

Subject : Street Trading within the Borough of Rossendale – Amendment to Prohibited Street location.

Status: For Publication.

Report to: Licensing Committee

Date: 27th January 2009

Report of: Director for Business

Portfolio

Holder: Environmental Services

Key Decision: No

1. PURPOSE OF REPORT

1.1 To request the committee to formally amend a typographical error in the list of prohibited streets that has been adopted by Rossendale Borough Council to regulate street trading in the Borough.

2. CORPORATE PRIORITIES

2.1 The matters discussed in this report impact directly on the following corporate priorities and associated corporate objective/s.

- Delivering Quality Services to Customers
- Keeping our Borough Clean, Green and Safe
- Providing Value for Money Services

3. RISK ASSESSMENT IMPLICATIONS

3.1 There are no specific risk issues for members to consider arising from this report.

4. BACKGROUND AND OPTIONS

4.1 Schedule 4 of The Local Government (Miscellaneous Provisions) Act 1982 makes provisions for the regulation of street trading. This allows a Local Authority to designate particular streets as prohibited, consent or licensed streets. These are defined as follows:

- A Prohibited Street means a street where trading is prohibited;
- A Consent Street is where street trading is prohibited without the consent of the Council

- A Licensed Street is where street trading is prohibited without a licence granted by the Council.

4.2 Rossendale Borough Council, by resolution on the 7th October 2009, designated a number of locations as 'prohibited streets' within the Borough and designated the remainder as 'Consent Streets.' One of the locations in Waterfoot designated as a prohibited street was described as:

Bacup Road from the junction of Church Road to the junction of Cowpe Road.

4.3 The location should read as follows:

Bacup Road from the junction of Church Street to the junction of Cowpe Road.

4.4. In all other respects, the street locations for prohibited and consent streets remains the same.

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

5.1 There are no specific financial implications

6. MONITORING OFFICER

6.1 The Council must make a decision based on all relevant information and following consideration of all relevant Council policies

7. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

7.1 There are no specific human resources implications

8. CONCLUSION

8.1 Whilst the error is minor, the precise location along Bacup Road where street trading is prohibited does not currently make sense and it is necessary to clarify the matter from a legal perspective.

9. RECOMMENDATION(S)

9.1 That the Committee amends the details of the location of the prohibited street as described at 4.3 above.

10. CONSULTATION CARRIED OUT

10.1 None

11. COMMUNITY IMPACT ASSESSMENT

Is a Community Impact Assessment required No

Is a Community Impact Assessment attached No

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Background Documents	
Document	Location
Report to full Council on Street Trading in the Borough of Rossendale.	http://www.rossendale.gov.uk/downloads/E1a_Street_Trading_Report_for_OandS_and_Council_Oct_2009.pdf http://www.rossendale.gov.uk/downloads/E1a_Appendix_A_Street_Trading_Oct_09.pdf http://www.rossendale.gov.uk/downloads/E1a_Appendix_B_Street_Trading_Oct_09.pdf
Minutes of the decision on the Street Trading item	http://www.rossendale.gov.uk/downloads/Minutes_07.10.09.pdf