

At an extraordinary meeting of the REGULATORY COMMITTEE held in the CIVIC CENTRE on MONDAY, 15th AUGUST, 2016 at 10.00 a.m.

Present:-

Councillor Blackburn in the Chair

Councillors Elliott, Fletcher, P. Gibson, Heron, Howe, Kay and Scaplehorn

Declarations of Interest

Item 3 – Variation of Street Trading Consents in the vicinity of the Stadium of Light

Councillor Heron declared that she was a Sunderland AFC Season Ticket holder.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors D. Dixon, Turner and Waller.

Local Government (Miscellaneous Provisions) Act 1982 – Variation of Street Trading Consents in the Vicinity of the Stadium of Light

The Executive Director of Commercial Development submitted a report (copy circulated) which recommended that the Committee 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 consents issued in the future.

(For copy report – see original minutes)

Richard Reading, Trading Standards and Licensing Manager, presented the report and advised the Committee that Northumbria Police had 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 was 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.

The Chairman invited Chief Inspector Reddy of Northumbria Police to address the Committee. Chief Inspector Reddy advised that due to Middlesbrough not having been in the premier league for a number of years, this was a big occasion for their fans and there were expected to be a great deal of fans attending. This would result in the coming together of the two sets of fans in the main pedestrian route across the bridge and into the Sheepfolds. The removal of the food vans would stop the

congregation of fans at the stalls which would ease the crowd mentality that arises when groups of fans are together.

Chief Inspector Reddy also advised that the streets in question were very narrow for the main busy thoroughfare and it would be more difficult for the police dogs and horses to work when the roads were congested. The presence of street traders made it significantly more difficult.

The City Solicitor advised the committee that it had the statutory powers to vary the conditions of the street traders if so required but it was important for any decision making to be balanced fairly.

Councillor P. Gibson commented that he had been a member of this committee for a great deal of time and historically with high profile games such as Newcastle games, the traders had been allowed to operate up until half time. Councillor Gibson appreciated that the fans would be arriving from different areas but they were talking about putting 16 traders out of business for that day, traders which provide a service to the fans, all on the "likelihood" of there being trouble.

Councillor Gibson also commented that he was not happy with the Police request for a total ban on those long standing businesses and would have been in agreement if they had proposed a half time finish as per past arrangements for high profile games.

In response to the Chairman's enquiry, Councillor Gibson advised that he could not recall any problems when this fixture was played 8-9 years ago.

Councillor Heron agreed with Councillor Gibson and commented that if Middlesbrough fans were taking the metro, this was usually cordoned off from Sunderland fans and she believed that they should be allowing traders to operate until half time. Councillor Heron also stated that she could not remember any trouble occurring at the last fixture.

Councillor Howe noted that the objections referred to in the report were the only objections received and that the majority of traders had submitted no letters of objection. He commented that he was always in support of the Police but in all honesty was not aware of any evidence of trouble occurring in the past and felt that traders' being required to cease operating by half time was quite satisfactory.

Councillor Kay commented that he understood the tactical perspective of the Police and that there would be certain push points during the day, but that the emphasis on these was clearly after the game and on that basis he felt that the current policy was sufficient.

Councillor Scaplehorn enquired if the police suspected there to be trouble or if this request was purely about controlling the crowd. Chief Inspector Reddy advised that the arrival of the Middlesbrough fans pre match would mean the likelihood of both sets of fans coming together was high. There were no plans to limit the Sunderland fans moving through the area like the Newcastle arrangements as mentioned by Members so fans would meet at this point.

Chief Inspector Reddy advised that for the Newcastle fixture, they had approached the street traders and they had all agreed to cease operating by half time. Members may not have witnessed trouble and may not be aware but when Middlesbrough came up for a recent cup game, there were significant instances of violence. Chief Inspector Reddy enquired if there was any situation in which the traders could operate further away from the area as a compromise.

In response to the Chairman's enquiry over the possibility of relocating the traders, which was not practicable, Mr Reading advised that the last Newcastle game no complaints had been made by the traders in respect of the arrangements and only five stalls had been affected, however this was a different scenario under consideration.

Chief Inspector Reddy conceded that the parts of the approach route closest to the metro station were of the greater concern and that, as a compromise, the Police would be content to allow the traders closer to the Stadium to operate up until half time, as was normally allowed in connection with other high profile matches.

It was noted that the only objections received were from traders operating from stalls closer to the Stadium.

Councillor P. Gibson commented that they did not have the authority to relocate the street traders but proposed an alternative recommendation to allow those traders in the vicinity of the Stadium of Light to continue to operate up until Half time and that no trader could operate south of ST AD ST 04 marked on the map (Appendix 1 to the report). The alternative motion was seconded by Councillor Heron and all Members agreed.

Mr Reading commented that the report had requested that agreement be made for a permanent condition for future high risk games.

Councillor Kay commented that he was happy for this scenario to be implemented as a one off but to regularly implement this for all future high risk games would discriminate against those traders south of ST AD ST 04 and he would be opposed to such a policy being established.

Chief Inspector Reddy advised that they would welcome a policy being put in place and that it would be highly unlikely for them to invoke such circumstances regularly.

Councillor P. Gibson commented that he wouldn't like to set a policy that had to be adhered to every time and felt that if a situation arose, the Police have the opportunity to come forward and the Committee can consider the situation again. Therefore he moved that there be no blanket policy implemented. The motion was seconded by Councillor Fletcher.

With all Members being in agreement it was:-

1. RESOLVED that the conditions of the street trading consents relating to stalls ST AD ST 05, 07, 08, 10, 19, 21, 23 and 25 be varied to indicate that the consents are not valid on 21st August 2016 but that no blanket policy

be introduced to impose a condition with that effect for all future high profile games notified as high risk matches by Northumbria Police.

(Signed) J. BLACKBURN,
Chairman.