

## REGULATORY AND APPEALS COMMITTEE - 18 NOVEMBER 2013

<b>Title of paper:</b>	Street Trading – Re-Designation of Goldsmith Street	
<b>Director:</b>	Hugh White Director of Sports, Culture and Parks	<b>Wards affected:</b> Arboretum
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<b>Relevant Council Plan Strategic Priority:</b> (you must mark X in the relevant boxes below)		
World Class Nottingham		
Work in Nottingham		X
Safer Nottingham		
Neighbourhood Nottingham		
Family Nottingham		
Healthy Nottingham		X
Leading Nottingham		
<b>Summary of issues (including benefits to citizens/service users):</b>		
<p>The purpose of the report is to consider changing the designation of Goldsmith Street in Nottingham for the purposes of street trading under the Local Government (Miscellaneous Provisions) Act 1982 and, if approved, the creation of a new street trading pitch.</p>		
<b>Recommendation:</b>		
<b>1</b>	<p>It is recommended that the Director of Sports, Culture and Parks 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, namely that:</p> <p>(i) with effect from 1 January 2014 Goldsmith Street be re-designated as a consent street for the purposes of street trading;</p> <p>(ii) all previous resolutions of the City Council relating to the designation of Goldsmith Street be rescinded with effect from 1 January 2014.</p>	

### **1. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)**

The City 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 street 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 street in which trading is prohibited

Goldsmith Street in Nottingham is designated as a “prohibited street” however, the Council has received an application from an existing street trader selling fresh fruit and vegetables wanting to establish a new street trading pitch on Goldsmith Street.

The applicant has been trading on Dryden Street since 2008 as part of an initiative by Nottingham Trent University to promote healthy living with their students. This has been very successful, giving students easy access to good quality fruit and vegetables on a daily basis.

With the redevelopment of the NTU campus there is less footfall on Dryden Street and, with the opening of the accommodation block and Students Union facility on the corner of Goldsmith Street and Shakespeare Street in October 2013, the NTU and the applicant are keen to establish a new street trading position in a more prominent location.

The proposal is to establish a new street trading position outside the Maudsley Building on Goldsmith Street, at one of the locations indicated on the attached plan. There is delegated authority in place for Officers to create new street trading pitches but only on streets designated as Consent Streets. To enable a suitable pitch to be created Committee is being asked to consider changing the designation of Goldsmith Street from a prohibited street to a consent street.

If Committee agree the recommendations, an advertisement will be placed in the local press stating that representations relating to the proposed resolutions may be made in writing within 28 days of the notice. The Police and the Highways Authority will also be notified. 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.

## **2. REASONS FOR RECOMMENDATIONS**

The designation of streets for the purpose of street trading is a matter within the Committees remit. Goldsmith Street is felt to be of a suitable size and dimension to accommodate trading. Officers require authority to advertise the Council’s intention to pass a resolution to re-designate a street for street trading purposes.

## **3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS**

The application for a street trading pitch would normally have been refused as Goldsmith Street is a prohibited Street; which would affect the viability of Nottingham Trent University’s initiative to promote healthy living to students.

**4. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)**

An additional street trading pitch on Goldsmith Street would generate a consent fee but this is set at a level to recover the costs of the street trading regime rather than generate additional income.

**5. RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)**

The procedure for designating streets under the street trading regime is prescribed by law and the recommendations are to follow the required procedure.

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. Should Goldsmith Street be re-designated as a consent street then conditions can be added to any consent granted to control the location of the trading, the dimensions of any stall or vehicle used, and to prevent nuisance and obstruction.

**6. EQUALITY IMPACT ASSESSMENT**

Has the equality impact been assessed?

Not needed (report does not contain proposals or financial decisions)

No

Yes – Equality Impact Assessment attached

**7. LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION**

11/03/2013 Letter from Nottingham Trent University

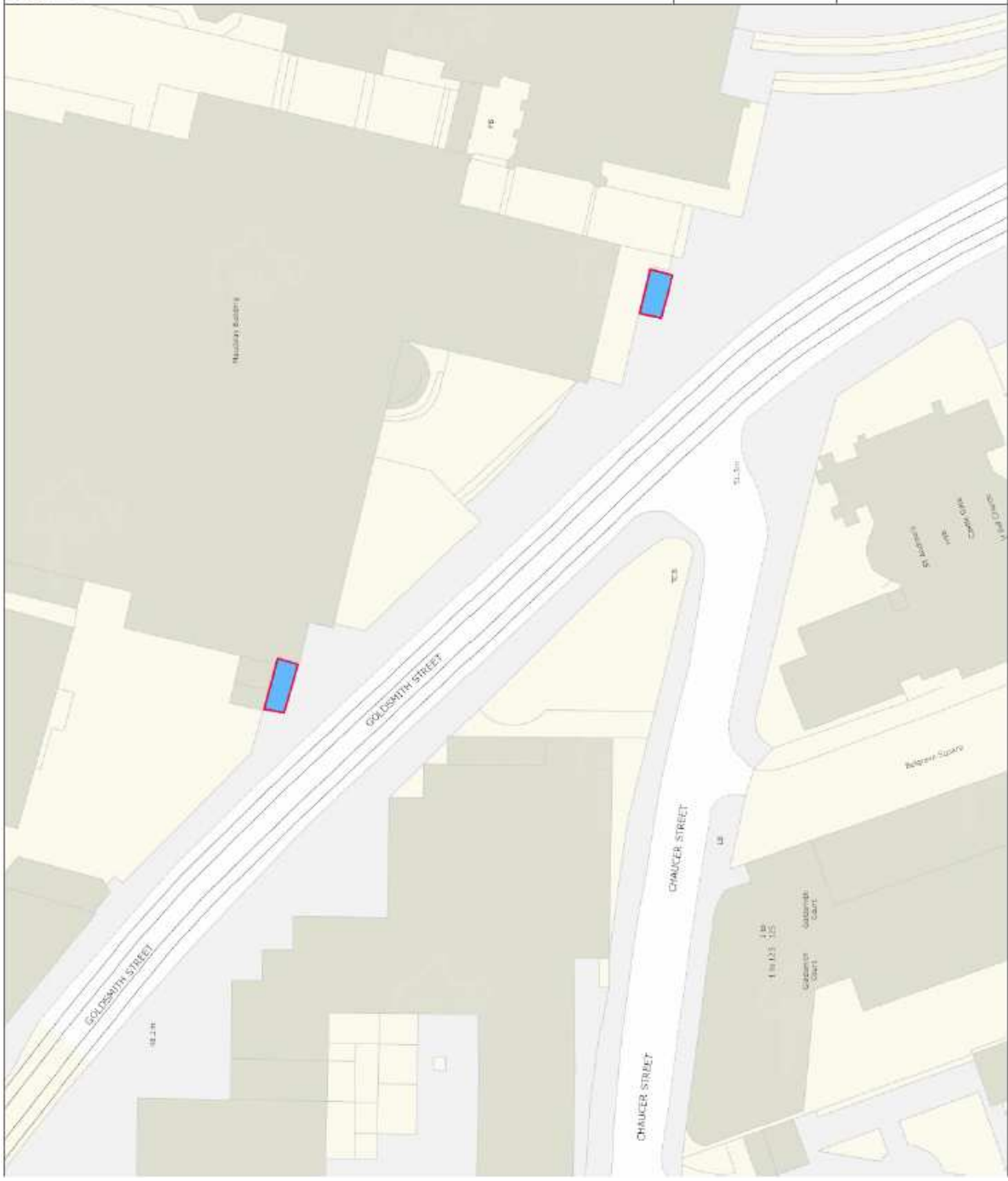
29/03/2013 Email from applicant; Dean Kerry

**8. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT**

None

# Goldsmith Street Street Trading application

City Boundary



## Notes

Proposed location for a 4.5m x 2.4m street trading stall

0 13.5 Meters

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