

REPORT OF GENERAL PURPOSES AND LICENSING COMMITTEE

(Meeting held 10 June 2011)

1. STREET TRADING – PROPOSALS FOR WEEKLY MARKET OFF SALISBURY ROAD, TOTTON (REPORT B) (MINUTE NO. 10)

The Committee has at its last two meetings considered a request by Totton and Eling Town Council for the District Council to designate the Salisbury Road Service Road (west side), north of Water Lane junction, Totton, as a “consent street” under the street trading provisions of the Local Government (Miscellaneous Provisions) Act 1982. The Town Council’s request arises because it wishes to establish a weekly street market on Wednesdays. The proposal also requires the making of a Traffic Regulation Order which is not a matter for the Committee or this Council. If, for any reason, the Traffic Regulation Order is not made, the proposed market could not operate.

The consultations required under the 1982 Act have been undertaken and the necessary press notice has been published. In addition, Totton & Eling Town Council has consulted local businesses likely to be affected. Only one response was received, from a trader who did not wish a stall conducting the same trade placed directly outside his shop. The Town Council has undertaken to ensure that this does not happen.

In considering Totton & Eling Town Council’s request, members discussed possible effects of the establishment of the market in Totton on the New Milton and Ringwood markets, both of which operate on Wednesdays and both of which are reported to be experiencing downturns in trade. There was concern that the Totton market could attract traders and shoppers from the other markets. It was, however, noted that Totton has traditionally held a market on Wednesdays, in more recent times on private land, and most members took the view that, bearing in mind the distances involved, there was unlikely to be an effect on either the New Milton or Ringwood markets. In any event, members did not consider that this was an appropriate consideration when determining whether to designate a consent street.

The Committee has, therefore, under its delegated powers, passed the resolution to designate the Salisbury Road Service Road, as described in the first paragraph of this report, as a consent street, with the designation coming into force on 13 July 2011. Delegation of the Council’s functions to Totton and Eling Town Council, which include the power to issue consents to traders to trade in the designated street, requires the approval of the Council and the following recommendations are made.

RECOMMENDED:

- (a) ***That, subject to an agreement being entered into under recommendation (b) below, and the making of a Traffic Regulation Order, all the Council’s functions under paragraphs 7 and 9 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 be delegated to Totton & Eling Town Council;***

- (b) That the Head of Legal and Democratic Services be authorised to enter into a written agreement with Totton & Eling Town Council concerning the terms on which the Town Council is to exercise this delegation; and**
- (c) That the Chief Executive, in consultation with the appropriate Head of Service and the Chairman of the General Purposes and Licensing Committee, be authorised to exercise the Council's powers under the terms of the agreement referred to in recommendation (b) above.**

**Councillor G C Beck
CHAIRMAN**