

## **GENERAL PURPOSES AND LICENSING COMMITTEE – 12 SEPTEMBER 2008**

### **NEW MILTON WEDNESDAY MARKET – POSSIBLE EXPANSION**

#### **1. Purpose of Report**

- 1.1 This report asks the Committee to make a recommendation to Council on whether part of the northern part of Station Road, New Milton, should be designated a consent street for the purpose of street trading for an indefinite period, to enable the weekly Wednesday market currently held in Station Road South to expand.

#### **2. Background**

- 2.1 On 21 July 2008 the Committee resolved:

That, in accordance with Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982, a notice be published in a local newspaper of the Council's intention to pass the following draft resolution on 15 September 2008:

"That the current designation of the western side of Station Road, New Milton (north of the junction with Old Milton Road and south of the junction with Whitefield Road) as a consent street within the meaning of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982, be revoked;

That the current designation of the eastern side of Station Road, New Milton (north of the junction with Ashley Road and south of the junction with Osborne Road) as a consent street within the meaning of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982, be confirmed;

and that these decisions come into force on 16 September 2008".

- 2.2 A notice to this effect, with further explanatory text, appeared in the Lymington and New Milton Advertiser and Times on 1 August 2008. If the Committee recommends, and Council passes, this resolution, the effect will be:

- (a) to enable the street market to expand into part of the eastern side of Station Road North unless and until this Council revokes the designation; and
- (b) to make it clear that trading on the western side of Station Road North will not be allowed, the highway authority having stated that for traffic and pedestrian safety reasons trading should not be permitted on both sides of the street. (In practice, trading has never taken place on the western side of the street).

- 2.3 The proposal is that any expansion of the market into Station Road North will be limited to the area between the building currently occupied by the Hearing and Disability Centre (to the south) and the pedestrian access to the Health Centre car park next to Lloyds Pharmacy (to the north) (see attached Plan). To ensure that stalls are not permitted to encroach beyond this area, an appropriate condition can be written into the agreement this Council has with the Town Council.

### **3. Response to Publication of Notice**

- 3.1 No objections were received to the public notice.
- 3.2 The Committee will recall from its meeting on 21 July 2008 that 39 of 47 businesses in Station Road North were in favour of the market or happy with its presence in their street during its temporary relocation to Station Road North in late 2007/early 2008.

### **4. Financial Implications**

- 4.1 None arising directly from this report. New Milton Town Council will be asked to reimburse this Council's costs in placing public notices, and for officer time.

### **5. Environmental and Crime and Disorder Implications**

- 5.1 No new issues arise directly from this report. The Town Council is obliged under the terms of the legal agreement to ensure that the market operator has in place adequate arrangements for keeping the area litter free during trading, and for removal of litter at the end of trading.

### **6. Equality and Diversity Implications**

- 6.1 No new issues arise directly from this report.

### **7. Recommendations**

- 7.1 That it be recommended to Council that:
- (a) (i) The current designation of the western side of Station Road, New Milton (north of the junction with Old Milton Road and south of the junction with Whitefield Road) as a consent street within the meaning of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982, be revoked; and
  - (ii) The current designation of the eastern side of Station Road, New Milton (north of the junction with Ashley Road and south of the junction with Osborne Road) as a consent street within the meaning of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982, be confirmed;

and that these decisions come into force on 16 September 2008; and

- (b) The Head of Legal and Democratic Services be authorised to amend the legal agreement under which New Milton Town Council is delegated powers under Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 to take account of the above decision, and in particular to specify that expansion of the market into Station Road North be limited to the area between the building currently occupied by the Hearing and Disability Centre (to the south) and the pedestrian access to the Health Centre car park next to Lloyds Pharmacy (to the north).

**Further Information:**

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**into Station Road North**

