

A.2 PROPOSED RELOCATION OF STREET TRADING PITCH – BARRACK LANE, HARWICH

(Report prepared by John Margerum)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek the Committees authority to pass two resolutions under paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 relating to the revision of the Consent Street designation in parts of Barrack Lane, Harwich.

EXECUTIVE SUMMARY

At your meeting held on 6 July 2010, minute 16 refers, Members considered a request from Councillor Lawrie Payne for the Committee to relocate the existing Street Trading pitch from its present location in Barrack Lane Harwich to a point further along the street near the junction with Harbour Crescent between lamp posts 11 and 12 (as shown in the attached appendix). It was considered that due to changes made to the road layout and a new primary school having been built in the immediate vicinity the location of the current pitch could have road safety implications particularly for children. The existing consent holder had also expressed a desire to move to the proposed new location.

After due consideration of the request the Committee decided to pass the following resolutions:-

- (a) That the Head of Legal Services and Monitoring Officer be authorised to give all necessary notices in accordance with paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 of the Council's intention to pass the following resolutions:-
 - (i) "That in accordance with paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 Tendring District Council hereby rescind the designation of that length of Barrack Lane, Harwich between its junction with Main Road and its junction with Beacon Hill Avenue, Harwich as a Consent Street which rescission shall take effect on the * day of * 2010."
 - (ii) "That in accordance with paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 Tendring District Council hereby designate that length of Barrack Lane, Harwich, between lamp post number 11 and lamp post number 12 as a Consent Street which designation shall take effect on the * day of * 2010."
- (b) That any representations received as a result of the said notices be considered at the next meeting when the Committee will meet to consider formally passing the resolutions.

No representations have been received as a result of the Public Notice having been placed in the local press.

RECOMMENDATION(S)

- (a) That in accordance with paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 the Committee pass the following resolutions:-
- (i) That in accordance with paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 Tendring District Council hereby rescinds the designation of that length of Barrack Lane, Harwich between its junction with Main Road and its junction with Beacon Hill Avenue, Harwich as a Consent Street which rescission shall take effect on the First day of December 2010.
- (ii) That in accordance with paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 Tendring District Council hereby designate that length of Barrack Lane, Harwich between lamp post number 11 and lamp post number 12 as a Consent Street which designation shall take effect on the First day of December 2010.
- (b) That the Head of Legal Services and Monitoring Officer be authorised to give notice of the passing of these resolutions.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The relocation of the Street Trading pitch supports the Council's Corporate Strategy of promoting sustainable economic growth and improving the quality of life.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

The costs associated with advertising the proposal can be met from the Committee's Revenue Budget.

Risk

- Costs incurred by the Council are seen as being not recoverable
- Trade may suffer following the relocation of the Street Trading pitch although the existing consent holder supports the relocation.

LEGAL

The proposed actions are within the Council's discretionary powers.

If the resolutions are passed, the Council will need to issue a new consent to the existing consent holder.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder/Equality and Diversity/Consultation/Public Engagement.

No significant issues to raise.

Ward affected – Harwich East.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

Discussions have been held with the existing consent holder and Councillor Payne concerning the possibility of relocating the Street Trading pitch in Barrack Lane because of safety concerns.

CURRENT POSITION

The existing Street Trading pitch operates Monday to Sunday from 9.00 a.m. to 6.00 p.m. selling Sea Food, Hot and Cold Food and Drinks and is situated opposite the Mayor's Gardens in Barrack Lane, Harwich. The consent holder is in agreement with the proposed new location of the Street Trading pitch.

Public notice of the proposed action has been given and no representations have been received.

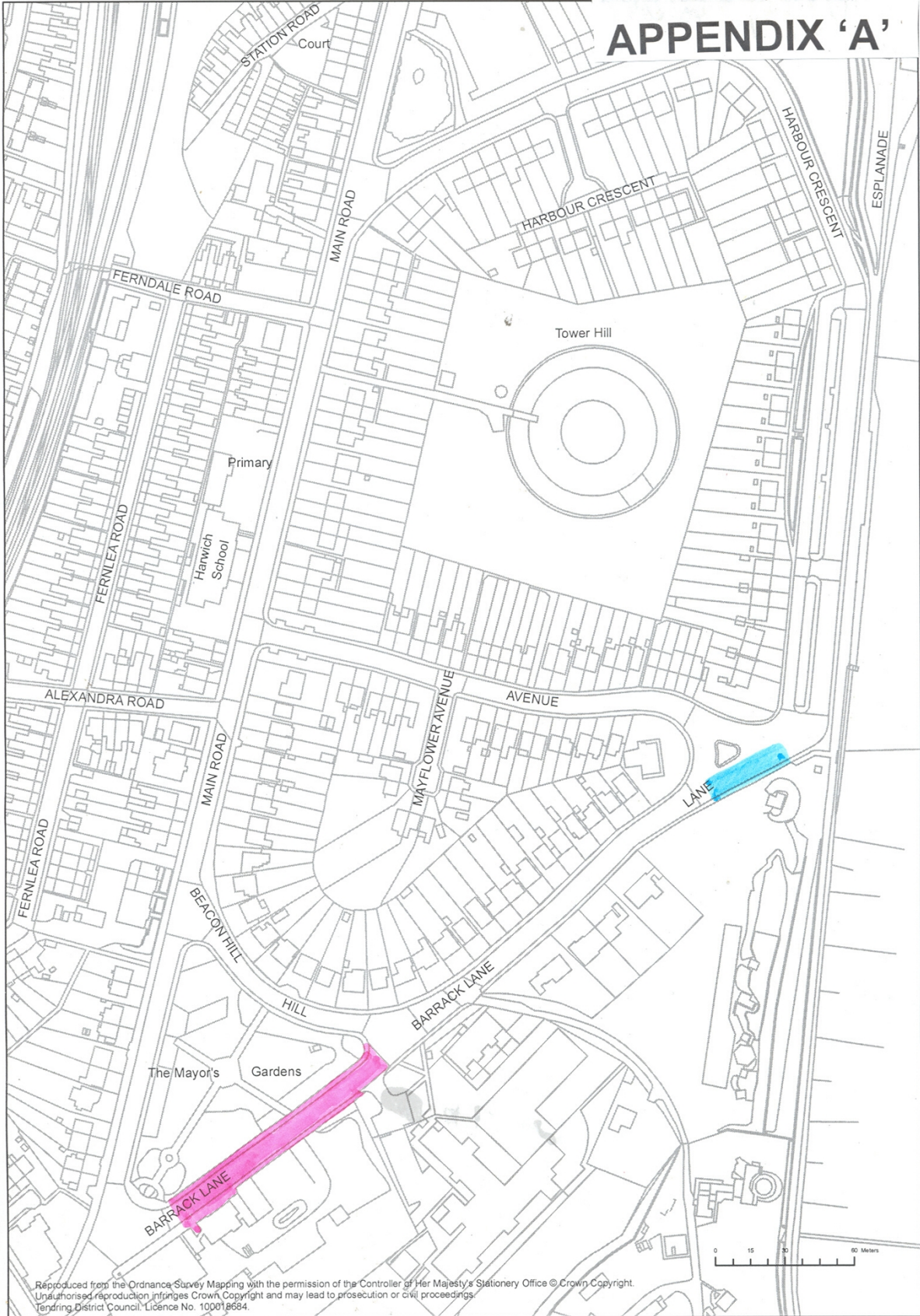
BACKGROUND PAPERS FOR THE DECISION

Public Notice placed in The Harwich & Manningtree Standard – 9 July 2010 and in the proposed relocation area.

APPENDIX

Appendix Location Plan

APPENDIX 'A'



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