

**Agenda Item No:** 6 **Report No:** 161/11  
**Report Title:** Street Trading near Amex Stadium Falmer  
**Report to:** Licensing Committee **Date:** 5 October 2011  
**Cabinet Member:** Cllr. Andy Smith  
**Ward(s) Affected:** Kingston and Falmer  
**Report By:** Director Planning and Environmental Services  
**Contact Officer(s):** Ed Hele, Principal Environmental Health Officer  
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### **Purpose of Report:**

1. To report the findings of the 28 day consultation on the Committee's preliminary decision to prohibit street trading within a 1 mile radius of the new AMEX stadium.

### **Officers' Recommendations:**

1. That the Committee notes the lack of responses to the 28 day consultation period.
2. That the Committee confirms its preliminary decision to designate prohibited streets within a 1 mile radius of the AMEX stadium.
3. That the Committee authorises officers to advertise/publicise the Committee's decision in accordance with the provisions set out in Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
4. That the committee authorises officers to undertake the necessary steps to designate prohibited streets within a 1 mile radius of Amex Stadium.

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### **1. Information**

- 1.1 On 10 August 2011 the Committee considered Report No 127/11, which sought the Committee's views on the need to regulate street trading in the vicinity of the new Amex Community Stadium in Falmer, East Sussex and asked the Committee to decide on the most appropriate option for regulating street trading if that was the Committee's will.
- 1.2 The Committee resolved that officers be authorised to publicise the Committee's preliminary decision, to designate prohibited streets, in accordance with the provisions set out in Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. It was also resolved that the Licensing Committee be requested to reconvene once the 28 day period has elapsed following publication of the Committee's statement of intention in order to consider the representations (if any) that are received and to pass a final resolution.

## **2 Summary of comments received**

- 2.1 An advertisement was placed in the Sussex Express on 19 August 2011 and the 28 day period has now expired. During the consultation period no comments were received regarding the Committee's resolution.
- 2.2 In addition both Sussex Police and the Highways Authority at East Sussex County Council have been notified and no comments have been received from them at the time of writing this report.

## **3 Financial Appraisal**

- 3.3 It was reported in the previous report that there would be an initial outlay for setting up the prohibition system and thereafter enforcement costs for prosecuting unlicensed traders. It is anticipated that enforcement costs will tail off once street traders become aware of the prohibition that exists.

## **4 Environmental Implications**

- 4.1 I have completed the Environmental Implications Questionnaire and there are no significant effects as a result of these recommendations.

## **5 Equality Implications**

- 5.1 An Equality Impact Assessment screening exercise has been undertaken and all due regard has been given to equalities issues. This report is not found to have a negative impact upon equalities.

## **6 Risk Management Implications**

- 6.1 I have completed the risk management Assessment and have identified the following risks.
- 6.2 Reputation Risk. It is important that the Council is seen to consider the regulation of street traders in an open and transparent process. The Council has a duty to protect residents going about their daily activities in the locality and promoting the economic wellbeing of existing businesses in the village of Falmer. Brighton & Hove City Council has already considered street trading to be a potential problem and established a Prohibited streets zone within the vicinity of the stadium. It is paramount that the Council is seen to be addressing the issue in order to retain a good reputation with residents and maintain existing working relationships with both the City Council and the stadium. Failure to consider the impacts of street trading upon the community appropriately may adversely affect the reputation of the Council.
- 6.3 Health and Safety. Street traders may create an obstruction to both pedestrian and vehicular traffic. Allowing street trading to be unregulated may lead to significant disruption and puts pedestrians and drivers at risk of injury.
- 6.4 These risks can be mitigated by introducing Street Trading Controls.

## **7 Background Papers**

Licensing Committee Report No 127/11 and subsequent minutes.

## **8 Appendices**

None