13.

(For copy report – see original minutes).

Tom Terrett, Trading Standards and Licensing Manager, presented the report informing the Committee of a request from the SAFC Foundation to hold street collections at the following five fixtures:-

25 <sup>th</sup> August	v	Reading
15 <sup>th</sup> September	v	Liverpool
8 <sup>th</sup> December	v	Chelsea
30 <sup>th</sup> March	v	Manchester United
12 <sup>th</sup> May	v	Southampton

Discussion ensued on the Club's request and it was granted accordingly. The Committee also agreed to a request from Northumbria Police not to grant permits for matches against Newcastle Utd and Middlesbrough. In addition members acceded to a request from a school for children with special needs that if they were successful in the draw, they were allocated a fixture either early or late in the season.

Mr Terrett drew members' attention to paragraph 4.7 of the report in respect of six applications made by Fulwell Juniors each one on behalf of one of the club's age groups. The Committee were asked to consider if the club should be allowed six entries into the draw or one. In this regard the Chairman welcomed and introduced Mr. George Tilley, the Chairman of Fulwell Juniors, who was present to speak in support of his application. Mr Tilley stated that Fulwell had been successful in the draw 6 years previously but had been unsuccessful since. He believed that in effect SAFC Foundation had been allowed multiple entries having been granted 5 permits for games of their choice and if the policy was to be seen as fair and transparent then it should be open for other organisations to submit multiple entries.

Mr Terrett advised the Committee that if Members were minded to allow only a single entry from Fulwell Juniors it was suggested that the Policy for the processing of applications for street collection permits within the vicinity of the Stadium of Light on match days as detailed in paragraph 3.2 be amended to allow organisations (including those submitted under individual team names) a single entry only into future draws.

Members were of the opinion that organisations should not be allowed to submit multiple entries but that the SAFC Foundation were a special case as they were the land owners. Councillor Gibson stated that single entries meant that each charity got an equal chance.

Mr Tilley advised that organisations had managed to circumvent the policy in the past. He was aware of one organisation that was successful in the draw for its boy's team one year, submitting an entry for its girl's team the next year. He also contended that as the SAFC Foundation were a registered charity, and the land owner, they could collect inside the stadium at any game they wished.

Members having agreed that only single entries from organisations should be permitted and to amend their policy in respect of future draws the Chairman then carried out the draw for the 13 available fixtures. This was followed by a draw for a reserve list of 10 which would be allocated in order of being drawn to any other fixture which may become available e.g. a cup match or a re-scheduled league game which had been previously abandoned.

During the course of the draw 'SAFC Foundation Community Football Club' were drawn out against the West Ham United Fixture on 12<sup>th</sup> January, 2013. Given their decision not to allow multiple entries, Members queried the link between this organisation and the SAFC Foundation. Mr Terrett advised that he would contact the Foundation and if the Community Football Club were part of the Foundation, the fixture would instead be allocated to the first drawn organisation on the Reserve List.

6. RESOLVED that :-

- i) approval be given to the following allocation of street collection permits in the vicinity of the Stadium of Light for the season 2012/13:-

Date	Fixtures	Organisation
25/8/12	Reading	SAFC Foundation
15/9/12	Liverpool	SAFC Foundation
29/9/12	Wigan Athletic	Wearmouth Cricket Club
3/11/12	Aston Villa	Russell Foster Youth League
25/11/12	West Bromwich Albion	Leam Rangers Youth FC
27/11/12	QPR	Houghton Albion FC
8/12/12	Chelsea	SAFC Foundation
26/12/12	Manchester City	RNLI
29/12/12	Tottenham Hotspur	Chester Le Street Town Youth FC
12/01/13	West Ham United	SAFC Foundation Community Football Club *
29/01/13	Swansea City	Hetton Lyons Cricket Club
9/02/13	Arsenal	MS Society
2/03/13	Fulham	Whizz Kidz
16/03/13	Norwich City	Fulwell FC Under 14s
30/03/13	Manchester United	SAFC Foundation
24/04/13	Everton	Sunderland Volunteer Life Brigade
4/05/13	Stoke City	Celta ( Cael Urfa FC )
12/05/13	Southampton	SAFC Foundation

Reserve List	
1	3 <sup>rd</sup> Washington Scout Group
2	3 <sup>rd</sup> Boldon Guides and Brownies
3	Cancer Research UK
4	Lambton Lions Junior FC under 10's
5	Sunderland Adaptive Snowsports
6	Hetton Juniors FC
7	Sunderland Amateur Operatic Society
8	Victim Support
9	The Parachute Regiment Association
10	SAMM

- ii) \*Mr Terrett be asked to ascertain the link between the 'SAFC Foundation Community Football Club' and the 'SAFC Foundation' and if they were part of the same organisation, the street collection permit for the fixture against West Ham United on 12<sup>th</sup> January 2013 be allocated to the first drawn organisation on the reserve list ( 3<sup>rd</sup> Washington Scouts ),
- iii) The Policy for the processing of applications for street collection permits within the vicinity of the Stadium of Light on match days as detailed in paragraph 3.2 be amended to allow organisations (including those submitted under individual team names) a single entry only into future draws.

### **Reforming the Law of Taxi and Private Hire Services**

The Executive Director of City Services submitted a report (copy circulated) which advised the Committee of a consultation document issued by the Law Commission with regard to the proposed reform of the law relating to taxi and private hire services in England and Wales.

(For copy report – see original minutes).

Tom Terrett, Trading Standards and Licensing Manager, presented the report informing the Committee that the stated aim of the reform was to review the law relating to the Regulation of taxis and private hire vehicles with a view to modification and simplification, having due regard to the potential advantages of deregulation in reducing the burdens on business and increasing economic efficiency. Members were advised that the Law Commission had set a closing date of 10<sup>th</sup> September for the receipt of comments in respect of their consultation document. A further report would be submitted to the next committee to enable a response to the consultation document to be determined

Mr Terrett having canvassed views from the committee in respect of the key proposals and questions arising from the document it was:-

7. RESOLVED the report be received and noted and that a further report to determine the response to the consultation document be submitted to the next meeting.

#### **Local Government (Access to Information) (Variation) Order 2006**

8. RESOLVED that, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during consideration of the remaining business as it was considered likely to include the disclosure of exempt information relating to an individual and the financial or business affairs of a particular person (including the Authority holding that information). (Local Government Act 1972, Schedule 12A, Part I, Paragraphs 1 and 3).

(Signed) A. WILSON,  
Chairman.

#### **Note:-**

The above minutes comprise only those relating to items during which the meeting was open to members of the public.

Additional minutes in respect of further items are included in Part II.





**SUNDERLAND STADIUM OF LIGHT – RESTRICTION ON GENERAL  
SAFETY CERTIFICATE**

**Report of the Deputy Chief Executive**

**1.0 PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to recommend to Committee that a limit be imposed upon the number of tickets made available by Sunderland Association Football Club to the visiting fans of Liverpool for the fixture on Saturday 15 September 2012.

**2.0 BACKGROUND**

- 2.1 The Safety of Sports Grounds Act 1975 requires that the General Safety Certificate contains a safe capacity relating to the maximum number of spectators permitted to enter the stadium for the specified activity.
- 2.2 The setting of that capacity involves assessment both of the design and physical conditions of the stadium together with the Club's ground safety management structure.
- 2.3 Since the advent of the "all seated" stadia which came about as a direct result of the recommendations made by Lord Justice Taylor into the Hillsborough Disaster, an emerging trend for fans, particularly those of visiting teams, to stand in seated areas has been noted.
- 2.4 This action of fans standing in seated areas is recognised as a major safety concern as it introduces the risk of injury to spectators and others from falls, surging and crushing.
- 2.5 The ability of the Club to manage the crowd, and access into the crowd by Police, Ambulance Service or St Johns is severely affected due to the blocking of stairways, gangways and vomitories.
- 2.6 The action also impacts upon customer care as spectators behind standing fans have no alternative but to do likewise whether they wish to stand or not.
- 2.7 The Sports Grounds Safety Authority (formerly the Football Licensing Authority) recognises the problem and in August 2002 together with other representative bodies within Association Football produced a document "Standing in Seated Areas at Football Grounds" outlining the

problems associated with such action. The document is reviewed by all co-signatories at stocktaking meetings held every 6 months.

- 2.8 In 2005 the Chief Executive of the former Football Licensing Authority wrote to all Chief Executives of Certifying Authorities reminding them of their roles and responsibilities in respect of fans standing in seated areas and requesting that they instruct Safety Advisory Groups to take up the issue. This instruction was repeated in 2008 due to an increase in the scale of the problem.
- 2.9 In 2009 Crowd Dynamics, a consultancy specialising in safety and crowd behaviour was commissioned by the Premier League to conduct a study into the safety issues arising from fans standing in seated areas.
- 2.10 The resulting report stated that progressive crowd collapse is not possible if the crowd is all seated and only standing at moments of excitement. However it said that a standing crowd jumping in excitement carries a higher risk of a progressive crowd collapse and that aggravating factors such as the rake of the deck and whether the crowd is dynamic or stable will significantly affect the likelihood of progressive crowd collapse.
- 2.11 The report went on to say that “the impact of this can be significant and as such, standing in seated areas must be regarded as a significant risk.”
- 2.12 The General Safety Certificate issued to the Club under the safety of Sports Grounds Act 1975 states in Condition 4 “The Holder (Club) shall retain control over the whole or each part of the sports ground and shall take all necessary precautions for the reasonable safety of spectators admitted to the sports ground. The responsibility for the safety of the spectators at the sports ground lies at all times with the Holder, who shall produce a written statement of Safety Policy”.
- 2.13 The Club’s own Ground Regulation 13 states that “Nobody may stand in any seating area whilst play is in progress. Persistent standing in seated areas whilst play is in progress is strictly forbidden and may result in ejection from the ground”.
- 2.14 At the beginning of season 2003/2004 the former Football Licensing Authority introduced a proforma to be completed by football club safety officers throughout the Premier and Football Leagues recording the behaviour of both home and visiting fans. The recording of this information is now carried out by the Premier League.
- 2.15 The data built up from that reporting procedure and from information recorded by the council’s building control team from match day inspections has identified standing in seated areas as a trend by the visiting fans of a number of clubs including those of Liverpool.

2.16 The monitoring process will continue through the season 2012/2013 and the information received on the behaviour of the fans will be used to supplement information already held by the Council.

2.17 Committee will recall that at a number of previous meetings approval was given to set limits for the same reasons on visiting fans for fixtures against Clubs including West Ham United, Leeds United, Cardiff City, Aston Villa, Manchester United, Manchester City, Sheffield Wednesday, Liverpool and Newcastle United.

### 3.0 PROPOSALS

3.1 A safety management plan for the fixture was received from Sunderland Football Club on 14 August 2012. After examination of the plan and discussions with the Club and Northumbria Police it has been agreed that in an effort to manage the possibility of fans standing in seated areas, the maximum number of visiting fans for the fixture should be set at 2400.

3.2 This reduced number of visiting fans is set at a level which the Club through their safety management plan feel confident in being able to observe safety concerns and to carry out enforcement of Ground Regulation 13.

3.3 Details of the plan and the recommendation of Committee will be reported to the Safety Advisory Group at its meeting on 5 September 2012.

### 4.0 RECOMMENDATIONS

4.1 Committee is recommended:

- 1) To approve the setting of a limit of 2400 visiting fans for the fixture with Liverpool on Saturday 15 September 2012 on the grounds of authorising the Club to take all necessary precautions for the reasonable safety of spectators at these games as per Condition 4.
- 2) To authorise the Deputy Chief Executive to follow such procedure and issue such notice needed to obtain compliance with the proposed restriction.

## **Background papers**

Sunderland Stadium of Light General Safety Certificate  
Former Football Licensing Authority document "Standing in Seated Areas at Football Grounds"

Crowd Dynamics report

Letters dated 8 April 2005 and 28 April 2008 from Chief Executive of former Football Licensing Authority to Chief Executives of Certifying Authorities

# **REPORT OF THE EXECUTIVE DIRECTOR OF CITY SERVICES**

## **REGULATORY COMMITTEE – 3 SEPTEMBER 2012**

### **REFORMING THE LAW ON TAXI AND PRIVATE HIRE SERVICES**

#### **A CONSULTATION PAPER BY THE LAW COMMISSION**

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

- 1.1** To seek the Committee's approval to respond to a consultation document issued by the Law Commission with regard to the proposed reform of the law relating to taxi and private hire services in England and Wales.

##### **2.0 DESCRIPTION OF DECISION**

- 2.1** The Committee is requested to consider the proposed responses to the above-mentioned consultation document set out in Appendix 1 and agree to respond to the Law Commission.

##### **3.0 INTRODUCTION/BACKGROUND**

- 3.1** On 10 May 2012 the Law Commission published a consultation document outlining their proposals as to how to reform the law on taxi and private hire services in England and Wales. The aim of the reform is to review the law relating to the regulation of taxis and private hire vehicles with a view to its modernisation and simplification, having due regard to the potential advantages of deregulation in reducing the burdens on business and increasing economic efficiency.
- 3.2** The Committee at its meeting of 23 July 2012 considered a report on the consultation issued by the Law Commission and discussed in detail some of the proposals and questions contained in that document.

##### **4.0 CURRENT POSITION**

- 4.1** The Law Commission have set a closing date for the submission of comments in respect of this document of 10 September 2012.
- 4.2** Licensing Officers have prepared draft responses to those proposals and questions outlined in the consultation document apparently most pertinent to this City and a copy of these are attached to the report at Appendix 1.
- 4.3** The Committee is requested to consider these proposed responses and agree to reply to the consultation paper of the Law Commission.

## **5.0 REASONS FOR THE DECISION**

**5.1** To inform legislators.

## **6.0 ALTERNATIVE OPTIONS**

**6.1** None submitted.

## **7.0 RELEVANT CONSIDERATIONS**

**7.1** None.

## **8.0 GLOSSARY**

**8.1** None.

## **9.0 APPENDICIES**

**9.1** Appendix 1 – Responses to questions asked in the Law Commission Consultation Document.

## **10.0 BACKGROUND PAPERS**

**10.1** None.

# **Appendix 1**

## **PROPOSED CONSULTATION RESPONSES RE REFORM OF LAW ON TAXIS AND PRIVATE HIRE VEHICLES**

### **Provisional proposal 1**

Regulation should continue to distinguish between taxis, which can accept pre-booked fares, be hailed on the street and wait at ranks, and private hire vehicles, which can only accept pre-booked fares.

*Response – Agree*

### **Provisional proposal 11**

Weddings and funerals should no longer be expressly excluded from private hire licensing through primary legislation.

*Response – Agree*

### **Provisional proposal 15**

The defining feature of taxis, the concept of “plying for hire”, should be placed on a statutory footing and include:

- (a) references to ranking and hailing;
- (b) a non-exhaustive list of factors indicating plying for hire; and
- (c) appropriate accommodation of the legitimate activities of private hire vehicles.

*Response – Agree*

### **Provisional proposal 19**

Pre-booking would continue to be the only way of engaging a private hire vehicle and cover all technological modes of engaging cars. This is without prejudice to the continued ability of taxis to be pre-booked.

*Response – Agree*

### **Provisional proposal 24**

Taxi and private hire services should each be subject to national safety requirements.

*Response – Agree*

### **Provisional proposal 25**

National safety standards, as applied to taxi services, should only be minimum standards.



*Response – Disagree. Local authorities should be able to apply local policies above any national standard determined in order to meet the specific requirements of their communities.*

### **Provisional proposal 26**

National safety standards, as applied to private hire services, should be mandatory standards.

*Response – Disagree. Local authorities should be able to apply local policies above any national standard determined in order to meet the specific requirements of their communities.*

### **Provisional proposal 27**

Private hire services would not be subject to standards except those related to safety. Requirements such as topographical knowledge would no-longer apply to private hire drivers.

*Response – Disagree. We consider topographical knowledge is necessary for holders of both hackney carriage and private hire driver's licences.*

### **Question 28**

Should local standard-setting for private hire services be specifically retained in respect of vehicle signage? Are there other areas where local standards for private hire vehicles are valuable?

*Response – Agree that local authorities should be able to apply local policies in respect of vehicle signage.*

### **Question 29**

What practical obstacles might there be to setting common national safety standards for both taxis and private hire vehicles?

*Response –A poor standard may be applied nationally.*

### **Question 30**

Should national conditions in respect of driver safety be different for taxi services compared with private hire services?

*Response – No, the same standards should apply for taxi and private hire services.*

### **Provisional proposal 34**

Licensing authorities should retain the power to set standards locally for taxis provided above the minimum national standards.

*Response – Agree. Local authorities should be able to apply local policies above any national standard determined.*

### **Question 35**

Should there be statutory limits to licensing authorities' ability to set local taxi standards?

*Response – No. A local authority should be able to set local standards based upon local knowledge of the needs of its community. The present system of unmet demand surveys serves our community well.*

### **Question 36**

Should licensing authorities retain the power to impose individual conditions on taxi and private hire drivers or operators?

*Response – Yes. Local authorities should retain the power to apply local policies above any national standard determined.*

### **Provisional proposal 38**

Neighbouring licensing authorities should have the option of combining areas for the purposes of taxi standard setting.

*Response – Agree.*

### **Provisional proposal 39**

Licensing authorities should have the option to create, or remove, taxi zones within their area.

*Response – Agree.*

### **Question 40**

Would it be useful for licensing authorities to have the power to issue peak time licences which may only be used at certain times of day as prescribed by the licensing authority?

*Response – No. We foresee practical difficulties e.g. enforcement around timings.*

#### **Provisional proposal 41**

Private hire operators should no longer be restricted to accepting or inviting bookings only within a particular locality; nor to only using drivers or vehicles licensed by a particular licensing authority.

*Response – Disagree. This would create severe enforcement difficulties.*

#### **Provisional proposal 42**

We do not propose to introduce a “return to area” requirement in respect of out of-area drop offs.

*Response – Agree.*

#### **Provisional proposal 43**

Licensing authorities should retain the ability to regulate maximum taxi fares. Licensing authorities should not have the power to regulate private hire fares.

*Response – Agree.*

#### **Question 44**

Should taxis be allowed to charge a fare that is higher than the metered fare for pre-booked journeys?

*Response – Disagree. This would cause confusion to the public.*

#### **Provisional proposal 46**

Vehicle owners should not be subject to “fit and proper” tests and the criteria applied would relate solely to the vehicle itself.

*Response – Disagree. Regulation of vehicle owners is an important tool in order to protect passengers.*

#### **Provisional proposal 48**

Operator licensing should be retained as mandatory in respect of private hire vehicles.

*Response – Agree.*

#### **Provisional proposal 52**

Operators should be expressly permitted to sub-contract services.

*Response – Agree.*

#### **Provisional proposal 54**

Licensing authorities should no longer have the power to restrict taxi numbers.

*Response – Disagree. Local authorities should be able to retain local control of their hackney carriage licences. This proposal is not in the interests of our travelling public in that it will lead to congestion in our City Centre.*

#### **Question 55**

What problems (temporary or permanent) might arise if licensing authorities lost the ability to restrict numbers?

*Response – Traffic congestion and pressure on constrained rank space.*

#### **Question 56**

Should transitional measures be put in place, such as staggered entry to the taxi trade over a scheduled period of time, if quantity restrictions are removed?

*Response – Agree that, should de-restriction occur, staggered entry to the trade would be advantageous.*

#### **Provisional proposal 61**

National standards for drivers of both taxis and private hire vehicles should include recognised disability awareness training.

*Response – Agree.*

#### **Provisional proposal 68**

Enforcement officers should have the powers to enforce against vehicles, drivers and operators licensed in other licensing areas.

*Response – We do not disagree in principle but any proposals to allow more out-of-area working will lead to a drop in licence income in some areas. Without income to fund licensing officers, additional powers are pointless.*

#### **Question 69**

Should cross-border enforcement powers extend to suspensions and revocation of licences? If so what would be the best way of achieving this?

*Response – The cost of Committee hearings and court cases (on appeal) are unlikely to be affordable by local authorities where many of the vehicles providing private hire services are licensed by other local authorities.*

## **REPORT OF THE EXECUTIVE DIRECTOR OF CITY SERVICES**

### **REGULATORY COMMITTEE – 3 SEPTEMBER 2012**

#### **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

#### **CONSIDERATION OF A PROPOSAL TO VARY THE STREET TRADING CONSENTS IN RESPECT OF TRADERS OPERATING IN THE VICINITY OF STADIUM OF LIGHT**

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

- 1.1 To consider a proposal to vary the street trading consents of those traders authorised to operate in the vicinity of the Stadium of Light on the days when high risk football matches take place.

##### **2.0 DESCRIPTION OF DECISION**

- 2.1 The Committee is recommended to give consideration to a proposal to vary the consents to trade in a designated area under the terms of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. Specifically, the Committee is requested to agree that all street trading consents authorising trading in the vicinity of the Stadium of Light terminate as soon as the match is scheduled to commence where the match is designated as high risk by Northumbria Police.

##### **3.0 INTRODUCTION/BACKGROUND**

- 3.1 The Committee may recall that in the past they have received requests from Northumbria Police to vary the consents of the traders trading in the vicinity of the Stadium of Light on days when high risk football matches are taking place. The police have made these requests in order to facilitate crowd control.

##### **4.0 CURRENT POSITION**

- 4.1 It is expected that the Council will receive further similar requests in the future. In order, therefore, to streamline the process the Committee is requested to agree that the following condition is added to all street trading consents for traders trading in the vicinity of the Stadium of Light, 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”.

- 4.2 A letter has been sent to all those persons who currently hold consent to trade in the vicinity of the Stadium of Light advising them of this proposal and requesting any comments they may have upon the issue. No responses have been received.

## **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 APPENDICIES**

- 9.1 None.

## **10.0 BACKGROUND PAPERS**

- 10.1 None.

# **REPORT OF THE EXECUTIVE DIRECTOR OF CITY SERVICES**

## **REGULATORY COMMITTEE – 3 SEPTEMBER 2012**

### **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 APPLICATIONS FOR GRANT OF CONSENT TO TRADE IN A DESIGNATED AREA**

#### **ON THE PREMISES OF UNIT 1A STOBART STREET, SHEEPFOLDS INDUSTRIAL ESTATE, SHEEPFOLDS, SUNDERLAND**

#### **ON THE PREMISES OF UNIT 1B STOBART STREET, SHEEPFOLDS INDUSTRIAL ESTATE, SHEEPFOLDS, SUNDERLAND**

**Mr George Richard Cooper**

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

- 1.1 To consider two applications received from George Richard Cooper for grant of consent to trade in a designated area in respect of sites situated on the premises of unit 1a Stobart Street, and unit 1b Stobart Street, Sheepfolds Industrial Estate, Sheepfolds, Sunderland.

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

- 2.1 The Committee is recommended to give consideration to Mr Cooper's applications for consents to trade in a designated area 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 street in question has been designated by the Council as a consent street for street trading purposes under Part III and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. The Council has discretion to grant such consent "if it thinks fit".
- 3.2 Mr Cooper was initially granted consent to trade at these locations by the Regulatory Committee at its meeting of 30 November 2009. These consents expired on 30 November 2011. Mr Cooper has again applied for street trading consent at the above locations.
- 3.3 This applications are to trade any day upon which a football game is to be played at the Stadium of Light. The proposed hours of trading commence four hours before kick off and end four hour after the end of the game.
- 3.4 The applicant has indicated that he intends to use the sites for the sale of hot food, and drinks from two trailers measuring 14 feet long and 8 feet wide.

#### **4.0 CURRENT POSITION**

- 5.1 No objections have been received in respect of these applications.

#### **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 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 No objections have been received in respect of these applications. However, even in the absence of objections, a decision on this matter may be made only by the Committee.
- 7.2 A map showing the location of the sites is attached as Appendix 1.

#### **8.0 GLOSSARY**

- 8.1 None.

#### **9.0 APPENDICIES**

- 9.1 Appendix 1 – Plan showing the location of the proposed sites.

#### **10.0 BACKGROUND PAPERS**

- 10.1 None.



# **Appendix 1**



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