

REPORT OF THE EXECUTIVE DIRECTOR OF CITY SERVICES

REGULATORY COMMITTEE – 1 AUGUST 2011

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

CONSIDERATION OF A REQUEST RECEIVED FROM NORTHUMBRIA POLICE IN RESPECT OF STREET TRADING CONSENTS IN A DESIGNATED AREA

1.0 PURPOSE OF THE REPORT

- 1.1 To consider a request from Northumbria Police to vary the street trading consents of those traders authorised to operate in the vicinity of the Stadium of Light on the day Sunderland AFC next play Newcastle United, 20 August 2011.

2.0 DESCRIPTION OF DECISION (RECOMMENDATION)

- 2.1 The Committee is recommended to give consideration to the request from Northumbria Police to vary the consents to trade in a designated area under the terms of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

3.0 INTRODUCTION/BACKGROUND

- 3.1 Northumbria Police have made the following request:

‘For the previous Sunderland v Newcastle fixture on 16th January 2011, there was a street closure, which effectively closed the whole of the Sheepfolds to vehicular traffic. This was put in place at 6am on the morning of the fixture and remained in place until after all of the fans had left the area.

The Street Traders were given access with their trailers and set up in their usual positions. Pre match the police used Easington Street to convey Newcastle fans, from the Metro station to the stadium. Barriers were used to close the Sheepfolds off to all other pedestrians. Post match the Newcastle fans were held back whilst the Sunderland fans were given the opportunity to leave the area. The police then moved the remaining Sunderland fans from the Sheepfolds area and, once clear, the barriers were used to again create a sterile area to convey the Newcastle fans to their buses and to the Metro station. Feedback received by Northumbria Police, from both Sunderland and Newcastle fans, was that they thought that this tactic used was a success, creating a safe passage for the visiting fans.

The reason Northumbria Police issued a road closure for the Sheepfolds area was to prevent vehicle parking and to allow the free flow of pedestrian traffic. The presence of the burger vans does have a significant impact upon pedestrian movement and this is magnified on 'Derby Day'.

Having the burger vans in situ, on previous occasions, gave the fans an excuse for not moving on, many stating they were waiting for food. This had a significant impact upon the time it took to clear the area.

Ideally we would like to have no burger vans at all, in The Sheepfolds, on 'Derby Day'. This would be my preferred option and the feedback from many traders, for the fixture held in January, was that it was hardly worth setting up.

I accept however that they are businesses, who pay for their permission to trade, in their allotted locations. If Committee decided that having no traders, in The Sheepfolds, that day was in conflict with their licence to trade, could a compromise be sought whereby all of the traders pack up when the game commences and leave The Sheepfolds at least 45 minutes before the final whistle'.

- 3.2 To summarize the above, the Police would prefer that the Council amended the street trading consents issued in respect of locations in the vicinity of the Stadium of Light to prevent trading on the day of the Newcastle United match. However, should Members not be so minded, the Police request that the relevant consents are amended to cease validity on that day at the time at which the game is scheduled to commence (i.e. 12:00 midday) and that the traders be required to clear the area no later than forty five minutes before the time of the scheduled conclusion of the game (i.e. 1:00 p.m).

4.0 CURRENT POSITION

- 4.1 There are currently nineteen consents granted to traders to trade from various locations in the vicinity of the Stadium of Light on match days. A schedule of all such consents is attached as Appendix 1.

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 The Licensing Section has written to all persons currently holding street trading consents in the vicinity of the Stadium of Light advising them on this matter and inviting any comments they may wish to make.
- 7.2 Two replies have been received, and are attached as Appendix 2 and Appendix 3. The site referred to as Site C in Appendix 2 is the location at which the licensee is required by his current street trading consent to trade when a high profile football game is played at the Sunderland Stadium of Light. Appendix 3 refers to three separate sites in respect of which street trading consent has been granted.

8.0 GLOSSARY

- 8.1 No acronyms or abbreviations have been used in this report.

9.0 APPENDICIES

- 9.1 Appendix 1 – Schedule of Consents.
- 9.2 Appendix 2 – Reply from licensee.
- 9.3 Appendix 3 – Reply from licensee.

10.0 BACKGROUND PAPERS

- 10.1 None.

Appendix 1

Street Trading -Stadium of Light

<i>Consent Number</i>	<i>Trader</i>	<i>Trading Location</i>
STADST01	Ms Danielle Burnside	Sheepfolds North (North Side), East of Junction with Hay Street (immediately after the end of the waiting restrictions), Sheepfolds Industrial Estate, Sunderland
STADST02	Ms Danielle Burnside	Hay Street (East Side) 3 Metres South Of Network Rail Access Gates Sheepfolds Industrial Estate Sunderland
STADST04	Mrs Melanie Dorian	Hay Street (East Side) Halfway Between Junctions Of Brooke Street And Richmond Street Sheepfolds Industrial Estate Sunderland
STADST05	Barbara Cooper	Hay Street (East Side) 3 Metres South of Access to Hay Street Industrial Estate, Sunderland
STADST06	Mrs Reville Wilkinson	Sheepfolds North 13.8 Metres West of Junction with North Bridge Street, Sunderland
STADST07	Miss Bianca Burnside	Hay Street 14.5 Metres North Of The Junction With Sheepfolds North, Sheepfolds Industrial Estate, Sunderland(as shown on attached plan)
STADST08	Mrs Reville Wilkinson	Sheepfolds North, 44.1 Metres East of the Junction with Hay Street, Sunderland
STADST09	Mr. Colin Noble	Junction of Millenium Way/Stadium Way, Sunderland
STADST10	Mr Andrew McCusker	Sheepfolds North, 35 metres East of its junction with Hay Street, Sunderland
STADST11	Mr Peter Allison	East Side of Hay Street 18.7 Metres South of its Junction with Brooke Street, Sheepfolds, Sunderland
STADST12	Mr George Richard Cooper	Forecourt Of Unit 1, Stobart Street, Sunderland, SR5 1BW
STADST13	Mr George Richard Cooper	Forecourt of Unit 1, Stobart Street, Sunderland, SR5 1BW
STADST14	Mr James Leng	Forecourt of C & M Framing, Unit 2, Stobart Street, Sunderland

<i>Consent Number</i>	<i>Trader</i>	<i>Trading Location</i>
STADST15	Mr George Cooper (Jnr)	Unit 1b, Stobart Street
STADST16	Mr George Cooper (Jnr)	Unit 1A, Stobart Street
STADST17	Mr Curtis Cooper	Forecourt of Unit 1A Stobart Street
STADST18	Mr Ryan G Cowie	Car Park adjacent to National Car Rental, Brook Street, Sheepfolds Ind Est
STADST19	Ms Janis Houghton	Hay Street, 16 Metres North Of The Junction At Hay Street Industrial Units And Opposite The Junction Of Wilson Street North Sunderland
STADST21	Mr. Andrew McCusker	Area Of Land Situated West Of St. Peter's Metro Station, 39.8 Metres South Of Sheepfolds North And 8.9 Metres East Of The Pavement Adjacent To Sheepfolds Road, Sunderland

Appendix 2

Hi Sandra,

Further to our telephone conversation, I would just like to voice my concerns for the high profile football match against Newcastle, If Northumbria Police and Sunderland City Council enforce the policy of no catering units allowed on site, It will be a financial loss to my business as my rent and street trading license is very expensive, and my business cannot afford to take any financial losses. Therefore I would propose of moving to Site C next to North Bridge Street. At the very least being onsite until the match goes in and then leaving 45 minutes before the end of the game. In these times any loss of trading is a concern to myself therefore I would stay for the match until the supporters come out.

Kind Regards,
Andrew McCusker

Appendix 3

Sandra Turns

From: Stephanie Graham on behalf of Licensing
Sent: 07 July 2011 07:56
To: Sandra Turns
Subject: FW: derby game

From: george cooper
Sent: 06 July 2011 20:20
To: Licensing
Subject: derby game

Sandra Turns
Hi Sandra,

With regard to trading at the forthcoming Derby Game, I would like to trade as last year before the game and have the site clear 45 minutes before the game comes out as we have a lot off regular customers that expect us to be open this will also give us the opportunity to inform them we will not be there after the game, this applies to the two kiosks on the forecourt of 1 Stobart St, my son George would also like to trade for the same reasons and terms as we provide a service to our regular fans, on the site of 1a & 1b Stobart st, my wife Barbara holds a license on Hay st she would not want to open on that day.
I trust the Committee will look on this proposal favourably, from a business point of view this proposal is not as profitable as a normal game but as it worked for the Police last year, something is better than nothing.

Kind regards

George Cooper snr
PS could you let me have a contact name and number for the Police as we are going to operate the take away shop on the same basis.