

REPORT OF THE DEPUTY CHIEF EXECUTIVE

REGULATORY COMMITTEE – 22 JULY 2013

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

13 PRINCES AVENUE, SUNDERLAND, SR6 8DG

Mr. Andrew McCusker

1.0 PURPOSE OF THE REPORT

- 1.1 To consider an application received from Mr. Andrew McCusker for the grant of consent to trade in a designated area. The site is situated at 13 Princes Avenue, Sunderland. A map identifying the location of this site is attached as Appendix 1.

2.0 DESCRIPTION OF DECISION (RECOMMENDATION)

- 2.1 The Committee is recommended to give consideration to the grant or refusal of Mr. McCusker's application for grant of consent to trade in a designated area as highlighted 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 The application is to trade on 27 July 2013 and 28 July 2013 (i.e. the weekend of the Sunderland International Airshow). The proposed hours of trading are 8:00 a.m. until 7:00 p.m.
- 3.3 The applicant has indicated that he intends to use the site for the sale of candy floss from a purpose built trailer.

4.0 CURRENT POSITION

- 4.1 An objection has been received as detailed in paragraph 7.0 below. Consequently, the application requires the consideration of the Regulatory Committee.

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 Sunderland Live object to the application stating:-

‘In relation to the application for 13 Princes Avenue for the Airshow weekend. I can confirm Sunderland Live would like to object to this application based on the following points:

- 1) The area stated on the attached application does not form part of the Sunderland International Airshow tender locations. All successful Airshow tender applicants pay a large sum of money to trade at the Airshow and we feel that if the application is approved then there could be significant risk to the future reputation and income to the Airshow.
- 2) An Event Safety Plan for the Sunderland International Airshow site is produced to capture all activity on the event. This is circulated to 40 members of the Safety Advisory Group to include Northumbria Police, NEAS, etc. The information in relation to the application attached would not form part of this event safety plan and therefore there is the potential of Health and Safety issues that would need to be raised with the Safety Advisory Group.
- 3) All activity captured within the Event Safety Plan will be managed by Sunderland Live throughout the set up, event weekend and de-rig to ensure a successful and safe event is delivered.’

- 7.3 The above-mentioned comments have been forwarded to the applicant and to date no response has been received. Any response received will be reported at the meeting.

8.0 GLOSSARY

- 8.1 None.

9.0 APPENDICIES

9.1 Appendix 1 – Map showing the location of the proposed site.

10.0 BACKGROUND PAPERS

10.1 None.

Appendix 1

Proposed Street Trading Location



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