

Title of paper:	Proposed Designation/Re –designating of Specified Streets for Street Trading purposes in Nottingham City Centre	
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Date of consultation with Portfolio Holder(s) (if relevant)	n/a	
Does this report contain any information that is exempt from publication? No		
Relevant Council Plan Outcome:		
Green, Clean and Connected Communities	<input type="checkbox"/>	
Keeping Nottingham Working	<input checked="" type="checkbox"/>	
Carbon Neutral by 2028	<input type="checkbox"/>	
Safer Nottingham	<input type="checkbox"/>	
Child-Friendly Nottingham	<input type="checkbox"/>	
Living Well in our Communities	<input type="checkbox"/>	
Keeping Nottingham Moving	<input type="checkbox"/>	
Improve the City Centre	<input checked="" type="checkbox"/>	
Better Housing	<input type="checkbox"/>	
Serving People Well	<input checked="" type="checkbox"/>	
Summary of issues (including benefits to citizens/service users):		
<p>The purpose of this report is to consider re-designation of the streets listed in recommendation 2 below which are currently designated as prohibited streets to consent streets, and to consider designating the street listed in recommendation 3 below which is not currently subject to a designation as a consent street</p> <p>If this Committee agrees the recommendations, an advertisement will be placed in the local press stating that representations relating to the resolutions may be made in writing within 28 days of the notice. The Police and Highways Authority will also be notified. Any representations will be made available to a future Regulatory and Appeals Committee before a final resolution is made.</p> <p>If approved, the change of designation from prohibited to consent for the purposes of street trading under the Local Government (Miscellaneous Provisions) Act 1982, will allow street trading to take place on those designated streets where street trading is currently prohibited, while giving Nottingham City Council (“the Council”) control over the types of street trading allowed on those streets. Similarly, if approved, the designation of streets as consent streets which are not currently designated will give the Council control over the types of street trading allowed on those streets. These changes are considered appropriate in view of an overall review of street trading controls in the city centre and changes in the city including restrictions to vehicle access to some prohibited streets.</p>		

Recommendation(s):	
1	It is recommended that the Director of Communities be authorised to serve all appropriate notices and advertise Nottingham City Council's ("the Council's") intention to pass the resolutions outlined in 2, 3 and 4 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	Being satisfied that it is necessary with effect from 11 th December 2023 the streets in the city of Nottingham listed at (a) – (f) below shall be re-designated as "consent" streets for the purposes of street trading: (a) Collin Street (b) Sussex Street (c) Trent Street (d) Carrington Street from its junction with Collin Street to its junction with Station Street (e) Albion Street (f) Stanford Street
3	Being satisfied that it is necessary with effect from 11 th December 2023 designate that part of Station Street in the city of Nottingham from its junction with Carrington Street to its junction with Trent Street in the said city as a "consent" street for the purposes of street trading
4	All previous resolutions of the Council relating to the designation of the streets listed in recommendation 2 above be rescinded with effect from 11 th December 2023

1. Reasons for recommendations

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

1.2 "*Consent Street*" means a location in which street trading is prohibited without the consent of the council.

1.3 "*Licence street*" means a street in which street trading is prohibited without a licence granted by the council.

1.4 "*Prohibited Street*" means a location in which trading is prohibited.

1.5 'Undesignated' streets are neither consent nor prohibited; vendors can set up and sell goods in such a location in an uncontrolled manner.

1.6 At present, the streets referred to in this report are either designated as Prohibited Streets or are undesignated. The current designations are as follows:

- Collin Street: Prohibited
- Sussex Street Prohibited
- Trent Street: Prohibited
- Station Street: Undesignated
- Carrington Street: Prohibited
- Albion Street: Prohibited
- Stanford Street: Prohibited

1.7 The Council has, over time, designated most streets within Nottingham City Centre as either “Consent Streets” or “Prohibited Streets”. However, as part of the ongoing regeneration of the Broadmarsh area of the City Centre there have been some significant changes to the surrounding streets and, in the light of changes to the use of the city centre it is suggested that a complete ban of street trading in the streets listed at paragraph 1.6 above are no longer necessary. Collin Street, for example, is currently designated as a Prohibited Street and until recently has been a very busy road with a relatively narrow footway on either side which made it unsafe for street trading. However, more recently restrictions on access for vehicular traffic on Collin Street have been introduced which have resulted in change to the way that Collin Street and the surrounding streets could be used combined with general changes to the way that the city centre has been used over time and the decline of the traditional high street since the last review of street trading took place.

1.8 If the streets listed in recommendation 2 were re-designated as Consent, it would allow the Council to retain control over the types of street trading taking place and the parameters under which it can operate where a complete ban is no longer considered necessary. It is important for the Council to retain control over the activity of street trading on the city’s streets in order to:

- prevent over saturation of types of trade activity in specific locations;
- be able to balance the city’s offer between indoor and outdoor activity and prevent conflict between current traders and new traders;
- ensure that there is no conflict between pedestrians and traders;
- Ensure the streets are inclusive to all users inc. pushchairs, wheelchairs;
- Have knowledge of the city’s current offer to ensure a quality of offer appropriate for the space including the focus on local business, what will benefit and enhance the local area;
- Safeguard and control the implementation of regulations and safety requirements;
- Safeguard and control the implementation of sustainability credentials including the appropriate utility and power generation methods;
- Ensure the city streets aesthetics and sightlines are maintained.

1.9 Previously it had been deemed appropriate to designate some city streets as prohibited streets where there had historically been a lack of control over street trading and where it was felt that street trading may detract from other forms of established retail already present in the city. However, this predates the recent decline of the traditional retail based high-street and we now have an opportunity to revisit the street designations with the aim of providing a new offer in the city centre where appropriate.

1.10 As part of the review of designations it has been identified that the street listed in recommendation 3 above [Station Street] is currently an Undesignated street. If the re-designations of the streets listed in recommendation 2 above are approved, this may result in more street trading taking place on these streets. To enable the Council to establish control of the types of street trading allowed on Station Street it is therefore also the intention to designate Station Street as a Consent street.

1.11 Station Street has undergone extensive pedestrianisation and redevelopment and is a key gateway into the city centre. By designating the street as Consent this will enable the Council to control the street trading activity taking place as the regeneration of the wider locality continues.

1.12 References to streets include the whole length and width of that street or road between the boundaries described and include any verges and pavements.

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

1.14 See list of current designations of other city streets in Appendix 2.

1.15 If the 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.

1.16 The matter will be reported back to this Committee to consider any representations that are received and to determine whether the final resolutions in relation to recommendations 2 – 4 should be passed; such Committee will need to be convened on or in close proximity to 16th October 2023 to achieve the advertised effective date.

1.17 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 in 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.

1.18 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.

2. Other options considered in making recommendations

2.1 Designation of streets as Licence Streets: The use of Licence streets in this locality would be inconsistent with the wider regime across the city of Consent/Prohibited designations.

2.2 All streets [as identified in recommendation] be designated 'Un-designated' streets: It is vital that the Council is able to control the Street Trading activity across the city for the reasons described in this report and by allowing the streets to become Undesignated all control and benefits would be lost.

2.3 Do Nothing - Remain as current designations: This option would not allow the opportunities for a new city centre street-based offer to activate the Broad Marsh locality, which will support the wider regeneration the city centre.

3. Consideration of Risk

3.1 Risk:

Redesignation: By re-designating the streets as consent streets this will allow the Council to manage and control the types of street trader allowed to operate from these areas while being able to continue to regenerate the Broad Marsh area through activation of the streets for trading activity. However, this could have an impact on disabled people or carers as this may well create obstructions where there were none previously. However, the control measures that consent designation gives the council will ensure that any new any issues with traders blocking pavements, access points and traffic junctions can be prevented.

3.2 Mitigation:

- The expertise of the markets and fairs team to enforce conditions of consent approvals;
- Consultation will be carried out once specific locations of street trading pitches are applied for as a result of this decision if approved. This will include with the identified groups and ensure that throughfares and access is not restricted;
- Market officers to carry out weekly patrols of the City to review street trading. These are then fed back in at the office and the relevant enforcement procedures are followed.

4. Background (including outcomes of consultation)

4.1 The area identified in Appendix 1 is known as the Greater Broad Marsh Development Area is an area to the south of the city centre of Nottingham. The site occupies c.12.5 acres of brownfield land making it one of the largest regeneration sites in the UK and includes the now part demolished former Broadmarsh Shopping Centre.

4.2 Located within the heart of Nottingham Southside Regeneration Area, the Greater Broad Marsh Redevelopment Programme is situated in a strategic location for the city, which has seen the delivery so far of the new Nottingham College, the new Broad Marsh car park, city library and bus station and ongoing works to enhance the public realm and changes to the road network in the area.

4.3 The new walkway has been opened between Collin Street and Lister Gate providing a key pedestrian access point for thousands of commuters, shoppers and visitors into the city from the train station, bus station and new Broad Marsh car park. In addition, the new Nottingham College has opened which also sees hundreds of students in the area every day.

4.4 The fit out works to the new city library have begun, which will open in the summer 2023 and work to transform the public realm into the 'Green Heart' of the city is also expected to start this upcoming spring 23.

4.5 This level of significant change means that the previous land designations may no longer be necessary and has resulted in the current review of street trading designations in the city centre.

4.6 The current designations are as follows:

- Collin Street: Prohibited
- Sussex Street Prohibited
- Trent Street: Prohibited
- Station Street: Undesignated
- Carrington Street: Prohibited
- Albion Street: Prohibited
- Stanford Street: Prohibited

4.7 Historically it had been deemed appropriate to designate some city streets as prohibited streets where there had previously been a lack of control over street trading and where it felt that street trading may detract from other forms of established retail already present in the city. However, this predates the recent decline of the traditional retail based high-street and we now have an opportunity to revisit the street designations with the aim of providing a new offer in the city centre where appropriate.

4.8 This process concerns the designation status of the streets outlined in recommendations 2 and 3 above however if those proposed re-designations and designation are brought into effect, before the location of any street trading pitches in those areas can be finalised further consultation will be required and carried out with relevant stakeholders to assess the impact and suitability of those proposed pitches

4.9 Engagement has been carried out with Highways/Network management, Community Protection, Safer Business Team, Nottingham Police Licensing Enforcement, Environmental Health and City Events Team.

5. Finance colleague comments (including implications and value for money)

5.1 The recommendations in this report do not raise any material financial implications. The re-designation of the streets listed, allows the Council to have control over the types of street trading to take place.

Maria Balchin, Senior Commercial Business Partner on 23 May 2023

6. Legal colleague comments

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

6.2 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, Senior Solicitor, advice provided on 18 May 2023

7. Other relevant comments

8. Crime and Disorder Implications (If Applicable)

8.1 This process concerns the designation status of the streets outlined in recommendations 2 and 3 above however if those proposed re-designations and designation are brought into effect, before the location of any street trading pitches in those areas can be finalised further consultation with Police and City licensing will be required and carried out with to assess the impact and suitability of those proposed pitches.

9. Social value considerations (If Applicable)

9.1 This proposal will enable street trading to operate from streets that have undergone significant change due to the ongoing Broad Marsh Regeneration and will see a new retail and leisure offer being made possible for the people of Nottingham.

10. Regard to the NHS Constitution (If Applicable)

10.1 Not applicable

11. Equality Impact Assessment (EIA)

An EIA is attached as Appendix 3 and due regard will be given to any implications identified in it.

12. Data Protection Impact Assessment (DPIA)

12.1 A DPIA is not required because there are no data protection implications for this proposal.

13. Carbon Impact Assessment (CIA)

13.1 A CIA is not required as there is no carbon impact associated with this proposal.

14. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

Appendix 1 – Proposed Designated Consent Streets

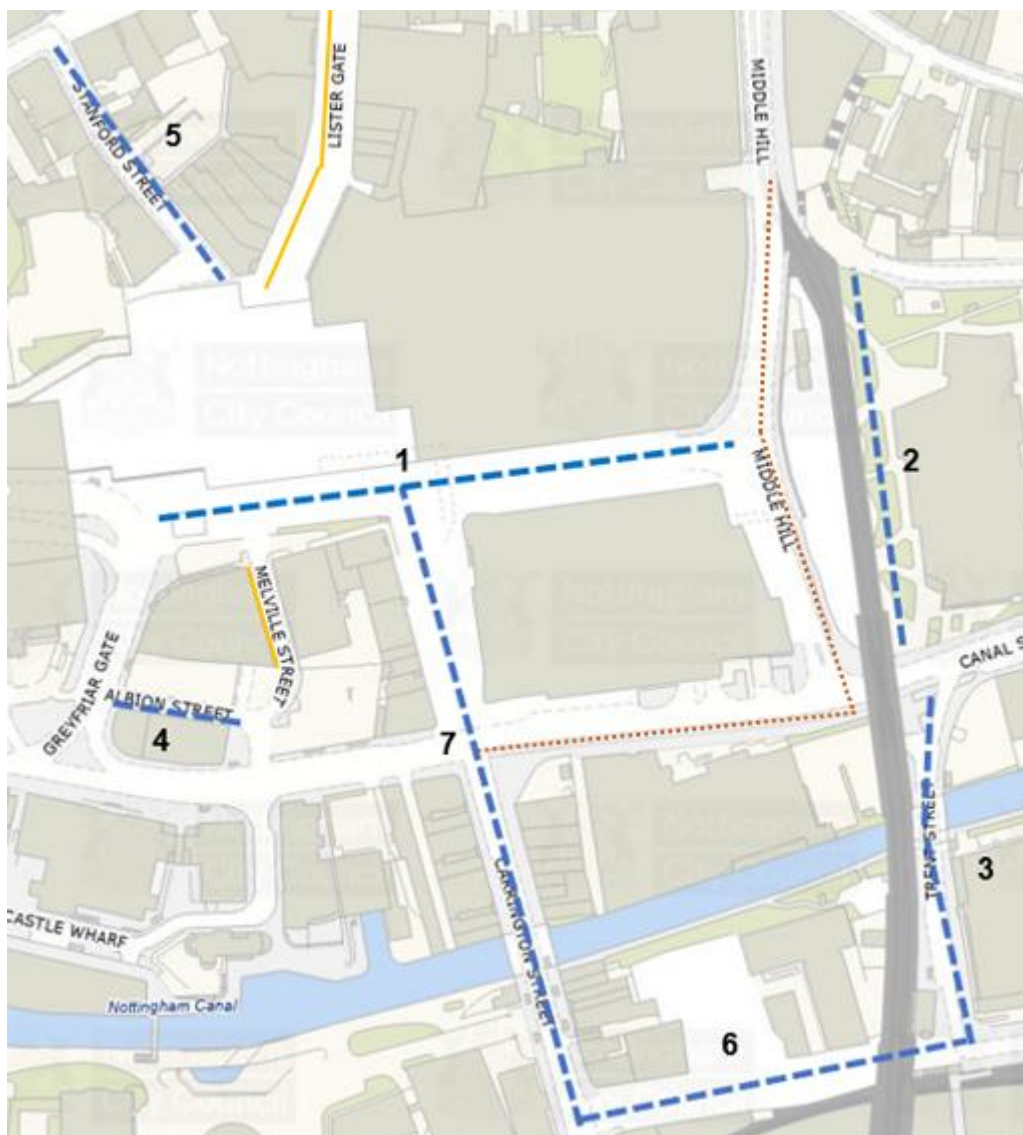
Appendix 2 – Table of City Street Designations

Appendix 3 – Equality Impact Assessment

15. Published documents referred to in this report

N/A

Appendix 1 – Proposed Designated Consent Streets



Ref.	Proposed Consent Streets - - - -	Current Designation
1.	Collin Street	Prohibited
2.	Sussex Street	Prohibited
3.	Trent Street	Prohibited
4.	Stanford Street	Prohibited
5.	Albion Street	Prohibited
6.	Station Street; From Carrington Street to Trent St.	Undesignated
7.	Carrington Street; From Collin Street to Station St.	Prohibited
Other Streets in locality [not included in this recommendation]		
—	Lister Gate	Consent
—	Melville Street	Consent
- - - -	Middle Hill	Prohibited
- - - -	Canal Street	Prohibited

Appendix 2 – Table of City Street Designations

street	type	street	type	street	type
Albert Street	prohibited	Glasshouse Street	prohibited	Pennyfoot Street	prohibited
Albion Street	prohibited	Goldsmith Street	consent	Pepper Street	prohibited
Amberley Street	prohibited	Goose Gate	prohibited	Perth Street	prohibited
Angel Alley	prohibited	Greyfriar Gate	prohibited	Pilcher Gate	prohibited
Angel Row	prohibited	Greyhound Street	prohibited	Pinder Street	prohibited
Arcade	prohibited	Halifax Place	prohibited	Plough Lane	prohibited
Bank Place	prohibited	Hanley Street	prohibited	Plumptre Place	prohibited
Barker Gate	prohibited	Harnett Close	prohibited	Plumptre Square	prohibited
Bath Street	prohibited	Heathcote Street	prohibited	Plumptre Street	prohibited
Beastmarket Hill	prohibited	High Cross Street	prohibited	Popham Court	prohibited
Beck Street	prohibited	High Pavement	consent	Popham Street	prohibited
Bellar Gate	prohibited	High Street	consent	Poplar Street	prohibited
Belward Street	prohibited	High Street Place	prohibited	Postern Street	prohibited
Bottle Lane	prohibited	Hockley	prohibited	Poynton Street	prohibited
Bridlesmith Gate	prohibited	Hollowstone	prohibited	Queen Street	prohibited
Brightmoor Street	prohibited	Hounds Gate	prohibited	Rick Street	prohibited
Broad Street	prohibited	Howard Street	prohibited	Ristes Place	prohibited
Broadway	prohibited	Huntingdon Street	consent	Rutland Street	prohibited
Bromley Place	prohibited	Hurts Yard	prohibited	Shakespeare St	prohibited
Brook Street	consent	Isabella Street	prohibited	Short Stairs	prohibited
Burton Street	prohibited	Junction of Derby Road, Toll House Hill, Upper Parliament Street And MMW	prohibited	Shorthill	prohibited
Byard Lane	prohibited	Kayes Walk	prohibited	Shortwood Close	prohibited
Cairns Street	prohibited	Kent Street	prohibited	Smithy Row	prohibited
Canal Street	prohibited	King Edward Street	prohibited	South Parade	prohibited

Carlton Street	prohibited	King John's Chambers	prohibited	South Sherwood Street	prohibited
Carrington Street	prohibited	King Street	prohibited	Southwell Road	prohibited
Carter Gate	prohibited	Kings Place	prohibited	Spaniel Row	prohibited
Castle Gate	prohibited	Kings Walk	prohibited	St Anns Street	prohibited
Castle Place	prohibited	Kippis Street	prohibited	St James's Street	prohibited
Castle Road	prohibited	Lennox Street	prohibited	St James's Terrace	prohibited
Chapel Bar	prohibited	Lenton Road	prohibited	St Mary's Gate	prohibited
Chardlace Walk	prohibited	Lincoln Street	consent	St Mary's Place	prohibited
Chaucer Street	prohibited	Lister Gate	consent	St Nicholas Street	prohibited
Cheapside	prohibited	London Road	prohibited	St Peter's Gate	prohibited
City Link	prohibited	Long Row	consent	St Peter's Square	consent
Clare Street	prohibited	Long Row	prohibited	St Peters Church Walk	prohibited
Clarendon Street	prohibited	Long Row West	prohibited	Standard Hill	prohibited
Cliff Road	prohibited	Long Stairs	prohibited	Stanford Street	prohibited
Clinton Street East	consent	Low Pavement	prohibited	Stanhope Street	prohibited
Clinton Street West	consent	Lower Parliament Street	prohibited	Stoney Street	prohibited
Clumber Street	prohibited	Maid Marian Way	prohibited	Sussex Street	prohibited
Cobden Chambers	prohibited	Maiden Lane	prohibited	Talbot Street	prohibited
Collin Street	prohibited	Malin Hill	prohibited	The Poultry	prohibited
Commerce Square	prohibited	Maltmill Lane	prohibited	The Quadrant	prohibited
Convent Street	prohibited	Mansfield Road	prohibited	Theatre Square	prohibited
Cranbrook Street	prohibited	Market Street	prohibited	Thurland Street	prohibited
Cumberland Place	prohibited	Maypole Yard	prohibited	Toll House Hill	prohibited
Dean Street	prohibited	Melville Street	consent	Trent Street	prohibited
Dragon Yard	prohibited	Middle Hill	prohibited	Trinity Row	prohibited
Dryden Street	consent	Middle Pavement	prohibited	Trinity Square	prohibited
Dukes Place	prohibited	Milton Street	prohibited	Trinity Walk	prohibited
Durham Chambers	prohibited	Mount Street	prohibited	Trivett Square	prohibited

East Street	prohibited	Nelson Street	prohibited	Union Road	prohibited
Eldon Chambers	prohibited	Newcastle Street	prohibited	Upper Parliament Street	prohibited
Exchange Walk	consent	Norfolk Place	prohibited	Victoria Street	prohibited
Excise Chambers	prohibited	North Church Street	prohibited	Warser Gate	prohibited
Fisher Gate	prohibited	North Sherwood Street	prohibited	Weekday Cross	prohibited
Fletcher Gate	prohibited	Old Lenton Street	prohibited	West End Arcade	prohibited
Fletcher Gate	prohibited	Old Market Square	prohibited	Weston Street	prohibited
Forman Street	prohibited	Old Street	prohibited	Wheeler Gate	consent
Freckingham Street	prohibited	Park Row	prohibited	Wing Alley	prohibited
Friar Lane	prohibited	Parliament Terrace	prohibited	Wollaton Street	prohibited
Garners Hill	prohibited	Peck Lane	prohibited	Woodborough Road	prohibited
Gedling Street	consent	Pelham Street	prohibited	Woolpack Lane	prohibited
George Street	prohibited	Pemberton Street	prohibited	York Lane	prohibited