

## REPORT OF GENERAL PURPOSES AND LICENSING COMMITTEE

(Meeting held 25 April 2005)

### 1. STREET TRADING – WEDNESDAY MARKET IN STATION ROAD, NEW MILTON (REPORT A) (MINUTE NO. 47)

The Committee has discussed the future of the weekly market held on Wednesdays in part of the east side of Station Road, New Milton, between the Ashley Road and Spencer Road junctions. Trading has been taking place there on Wednesdays since 21 April 2004. The current delegation to New Milton Town Council to exercise the District Council's functions under street trading legislation in respect of that part of Station Road expires on 30 April 2005.

An evaluation report produced by the New Milton Town Partnership in December 2004, following a survey of market users, town centre businesses, and market traders, showed that virtually all market users and traders wished the market to continue in at least some form. 53.3% of town centre businesses supported some form of continuation, and 46.7% did not.

Local members and other interested parties were also consulted, and only one objection was received to the market continuing. This was from Ringwood Town Council (a weekly market is also held in Ringwood on Wednesdays). Ringwood Town Council was concerned that continuation of the New Milton market would have a detrimental effect on the Ringwood market, due to the close proximity of the two towns. However, although three stalls were lost at Ringwood when the New Milton market was originally set up and it was only full once during the whole of summer 2004, it is understood that it is now back up to full strength and has all the "basics".

The Committee understands the fears of Ringwood Town Council about the effect on the Ringwood market of a continued Wednesday market in New Milton. However, it notes that at present the Ringwood market is at full strength. Given the overwhelming support from users and traders for the continuation of the New Milton market, and a level of support from existing businesses in excess of 50%, the Committee is of the view that this Council should continue to delegate its powers under street trading legislation to New Milton Town Council to enable them to operate a weekly market on a long term basis.

There is no impediment to the current experimental Traffic Regulation Order closing the south bound carriageway of part of Station Road on Wednesdays being made permanent. The relevant decision is not within the terms of reference of this Committee, and will be made by the Principal Engineer if and when the Council decides that trading can continue.

The terms of the current, short term, agreement under which powers are delegated from the District to the Town Council appear to be generally satisfactory and suitable as the basis for any new long term agreement. They include, for example, conditions relating to the issue by the Town Council of consents to trade, requirements on the Town Council to monitor compliance by the market operator and traders, and to ensure signs and barriers are in place to the satisfaction of the highway authority, and provision for the agreement to be terminated by either party on giving due notice.

Members should note that the recommendations set out below refer only to the continuation of weekly trading in Station Road in its current location – that is the east side between the junctions with Ashley and Spencer Road. A request has been received from New Milton Town Council for trading to be extended also to the west side of Station Road. Before that request can be considered by the Committee, the feasibility of making a new Traffic Regulation Order closing the relevant part of Station Road in both directions on Wednesdays needs to be examined. This requires the satisfactory resolution of a number of traffic management issues, which are not within the terms of reference of the Committee. Only if such a closure proves possible will the Committee be asked to consider whether steps should be taken under street trading legislation to consult on expansion of the trading area.

**RECOMMENDED:**

- (a) That, subject to an agreement being entered into under (b) below and the making permanent of the experimental Traffic Regulation Order, all the Council's functions under paragraphs 7 and 9 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 (street trading consents) in respect of the existing weekly market in Station Road New Milton be delegated to New Milton Town Council;**
- (b) That the Head of Legal and Democratic Services be authorized to enter into a written agreement with New Milton Town Council concerning the terms on which the Town Council is to exercise this delegation, the wording of such agreement to be agreed between the Head of Legal and Democratic Services and the Town Council;**
- (c) That the Chief Executive, in consultation with the appropriate Head of Service and the Chairman of the General Purposes and Licensing Committee, be authorized to exercise the District Council's powers under the terms of the agreement referred to in (b) above; and**
- (d) That, if the agreement referred to in (b) above is not signed by both parties before 1 May 2005, the terms of the existing agreement continue for a period not exceeding 6 months from 1 May 2005, pending the coming into effect of the new agreement.**

**Cllr W H Dow**  
CHAIRMAN