

**Manchester City Council  
Report for Resolution**

**Report to:** Council - 29 March 2023

**Subject:** Resolution to designate certain streets as prohibited, licence or consent streets for the purpose of street trading

**Report of:** Director of Planning, Building Control & Licensing

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**Summary**

This report requests Council to pass a resolution to designate certain streets in Manchester as prohibited streets for the purpose of street trading. It provides details of the publication, on 10 February 2023, of the statutory notice of the Council's intention to so designate those streets and the outcome of the statutory consultation period.

The report also provides the Council with details of the remaining statutory steps which must be taken before any such designation takes effect.

**Recommendations**

That the Council pass a resolution to designate certain streets as prohibited streets for the purpose of street trading in accordance with Appendix 1 and as detailed in the statutory notice published on 10 February 2023.

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**Wards Affected:** Deansgate and Piccadilly

<b>Environmental Impact Assessment</b> - the impact of the decisions proposed in this report on achieving the zero-carbon target for the city
None

<b>Our Manchester Strategy Outcomes</b>	<b>Summary of how this report aligns to the OMS</b>
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	Street trading consents and licences may make a valuable contribution to areas in and around Manchester. The vehicle and trailers used can be of a quality that compliments the street scene, which in turn may encourage people into the area thereby impacting positively on the economy of the sub-region.

A highly skilled city: world class and home grown talent sustaining the city's economic success	
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Street Trading Policy will enable the Council to create a street trading environment which complements premises-based trading, is sensitive to the needs of the residents, provides diversity, consumer choice and safety of local environments
A liveable and low carbon city: a destination of choice to live, visit and work.	Licensed premises often operate alongside to residential accommodation. Ensuring licensed premises are safe, well-run and properly regulated positively contributes to the liveability of the city
A connected city: world class infrastructure and connectivity to drive growth	Street trading licences and consents allow people to start a business and in addition each licence or consent will normally create employment for at least two people.

**Full details are in the body of the report, along with any implications for:**

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

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**Financial Consequences – Revenue** None

**Financial Consequences – Capital** None

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**Background documents (available for public inspection):**

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy, please contact one of the contact officers above.

Licensing & Appeals Committee Report of 5 December 2022 – Review of Street Trader Licence and Consents  
Local Government (Miscellaneous Provisions) Act 1982 Schedule 4

## 1. Introduction

- 1.1. On 5 December 2022, the Licensing and Appeals Committee approved the commencement of the statutory consultation process to pass a resolution to vary a resolution of 9 May 2012; this was in relation to the designation of certain streets in Manchester as prohibited, licence or consent streets for the purposes of street trading.
- 1.2. The proposed resolution (Appendix 1) designates certain streets in the city centre as prohibited streets, which means that no licences or consents for street trading may be granted for those areas, as shown highlighted in Appendix 2.
- 1.3. This brings these areas into line with similar areas such as St Ann's Square and Exchange Square, which are already prohibited.
- 1.4. Following that meeting, in accordance with the statutory requirements, a notice was published on 10 February 2023 which invited representations in respect of the Council's intention to pass such a resolution.
- 1.5. Before deciding whether to pass such a resolution, the Council must consider any representations received.

## 2. Designation of Streets

- 2.1. The Local Government (Miscellaneous Provisions) Act 1982 prescribes a statutory process to be followed in relation to the designation of prohibited, licence, and consent streets for the purpose of street trading.
- 2.2. The Act requires publication of a notice of the intention, prior to any such resolution being made. Should such a resolution be made 2 further notices must be published before the designation comes into force.
- 2.3. Table 1 is an indicative timetable for the making of the resolution and publication of statutory notices.

**Table 1**

<b>9 February 2023</b>	Newspaper notice advertising the proposal to make resolution (statutory period for making representations begins – minimum of 28 days)
<b>29 March 2023</b>	Report to full council to consider any such representations from advert of w/c 10 February 2023, and make resolution

<b>3 April 2023</b>	First post-resolution newspaper notice (minimum 28 days before resolution comes into effect)
<b>10 April 2023</b>	Second post-resolution newspaper notice (must within 7 days after first post-resolution notice)
<b>10 May 2023</b>	Designation comes into force (minimum of 28 days after first post-resolution notice)

### **3. Notice of Intention to pass Resolution**

- 3.1. On 9 February 2023 a notice was published in the Manchester Evening News; this gave the necessary notice of the Council's intention to make a resolution in relation to the designation of prohibited streets for the purpose of street trading.
- 3.2. The Act prescribes a period of 28 days from the date of publication of the notice for any representations to be made.
- 3.3. The Act also requires that a copy of the notice shall be served on the the chief officer of police and the highway authority responsible for any streets to which the proposal relates.
- 3.4. No representations have been received in response to any of the notices.

### **4. Recommendation**

- 4.1. Council is asked to pass a resolution to designate those streets in accordance with Appendix 1.

### **5. Key Policies and Considerations**

- 5.1. The details in the report relate to the Council's street trading policy under the Local Government (Miscellaneous Provisions) Act 1982.