

Report to the Council

Committee: Licensing

Date: 31 July 2012

Subject: Honey Lane Street Trading

Chairman: Councillor Ken Angold-Stephens

Recommendations:

- (1) That the Council adopts a policy on the grounds of road safety against issuing a street trading consent on any of that part of Honey Lane which is adopted public highway; and**
 - (2) That the Council agrees that only the Licensing Sub-Committee should have the delegated authority to issue a consent for street trading on any of that part of Honey Lane which is adopted public highway.**
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1. The Council has the power under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 to designate any street or streets in its area as a consent street allowing street trading to take place there with the consent of the Council. The Licensing Committee had agreed to the designation of the part of Honey Lane, Waltham Abbey, shown on the attached plan as a consent street, for the purposes of street trading. The Sub-Committee later removed the designation from Honey Lane after complaints were received and in October 2009 and the whole of Honey Lane was made a Prohibited Street. The definition of 'highway' for the purposes of the 1982 Act is wide enough to cover areas adjacent to the public highway.

2. A burger van wished to trade from the car park of the Woodbine Public House and requested that the part of Honey Lane outside the public house be re-designated as a consent street. This request was considered by the Licensing Committee in October 2011 and a consultation exercise was undertaken on whether to allow street trading other than between the two motorway accesses.

3. At its meeting on 11 April 2012, the Licensing Committee, after considering a report and having taken into account the various representations received, agreed to the part of Honey Lane from the Cemetery Entrance (eastern side) to the Woodbine Estate access road (western side) be re-designated a consent street. Waltham Abbey Town Council was agreeable that this area would be acceptable for street trading by consent. A plan is attached.

4. The members of the Committee were concerned that there were a number of road safety issues that could also apply to this part of Honey Lane. The Committee required that there was to be a policy against issuing any consents on any public highway and that only the Licensing Sub-Committee should be allowed to make a decision after taking account road safety issues.