

# DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	1 APRIL 2016	5
<b>REQUEST TO RE-DESIGNATE BACK ST ANNES ROAD WEST FOR THE PURPOSES OF STREET TRADING</b>			

## PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### SUMMARY

The Licensing Team have received a request from the Friends of Back West Arts Trail to consider a revision to the current Street Trading Policy to re-designate Back St Annes Road West as a consent street for the purposes of Street Trading.

### RECOMMENDATION

That the Committee consider the matter, and if appropriate pass a notice of resolution to the effect that it is the Authority's intention to re-designate Back St Annes Road West as a consent street for the purpose of street trading.

### SUMMARY OF PREVIOUS DECISIONS

Fylde Borough Council has adopted the legislation relating to street trading and established a policy which includes a schedule of prohibited streets. That Policy has been amended on occasions to authorise trading in St Annes Square, Lytham Piazza, Ashton Gardens, Wood Street, Wood Street Car Park, Lowther Gardens and car park, Inner promenade between Ansdell Road South and St. Pauls Ave, East Beach, Central Beach and West Beach Lytham.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services ( <b>Value for Money</b> )	√
Delivering the services that customers expect of an excellent council ( <b>Clean and Green</b> )	√
Working with all partners ( <b>Vibrant Economy</b> )	√
To make sure Fylde continues to be one of the most desirable places to live ( <b>A Great Place to Live</b> )	√
Promoting Fylde as a great destination to visit ( <b>A Great Place to Visit</b> )	√

## REPORT

1. Fylde Borough Council has adopted the provisions of the Local Government (Miscellaneous Provisions) Act 1982 in relation to street trading and resolved that all streets within the Borough be designated as consent streets for the purposes of street trading apart from a number of streets within Lytham St Annes which are designated as prohibited streets and as such, street trading may not take place at those locations. Back West Crescent, St Annes was one of the streets designated as a prohibited street.
2. A request has recently been received from the Friends of Back West Arts Trail for Back West Crescent, St Annes to be re-designated as a consent street so that a regular street market may take place. Information from the organisers is attached at appendix 1.
3. Prior to passing a resolution to re- designate any street under the terms of the Local Government (Miscellaneous Provisions) Act 1982, the Council is required to publish a notice of that intention in a local newspaper circulating in the area and serve a copy of the notice on the Chief Constable for Lancashire and Lancashire County Council Highway Authority.
4. Information has already been provided to the Highways Authority following an application for a Road Closure in Back St Annes Road West. They have expressed some concern regarding the notification as detailed below:

*“There is nothing informing us that the idea has been well thought out,  
There is no risk assessment,  
There is no plan showing how the stalls would be set out,  
There is no method statement detailing how it is planned to manage setting up the market,  
There is no evidence showing that everyone has been properly consulted and there is full support,  
There are garaging and parking hardstanding requiring access arrangements,  
There are back gates and flat door entrances requiring access, some of the properties are 3-4 storey high to the rear and have fire escapes.”*

5. These concerns have been communicated to the event organiser and the Committee will be informed of any update at the meeting.
6. The Committee is therefore requested to consider the report and consider whether to instruct Officers to carry out the statutory notification and advertising required to give notice of intention to re-designate Back St Annes Road West as a consent street.

IMPLICATIONS	
Finance	Should the Committee be minded to pass a resolution, that resolution will require advertising in the local press.
Legal	No implications arising directly from the report.
Community Safety	No implications arising directly from the report.
Human Rights and Equalities	No implications arising directly from the report.
Sustainability and Environmental Impact	No implications arising directly from the report.
Health & Safety and Risk Management	No implications arising directly from the report.

LEAD AUTHOR	TEL	DATE	DOC ID
Chris Hambly	01253 658422	15 <sup>th</sup> March 2016	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
none		

#### Attached documents

1. Event Information
2. Current Application Form and Policy
3. Area Plan