

REGULATORY AND APPEALS COMMITTEE - 13 January 2014

Title of paper:	Street Trading – Re-Designation of Goldsmith Street	
Director(s)/ Corporate Director(s):	Hugh White Director of Sports, Culture and Parks	Wards affected: Arboretum
Report author(s) and contact details:	Neil Ehrhart Markets and Events Service Manager Tele: 0115 9156970 Email: neil.ehrhart@nottinghamcity.gov.uk	
Other colleagues who have provided input:	Ann Barrett, Senior Solicitor Tel:01115 8764411 Email: ann.barrett@nottinghamcity.gov.uk Steve Ross Finance Analyst Telephone number: 0115 8763738 Email address: steve.ross@nottinghamcity.gov.uk	
Relevant Council Plan Strategic Priority: (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		
Summary of issues (including benefits to citizens/service users):		
The purpose of the report is to enable the Committee to consider representations made following the advertisement of this Committee’s resolution of 18 November 2013 indicating the Council’s intention to pass a resolution to re-designate Goldsmith Street as a consent street for the purposes of street trading.		
Recommendation(s):		
1	It is recommended that, pursuant to paragraph 2 of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 that with effect from 17 February 2014 Goldsmith Street be re-designated as a consent street for the purposes of street trading.	
2	The Director for Sports, Culture and Parks be authorised to advertise the above resolution in accordance with paragraph 2 of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.	
3	All previous resolutions of the City Council relating to the designation of Goldsmith Street be rescinded with effect from 17 February 2014.	

1. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 1.1 Councillors may recall that at its meeting on 18 November 2013 the Regulatory and Appeals Committee indicated its intention to pass a resolution that Goldsmith Street be re-designated as a consent street for the purposes of street trading.
- 1.2 In accordance with paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 all appropriate notices were served and the Council's intention to pass the resolution subject to consideration of any representations received in writing within the relevant period was advertised.
- 1.3 No representations have been made in respect of the designation so it is recommended that Goldsmith Street be re-designated as a consent street with effect from 17 February 2014.
- 1.4 To comply with the legislation the designation shall take effect not less than one month after the resolution has been passed and the resolution must be advertised in a local newspaper for two consecutive weeks; the first publication shall not be less than 28 days before the date specified in the resolution.

2. REASONS FOR RECOMMENDATIONS

- 2.1 If the resolution is passed Officers can give consideration to creating a street trading pitch selling fresh fruit and vegetables outside the Maudsley Building on Goldsmith Street as part of an initiative by Nottingham Trent University to promote healthy living with their students.
- 2.2 The designation of streets for the purpose of street trading is a matter within the Committee's 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

- 3.1 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)

- 4.1 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)

- 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. 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

6.1 An EIA is not needed (report does not contain proposals or financial decisions)

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

7.1 11/03/2013 Letter from Nottingham Trent University.

7.2 29/03/2013 Email from applicant; Dean Kerry.

8. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

8.1 None.