

**West Northamptonshire Council**  
**Taxi and General Licensing Committee**

**18 April 2023**

**Approval of the designation of streets for the  
purpose of Street Trading in the West  
Northamptonshire Council area**

**Report of the Assistant Director – Regulatory Services**

This report is public

**Purpose of report**

To ask the Committee to approve the designation of streets for the purposes of Street Trading.

**1.0 Recommendations**

The Committee is recommended to:

- (i) Pass a resolution to designate certain streets as prohibited or consent streets for the purposes of street trading in accordance with the list in Appendix A and as detailed in the statutory notice published on the 9<sup>th</sup> of March 2023 (Appendix B).

**2.0 Introduction**

- 2.1 On the 24<sup>th</sup> of January 2023 the Committee agreed with the recommendation in relation to the designation of streets in the West Northants Council area as prohibited or consent for the purposes of street trading.
- 2.2 Following that meeting, in accordance with the statutory requirements, a notice was published on the 9<sup>th</sup> of March 2023 which invited representations in respect of the Council's intention to pass a resolution to so designate those streets.
- 2.3 Before deciding whether to pass such a resolution the Committee must consider any representations in response to the notice of the 9<sup>th</sup> of March 2023.

**3.0 Report Details**

- 3.1 The Local Government (Miscellaneous Provisions) Act 1982 prescribes a statutory process to be followed in relation to the designation of prohibited, licensed and consent streets for the purpose of street trading.
- 3.2 The Act requires publication of a notice of intention to make a resolution to designate streets prior to any such resolution being made. Should such a resolution be made 2 further notices must be published before any designation comes into force.
- 3.3 The table below is an indicative timetable for the making of the resolution and publication of statutory notices.

<b>9 March 2023</b>	Newspaper notice advertising proposal to make a resolution.
<b>18 April 2023</b>	Report to Committee to consider any representations from the above notice and make the resolution.
<b>27 April 2023</b>	First post resolution newspaper notice a minimum of 28 days before the resolution comes into effect.
<b>4 May 2023</b>	Second post resolution newspaper notice no later than 7 days after the first post resolution notice.
<b>25 May 2023</b>	Designation comes into force, a minimum of 28 days after the first post resolution notice.

- 3.4 On the 9<sup>th</sup> of March 2023 a notice was published in the Northampton Chronicle and Echo giving notice of the Council's intention to make a resolution in relation to the designation of prohibited and consent streets for the purpose of street trading.
- 3.6 The Act prescribes a period of 28 days from the date of publication of the notice for any representations to be made in respect of the intention to make a resolution.
- 3.7 The Act also requires that the chief officer of police and the highway authority responsible for any streets to which the proposal relates are consulted with.
- 3.8 We received one representation from a business currently trading in the area (**Appendix C**). The business in question has been trading illegally on a prohibited street and would like the designation of that street changing from prohibited to consent. The location is a lay-by on the Harlestone Road close to Harlestone Firs. It is currently prohibited as the road has a 40mph speed limit and the lay-by is open with no buffer between it and the road.

## **4.0 Conclusion and Reasons for Recommendations**

4.1 The Committee is recommended to:

- (i) Pass a resolution to designate certain streets as prohibited or consent streets for the purposes of street trading in accordance with the list in Appendix A and as detailed in the statutory notice published on the 9<sup>th</sup> of March 2023 (Appendix B)

## **5.0 Consultation**

5.1 There is no consultation.

## **6.0 Implications**

### **6.1 Financial and resource implications**

6.1.1 There are no financial implications arising directly from this report.

Comments checked by Robbie McRobbie (Senior Finance Business Partner) on behalf of Dawn Leader, Strategic Finance Business Partner,  
dawn.leader@westnorthants.gov.uk

### **6.2 Legal implications**

6.2.1 The remaining legal processes required to lawfully bring the proposed designations into force are set out at paragraph 3.3 above.

6.2.2 Any street designation resolution passed by a Council may be varied or rescinded by a subsequent resolution, if required.

Comments provided by James Chadwick, Principal Lawyer, Legal Services.

### **6.3 Comms implications**

The outcomes of the report will be communicated via the relevant WNC channels.

*Checked by Beth Longhurst, Communications Lead  
communications@westnorthants.gov.uk*

## **8.0 Decision Information**

### **Wards Affected**

All wards

## Links to Corporate Plan and Policy Framework

Not applicable

## Lead Councillor

Councillor David Smith, Portfolio Holder for Community Safety

## Document Information

<b>Appendix No</b>	<b>Title</b>
Appendix A	Designated Streets List
Appendix B	Public Notice 9 <sup>th</sup> March 2023
Appendix C	Gallone Representation
<b>Background Papers</b>	
<b>Report Author</b>	Nicholas Sutcliffe Licensing and Environmental Support Services Manager
<b>Contact Information</b>	01327 322193 Nicholas.sutcliffe@westnorthants.gov.uk