

**PUBLIC PROTECTION COMMITTEE: 7<sup>th</sup> April 2015**

**Report of the County Solicitor**

**STREET TRADING DESIGNATION – CENTRAL SQUARE**

**1. Background**

- 1.1 At its meeting of 6<sup>th</sup> January 2015 the Committee authorised me to publish notice of its intention to pass a resolution to change the street designation of the part of Central Square currently designated a licence street to a prohibited street pursuant to Paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. The change is required due to the pending redevelopment of the Central Square area.
- 1.2 The intention is for the change to have effect from 1<sup>st</sup> June 2015.

**2. Details.**

- 2.1 In accordance with the statutory procedure a Public Notice was published stating the Committee's intention in the South Wales Echo on 6<sup>th</sup> February 2015. Copies were also sent to the Police, the Chief Officer Strategic Planning, Traffic & Transportation. The Notice invited representations relating to the proposed resolutions to be made in writing by 6<sup>th</sup> March 2015.
- 2.2 A written objection from Mr Timothy Harris (the current licensed street trader on Central Square) was received outside the deadline for representations on 9<sup>th</sup> March 2015. His letter is detailed in Appendix A. The Committee is not obliged to consider the letter as it has been received out of time but it may choose to do so if it wishes.
- 2.3 The Committee will consider a subsequent report regarding the relocation of Mr Harris's street trading site.
- 2.4 If the Committee decide to proceed with designating Central Square as a prohibited street it will be illegal for Mr Harris to continue to trade from his current site once the change comes into effect.

3. **Financial Implications**

3.1 The fee for an annual street trading licences that were renewed before 1<sup>st</sup> April 2015 was £759.00. Mr Harris's licence was renewed on 1<sup>st</sup> January 2015. If the street designation is changed before the licence expires on 31<sup>st</sup> December 2015, a pro-rata amount of the compliance element of the licence fee will be refunded to the trader.

3.2 The cost of advertising the designation is met from the existing budget.

4. **Legal Implications**

4.1 The legal implications appear in the body of this report

5. **Recommendations**

5.1 It is recommended that the matter is considered.

5.2 Should, following consideration of the matter, the Committee wish to proceed with the designations then in accordance with the statutory provisions of the Local Government (Miscellaneous) Provisions Act 1982, the Committee must pass the following Resolution:

5.2.1 With effect from 1 June 2015 all previous resolutions designating those parts of Central Square, Cardiff as a Licence Street, for the purposes of Part III of the Local Government (Miscellaneous Provisions) Act 1982 are rescinded.

5.2.2 With effect from 1 June 2015, all parts of Central Square, Cardiff be designated a Prohibited Street pursuant to Part III of the Local Government (Miscellaneous Provisions) Act 1982

**Shaun Jamieson**  
County Solicitor

09 March 2015

Background Papers

1. Minutes of the Public Protection Committee of 6 January 2015