

Report of: Environmental Health Business Manager

To: General Purposes Licensing Committee

Date: 31st May 2006 **Item No:**

Title of Report : Street Trading – Cowley Road

Summary and Recommendations

Purpose of report: To seek a redesignation of Cowley Road under the City Council's Street Trading Scheme from "Prohibited" to "Consent" Street to allow Cowley Carnival and certain other street trading to take place without contravening the scheme's requirements.

Key decision: **No**

Portfolio Holder: tba

Duties Responsibility: N/A

Ward(s) affected: Cowley

Report Approved by: Environmental Health Business Manager, Jeremy Franklin (Legal) and Andy Collett (Finance)

Policy Framework: Street Trading Scheme

Recommendation(s):

General Purposes Licensing Committee is recommended to resolve in accordance with Paragraph 2 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 that from 1st July 2006 the following streets be designated as Consent streets for the purposes of the Council's street trading scheme:

- Cowley Road (from The Plain to Howard Street)
- Manzil Way

Current Position

1. Cowley Road and many of the adjoining streets are currently designated as “Prohibited Streets” for the purposes of the City Council’s Street Trading Scheme.
2. This designation was originally made by Licensing Panel some years ago to prevent trading which had been the source of complaints.
3. The Prohibited Street designation effectively prohibits any street trading in these streets with a few specific exemptions:-
 - 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 rounds man
 - Trading as a news vendor

Cowley Road Carnival

4. The Cowley Road Carnival has been held in recent years by using some of the exemptions listed above, principally by using the community market on Manzil Gardens as the main trading location (thereby satisfying the markets exemption) and by having businesses trading on the pavement directly outside their own premises.
5. However, the size and scope of the carnival has grown to the extent that the use of Manzil Gardens cannot now support all the intended traders who do not have business premises in the immediate area. Additionally, the market has not formally operated for some time so there are doubts concerning the legitimacy of the exemption granted in previous years.

Proposed Way Forward

6. A change in designation of Cowley Road and Manzil Way to “Consent” rather than “Prohibited” street will give the needed flexibility. The Council may then grant consent to the carnival organisers for the day of the carnival (as is the case with the continental markets in Broad Street).
7. In view of this, a report was taken to Council on 24th April to advise of the mechanism and the need for a consultation process. Consultation with Thames Valley Police and the County Council Highways Authority, (as required by the Scheme) has taken place. The proposal to amend the designation of Cowley Road and Manzil Way has also been advertised in the local press and comments requested from interested parties. The results of this consultation will be reported on verbally at the meeting.

Recommendation

8. General Purposes Licensing Committee is recommended to:-

Resolve in accordance with Paragraph 2 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 that from 1st July 2006 the following streets be designated as Consent streets for the purposes of street trading:

- Cowley Road (from The Plain to Howard Street)
- Manzil Way

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Background papers: None

