

Report of: Environmental Health Business Manager

To: General Purposes Licensing Committee

Date: 17 July 2007.

Item No:

Title of Report : Street Trading Dawson Street

Summary and Recommendations

Purpose of report: To seek a redesignation of Dawson Street under the City Councils Street Trading Scheme from "Prohibited" to "Consent" Street to allow street markets, small fairs and other similar events to take place without contravening the scheme's requirements.

Key decision: No

Portfolio Holder: Councillor Jean Fooks

Deputy Responsibility: N/A

Ward(s) affected: St Clements; St Mary's and Iffley Fields

Report Approved by: Environmental Health Business Manager-John Copley

Portfolio Holder: Councillor Jean Fooks

Legal: Jeremy Franklin

Finance: Andy Collett

Strategic Director: Michael Lawrence

Policy Framework:

Recommendation(s): Licensing Committee is recommended to:-

- a. Consider the merits of redesignating Dawson Street as a "Consent" Street from a "Prohibited" Street for the purposes of the Street Trading Scheme, and if minded to do so;
- b. Authorise the Environmental Health Business Manager to carry out the required consultation prior to the Council making a formal resolution in favour of a redesignation.

Current Position

Dawson Street is currently designated as a “Prohibited Street” for the purposes of the City Council’s Street Trading Scheme.

The Prohibited Street designation effectively prohibits any street trading in this street with the following exceptions;

- Trading as a Pedlar
- Trading in a market or fair, the right to hold such event having been obtained by grant, enactment or order
- Trading at or adjoining a shop premises as part of the business of the shop
- Trading as a roundsman
- Trading as a news vendor

Oxford City Council are the holders of the market franchise and as such are able to give a licence for a market or similar trading event to be held in Dawson Street. A great deal of interest has been generated in Dawson Street since vehicular access was restricted from travelling through from St Clements to Cowley Road. However this street remains an access route for Emergency vehicles, and consideration must be given to any restrictions to this access caused by other users of the highway.

There are two main parties who have an interest in Dawson Street.

Mr Clinton Pugh owner of the adjacent properties Café Co-Co and Kazbar, both properties have frontages that look onto Dawson Street. Mr Pugh has planning permission to place tables and chairs in the street for his customers use. An application for a Street Café Licence has been received on behalf of Mr Pugh.

Ms Erica Steinheur owner of the nearby Bead Games 40 Cowley Road is a champion for using Dawson Street as a community space. She has been involved in the Mardi Gras in Dawson Street and forthcoming events in May and July, organised by her via ‘Common Ground Common Sense’. Temporary Events Notices have been applied for via the Licensing Authority. She has made contact with Council Officers stating her intention to run small weekend markets and similar events in Dawson Street, like a local Farmers Market or bric-a-brac sale. These events would only be held in a part of Dawson Street and not encroach on any street café that may exist there.

Local businesses known as ‘The Plain Traders’ who Ms Steinheur is a member have no objections to Dawson Street becoming a “Consent Street”.

Proposed Way Forward

A change in designation of Dawson Street to a “Consent Street” from a “Prohibited Street” would enable the Council to grant a consent to the event organisers for the day(s) of the events (this is the case with the Continental Markets in Broad Street and forthcoming Farmer’s Market in Little Clarendon Street.)

The procedure to be followed before the Council can formally redesignate Dawson Street is as follows;

The publication of a notice of intention to pass a resolution redesignating Dawson Street. The notice must be published in a local newspaper and copies served on the Chief Officer of Police and on the County Council as Highway Authority.

A period of 28 days must elapse from the time of the initial publication of the notice to the time when the Council passes the resolution confirming the proposed redesignation. This is to allow objections to be made, which must be considered before a resolution is passed.

Once the resolution is passed, the Council must publish notice of the fact on 2 consecutive weeks in a local newspaper. The first publication date must be no later than 28 days before the date specified in the resolution as the date on which the redesignation comes into force.

Recommendation

Licensing Committee is recommended to:-

- a. Consider the merits of redesignating Dawson Street as a “Consent “ Street from a “Prohibited” Street for the purposes of the Street Trading Scheme, and if minded to do so;
- b. Authorise the Environmental Health Business Manager to carry out the required consultation prior to the Council making a formal resolution in favour of a redesignation.

Name and contact details of author: Kevin John Keating
Street Trading Officer
01865 252558
kkeating@oxford.gov.uk

Background papers:

