

Report to the Licensing Committee

Report Reference: LSC-001-2011/12.

Date of meeting: 12 October 2011.



**Epping Forest
District Council**

Subject: Honey Lane Street Trading Consent

Responsible Officer: Alison Mitchell (01992 564017).

Democratic Services: Gary Woodhall (01992 564470).

Decisions Required:

- 1. That the Committee recommends to the Council that the parts of Honey Lane, Waltham Abbey which are not between the motorway accesses should be designated as a consent street for street trading provided that no representations opposing the designation are received as a result of the statutory consultation; and**
- 2. If any representations opposing the designation are received then the proposed designation is referred back to the Licensing Committee for further consideration.**

Reasons for Proposed Decision:

To permit street trading to take place where no obstructions will be caused.

Other Options for Action:

Not to allow street trading on the whole or any other parts of Honey Lane.

Report:

- 1. Epping Forest District Council was approached by Waltham Abbey Town Council, requesting that length of Honey Lane, Waltham Abbey, Essex between the motorway access roads be designated as a prohibited street for the purpose of street trading. The area concerned is shown as an inset on the attached plan.**
- 2. The Licensing Committee on 15 April 2009 considered the request made by Waltham Abbey Town Council and it was decided that the Council would undertake the necessary consultation with a view to making the whole of Honey Lane, Waltham Abbey, Essex into a prohibited street for the purpose of street trading in accordance with the Local Government (Miscellaneous) Provisions Act 1982.**
- 3. On 14 October 2009, a resolution was passed making the whole of Honey Lane a Prohibited Street.**
- 4. The original request was made to the Council by the Waltham Abbey Town Council because of concerns as to the safety of the road between the motorway access roads.**
- 5. The Local Government (Miscellaneous Provisions) Act 1982 defines street trading as not only trading that takes place directly on a highway but also on areas to which the public has access. A public house has allowed a burger van to trade from its car park and enforcement action is being considered. The public house is not situated in the area between the two access roads and the burger van does not cause any obstructions. However, because Honey Lane is not a consent street the Council cannot give consent for it to be placed there. There may be similar businesses which are being prevented from trading in this way.**

6. The Licensing Committee is therefore asked to consider designating the parts of Honey Lane, other than the area between the two motorway accesses, as a consent street. Each application for a street trading consent will then be able to be considered on its individual merits.

Resource Implications:

It will be necessary to pay for the notices to be placed in the local papers. The cost will depend upon the size of the notice.

Legal and Governance Implications:

Street trading would be permitted on the regulated parts of Honey Lane.

Safer and Cleaner and Greener Implications:

None.

Consultation Undertaken:

None.

Background Papers:

Agenda and Minutes of the Licensing Committee on 14 October 2010.

Impact Assessments:

Not Applicable.