

REPORT OF THE EXECUTIVE DIRECTOR OF CITY SERVICES

REGULATORY COMMITTEE – 27 JUNE 2011

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

**Whitburn Road, Sunderland
(1 metre south from taxi rank situated in lay by)**

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 1 metre south from the taxi rank in the lay by on Whitburn Road, 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 from 5 August 2011 until 4 September 2011. The proposed hours of trading are 9:00 a.m. until 6:00 p.m.
- 3.3 The applicant has indicated that he intends to use the site for the sale of confectionary and novelty items 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 The Office of the Chief Executive's Planning Implementation Section object to the application stating:-

'The resorts of Roker and Seaburn are currently a regeneration priority as set out in the Sunderland Strategy. A Seafront Regeneration Strategy has recently been prepared to guide the future regeneration and development of the area.

As part of the wider planned regeneration of the seafront the Council is considering development options and opportunities for both Roker and Seaburn. As part of this work consideration is being given to opportunities for new catering facilities such as cafes and restaurants. This work is seeking to consider the impact of any new facilities on the existing facilities/ businesses at the seafront as the regeneration strategy aims to support existing businesses and the introduction of an oversupply of facilities could have a negative rather than positive impact on the area.

The draft Masterplan for Seaburn specifically identifies the Seaburn seating shelter/toilet block (Seaburn Promenade) as a site for redevelopment. The Council is currently progressing a project to redevelop this building which is immediately adjacent to the location that Mr McCusker is seeking (the lay by on Whitburn Road). I have concerns that allowing street trading from this location will impact on the success of the proposed redevelopment of the Seaburn Shelter. Whilst the redevelopment has not commenced I have concerns that a precedent will be set for future years if consent is granted for trading this year'.

- 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.

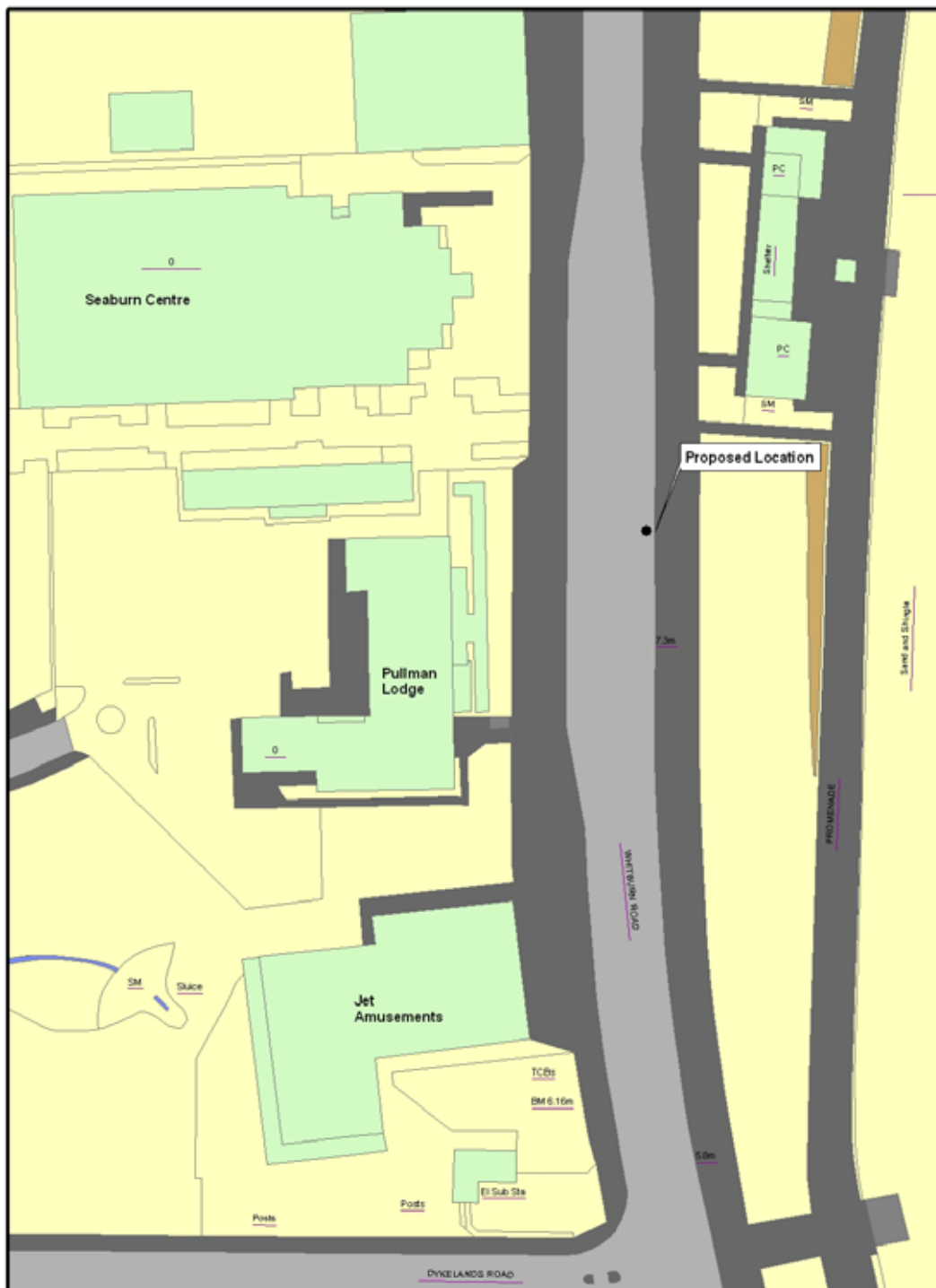
9.0 APPENDICIES

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

10.0 BACKGROUND PAPERS

10.1 None.

Appendix 1



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