

REPORT OF GENERAL PURPOSES AND LICENSING COMMITTEE

(Meeting held 15 June 2007)

1. STREET TRADING – WEDNESDAY MARKET IN STATION ROAD, NEW MILTON (REPORT A) (MINUTE NO 10).

In April 2004 the District Council and New Milton Town Council entered into a formal agreement enabling lawful trading to take place in the southern part of Station Road, New Milton. On 21 April 2004 the first 'New Milton Wednesday market' took place and weekly markets have continued ever since.

In order to allow maintenance work to the B3058 Station Road South to be carried out during July 2007, and the continuation of the street market, the Committee at its meeting on 16 March 2007, considered the temporary relocation of the market to the eastern side of the northern part of Station Road.

In accordance with its statutory duty, the Committee published a notice of intent in the local press on 31 March 2007. At its meeting on 15 June 2007, the Committee considered all representations received following publication of this notice. The Committee heard from the Clerk of New Milton Town Council who actively promotes the relocation of the market in order to allow the road maintenance work to be carried out.

The Council's functions under street trading legislation relating to the current weekly market in Station Road South are already delegated to New Milton Town Council (apart from responsibilities for food and health and safety enforcement which cannot be delegated). The current delegation includes power to issue consents to trade to traders, requirements to monitor compliance, and to ensure signs and barriers are placed to the satisfaction of the highway authority. Should the Council designate Station Road North as a consent street the current delegation could continue in respect of the relocated market, subject to any minor amendments that might be required to take account of the new venue.

The Committee also considered that a temporary Traffic Regulation Order may be required to facilitate traffic movement while the relocated market is being set up, in place, and/or being taken away, to prevent the likelihood of danger to pedestrians. This will be progressed by the Transportation Group in conjunction with the highway authority and interested parties.

RECOMMENDED:

- (a) ***That, subject to the making of a temporary Traffic Regulation Order, if appropriate, by the Transportation Group, the area of Station Road, New Milton north of the junction with Ashley Road and south of the junction with Osborne Road/Whitefield Road be designated a consent street within the meaning of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982, with effect from 25 July 2007; and***

- (b) That, if the above designation is approved:**
- (i) the current legal agreement between this Council and New Milton Town Council continue to apply in the event that the market is temporarily relocated, and that the Head of Legal and Democratic Services be authorised to agree with the Town Council any amendments to the wording of the agreement that she considers are required as a result of the relocation; and**
 - (ii) following completion of the works to Station Road South, a further report be brought to the General Purposes and Licensing Committee as to whether the designation of Station Road North should continue or be revoked.**

**Cllr L R Puttock
CHAIRMAN**