

REGULATORY AND APPEALS COMMITTEE – 21 May 2018

Title of paper:	Designating streets around schools as ‘Consent Streets’	
Director:	Hugh White Director Sport & Culture Hugh.white@nottinghamcity.gov.uk	Wards affected: Sherwood, Berridge, St Ann’s Bulwell Forest, Bestwood, Basford, Arboretum, Wollaton West, Clifton South, Radford and Park, Bulwell,
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Relevant Council Plan Key Theme:

Strategic Regeneration and Development	<input type="checkbox"/>
Schools	x
Planning and Housing	<input type="checkbox"/>
Community Services	<input type="checkbox"/>
Energy, Sustainability and Customer	<input type="checkbox"/>
Jobs, Growth and Transport	x
Adults, Health and Community Sector	<input type="checkbox"/>
Children, Early Intervention and Early Years	<input type="checkbox"/>
Leisure and Culture	x
Resources and Neighbourhood Regeneration	<input type="checkbox"/>

Summary of issues (including benefits to citizens/service users):

The purpose of the report is to consider designating streets as consent streets surrounding some schools within the City for the purposes of street trading, under the Local Government (Miscellaneous Provisions) Act 1982, so that if approved, Nottingham City Council (‘the Council’) will have some control over the types of street trading allowed on the streets neighbouring the

schools detailed in section 1.5. This will enable more control over traffic and congestion around schools, providing a safer environment for parents and pupils.

Recommendations:

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| 1 | that the Director of Sports <i>and</i> Culture be authorised to serve all appropriate notices and advertise the Council's intention to pass the resolutions listed below in accordance with paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, subject to consideration of any representations received in writing within the relevant period. |
| 2 | <p>being satisfied that it is necessary, with effect from 3rd December 2018 the streets listed below as consent streets for the purposes of street trading:</p> <ul style="list-style-type: none">• Beckhampton Road from its junction with Bala Drive to its junction with Belleville Drive.• Belsay Road.• Bar Lane.• Pennant Road.• Fernleigh Drive.• Padstow Road.• Beckhampton Road from its junction at Mountfield Drive to its junction with Hartcroft Road.• Mountfield Drive from its junction at Beckhampton Road to its junction with Raithby Close.• Eastglade Road from its junction with Stevenholme Crescent to its junction with Beckhampton Road.• Harrow Road from its junction at Ancaster Gardens to its junction with Middleton Boulevard.• Harrow Gardens.• Berridge Road West from its junction with Brushfield Street to its junction with Kenslow Avenue.• Oakland Street.• Bobbers Mill Road.• Ragdale Road.• Squires Avenue.• Citadel Street.• Target Street.• Gatling Street.• Winscombe Mount from its junction with Pastures Avenue to its junction with Bramber Grove.• Honister Close.• Cantrell Road from its junction with Nelson Road to its junction with St Albans Road.• Gordon Road from its junction with St Matthias Road to its junction with Serlby Rise.• St Matthias Road from its junction with Beacon Hill Rise to its junction with Woodhouse Street.• Berridge Road Central from its junctions with Radford Road to its junction with Noel Street. |

- Beaconsfield Street from its junction with Radford Road to its junction with Noel Street.
- Carver Street.
- Fisher Street.
- Jenner Street from its junction with Hucknall Road to its junction with Wesley Street.
- New Street.
- Wesley Street.
- Kersall Drive from its junction with Highbury Road to its junction with Brooklyn Road.
- Brooklyn Road from its junctions at Kersall Drive to its junction with Piccadilly.
- Piccadilly from its junction with Highbury Road to its junction with Brooklyn Road.
- Kemmel Road.
- Hillington Rise.
- Chippenham Road from its junction with Hillington Rise to its junction with Queens Bower Road.
- Bracknell Crescent.
- Hayling Drive.
- Newport Drive.
- Scotland Road.
- White Road.

1 **REASONS FOR RECOMMENDATIONS**

- 1.1 The Council has adopted Section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 for the purposes of street trading. Under the Act streets may be designated as “consent streets”, “licence streets” or “prohibited streets” as follows:

“Consent Street” means a location in which street trading is prohibited without the consent of the council

“Licence Street” means a street in which street trading is prohibited without a licence granted by the council

“Prohibited Street” means a location in which trading is prohibited

At present, the streets associated with Schools named within this report are neither consent nor prohibited; vendors can set up and sell goods in an uncontrolled manner.

- 1.2 Issues of street vending outside Schools were brought to the attention of the Markets Team within the Council by councillors and local residents. There is an ongoing problem about nuisance and potential safety issues for pupils around some schools.
- 1.3 Additionally, this has a negative impact on the local area, litter and the healthy schools ethos.
- 1.4 There was concern that similar activity may be taking place at other schools so a consultation letter was sent out to all schools in the City requesting feedback on their experience about this matter. A number of schools (17) have responded indicating support for streets to be designated. The feedback received gave evidence of vehicles blocking crossing points and reducing visibility for student

crossing the road. A school reported an incident where a child was struck by a car they felt traffic congestion was a contributing factor. Some Schools also feel the vendors trade focusing on students does not support the healthy eating agenda.

- 1.5 To enable the Council to establish control of the types of street trading allowed on streets neighbouring schools, it is the intention to designate streets neighbouring the schools described below as consent streets. References to streets include the whole length and width of that street or road between the boundaries described.

Southglade Primary School

Beckhampton Road from its junction with Bala Drive to its junction with Belleville Drive.
Belsay Road.

Ellis Guilford School & Sports College

Bar Lane.
Pennant Road.
Fernleigh Drive.

Henry Whipple Primary School

Padstow Road.

Robin Hood Primary School

Beckhampton Road from its junction at Mountfield Drive to its junction with Hartcroft Road.
Mountfield Drive from its junction at Beckhampton Road to its junction with Raithby Close.
Eastglade Road from its junction with Stevenholme Crescent to its junction with Beckhampton Road.

Middleton Primary and Nursery School

Harrow Road from its junction at Ancaster Gardens to its junction with Middleton Boulevard.
Harrow Gardens.

Berridge Junior School

Berridge Road West from its junction with Brushfield Street to its junction with Kenslow Avenue.
Oakland Street.
Bobbers Mill Road.

Bulwell St Mary's Primary and Nursery Academy

Ragdale Road.
Squires Avenue.

Nottingham Nursery & Training Centre

Citadel Street.
Target Street.
Gatling Street.

Highbank Primary and Nursery Academy

Winscombe Mount from its junction with Pastures Avenue to its junction with Bramber Grove.
Honister Close.

Cantrell Primary and Nursery School

Cantrell Road from its junction with Nelson Road to its junction with St Albans Road.

Blue Bell Hill Primary and Nursery Academy

Gordon Road from its junction with St Matthias Road to its junction with Serlby Rise.
St Matthias Road from its junction with Beacon Hill Rise to its junction with Woodhouse Street.

Scotholme Primary and Nursery Academy

Berridge Road Central from its junctions with Radford Road to its junction with Noel Street.

Beaconsfield Street from its junction with Radford Road to its junction with Noel Street.

Carver Street.

Fisher Street.

Carrington Primary and Nursery School

Jenner Street from its junction with Hucknall Road to its junction with Wesley Street.
New Street.

Wesley Street.

Heathfield Primary and Nursery School (Kersall Drive)

Kersall Drive from its junction with Highbury Road to its junction with Brooklyn Road.

Brooklyn Road from its junctions at Kersall Drive to its junction with Piccadilly.

Piccadilly from its junction with Highbury Road to its junction with Brooklyn Road.
Kemmel Road.

Glade Hill Primary School

Hillington Rise.

Chippenham Road from its junction with Hillington Rise to its junction with Queens Bower Road.

Whitemoor Academy (Primary and Nursery)

Bracknell Crescent.

Hayling Drive.

Newport Drive.

Heathfield Primary and Nursery School (Scotland Road)

Scotland Road.

White Road.

See individual plans for an illustration of the streets near each school with the proposed consent streets indicated approximately with blue highlighting for a graphical guide and information only at Appendix 1.

- 1.6 If the Committee agree the recommendations, an advertisement will be placed in the local press stating that representations relating to the proposed resolution may be made in writing within 28 days of the notice. The Police and the Highways Authority will also be notified.
- 1.7 The matter will be reported back to this Committee to consider any representations that are received and to determine whether the resolutions should be passed; such

Committee will need to be convened 08 October 2018 to achieve the advertised effective date.

- 1.8 After consideration of the representations received, Committee may (at a future meeting), if they think fit, pass such a resolution relating to the area or any part of it. The Council must then publish a further notice, in accordance with the above legislation, for two consecutive weeks in a local newspaper circulating in the area not later than 28 days before the day specified in the resolution for the coming into force of the designation.

2 BACKGROUND

- 2.1 Feedback from schools is included *in section 1.4* has been used to create the list of streets that it is proposed should be re-designated. The feedback has, in the main, highlighted issues with traffic congestion and the increased risk to pupils.
- 2.2 Officers require authority to advertise the Council's intention to pass a resolution to designate streets for street trading purposes. The recommendations will enable the advertisement to go ahead.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Designating the named streets as prohibited, but this may prevent supported activities at the schools in the future.
- 3.2 Consideration was given to designating a number of streets outside all schools in Nottingham, but after consultation only the schools mentioned in the report expressed concerns. It was considered proportionate to only designate the streets outside schools that had raised concerns

4 FINANCE COLLEAGUE COMMENTS

- 4.1 As a result of this decision, the expectation is that there will be minimal impact on the medium term financial plan, based on the current levels of unlicensed street vending. Any costs arising from addressing unlicensed street trading can be contained from within approved budgets.

Maria Balchin, Senior Commercial Business Partner, 9 February 2018.

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS

- 5.1 The procedure for designating streets under the street trading regime is prescribed by law and the recommendations are to follow the required procedure.
- 5.2 The Committee has a wide discretion as to whether streets should be designated for the purposes of street trading and if so as to the category of that designation.

Tamazin Wilson, Solicitor, 9 February 2018.

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS

- 6.1 None.

7 EQUALITY IMPACT ASSESSMENT

- 7.1 This report has little or no impact in terms of Equality as the recommendations do not prevent any activities taking place and this report only seeks to re-locate vendors to more appropriate locations after considering feedback.

8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- 8.1 None.

9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 9.1 Local Government (Miscellaneous Provisions) Act 1982