

REPORT OF THE DEPUTY CHIEF EXECUTIVE

REGULATORY COMMITTEE – 22 JULY 2013

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

LAND AT MARINE WALK, ROKER, SUNDERLAND

Mr. Clinton Mysleyko

1.0 PURPOSE OF THE REPORT

- 1.1 To consider an application received from Mr. Mysleyko for the grant of three consents to trade in a designated area. The sites are situated at Marine Walk, Sunderland. A map identifying the location of the sites 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. Mysleyko's applications 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 consents 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 consents "if it thinks fit".
- 3.2 The application is to trade during the following hours (i.e. the weekend of the Sunderland International Airshow):-

Friday 26 July 2013 – 4:00 p.m. to 10:00 p.m.
Saturday 27 July 2013 – 10:00 a.m. to 10:00 p.m.
Sunday 28 July 2013 – 10:00 a.m. to 6:00 p.m.

- 3.3 The applicant has indicated that he intends to use the sites for the sale of burgers and ice creams from purpose built trailers.

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 consents if it sees fit to do so. The Council may impose conditions upon the consents.

6.0 ALTERNATIVE OPTIONS

- 6.1 None submitted.

7.0 RELEVANT CONSIDERATIONS

- 7.1 Sunderland Live object to the applications stating:-

‘In relation to the application for the land at Marine Walk, Roker, I can confirm that 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 sites 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

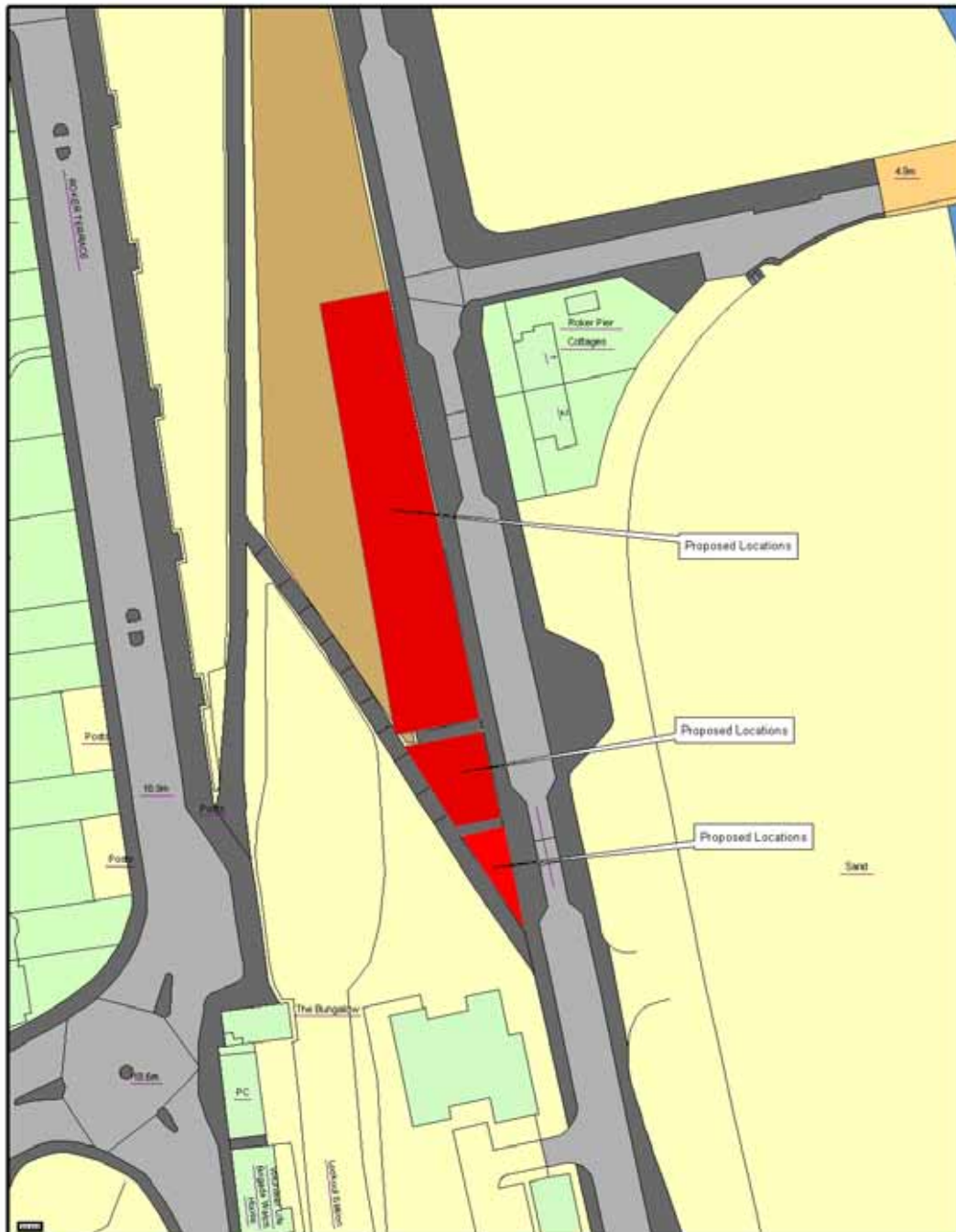
9.1 Appendix 1 – Map showing the locations of the proposed sites.

10.0 BACKGROUND PAPERS

10.1 None.

Appendix 1

Proposed Street Trading Locations



This map is based upon the Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100018395. Date 2013