

**REPORT:** Council

**DATE:** 14 September 2016

**REPORTING OFFICER:** Strategic Director, Enterprise Community & Resources

**PORTFOLIO:** Community & Resources

**SUBJECT:** Local Government (Miscellaneous Provisions) Act 1982 Section 3 and Schedule 4 – Street Trading

**WARD:** Boroughwide

## **1. PURPOSE OF REPORT**

To the extent they are not already so designated under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 ( the “1982 Act”) (relating to street trading) to designate streets as prohibited streets and consent streets.

## **2. RECOMMENDATION : That**

- 1) To pass the Designation Resolution as set out at paragraph 4 to this report; and**
- 2) The Operational Director, Legal and Democratic Services be directed to publish the (Schedule 4) notices required by Schedule 4 Paragraph 2 (9) of the 1982 Act.**

## **3. GENERAL**

- 3.1** On 2 March 2016 the Council resolved that it intended to pass a designation resolution at a future meeting ( the “Designation Resolution”) to the extent they are not already so designated under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 (relating to street trading) to designate streets as prohibited streets and consent streets.
- 3.2** The Operational Director Legal and Democratic Services was authorised to prepare and publish notice as required by Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
- 3.3** An Advertisement was placed in the Runcorn and Widnes Weekly News on 12 May 2016 giving notice of intention to pass the Designation Resolution in accordance with the 1982 Act.

- 3.4 On 5 May 2016 notices of intention to pass the Designation Resolution were served on the chief officer of police and the highway authority in accordance with the 1982 Act.
- 3.5 No responses were received in respect of the notices.
- 3.6 No additional consents were required because Schedule 4 paragraph 2(4) of the 1982 Act does not apply.
- 3.7 It is therefore appropriate to proceed with the designation process:
- 3.7.1 This involves passing the Designation Resolution which the Council resolved that it intended to pass on 2 March; and
- 3.7.2 Publishing notice of the passing of the Designation Resolution in two consecutive weeks in a local newspaper circulating in the area - the first publication of which shall not be later than 28 days before the day specified in the resolution for the coming into force of the designation.
- 3.7.3 It is intended that such advertisements shall be placed in the Runcorn and Widnes Weekly News on 29 September 2016 and 6 October 2016.

#### 4 RECOMMENDATION:

The Council be recommended to pass the designation resolution in the following terms -

“ **RESOLVED:** (1) To the extent that they are not already so designated for the purposes of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 the streets listed in the Schedule to this resolution shall be designated on and after the designation day as prohibited streets or consent streets as indicated in the Schedule;

(2) The designation day for the purposes of this resolution shall be 24<sup>th</sup> October 2016 (being not before the expiration of the period of one month beginning with the day on which this resolution is passed).

(3) All powers, duties and provisions in the Council's Constitution relating to the provisions of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and all policies, practices and conditions relating thereto shall continue to apply on and after the designation day.

## Schedule

### Part 1 – Prohibited Streets

The following is a list of prohibited streets within the Borough of Halton

<p><b>Halton Borough Council</b> – <b>Street Trading List of Prohibited Streets</b> <b>Widnes</b></p> <p>Albert Road Barrows Green Lane Bechers Birchfield Road Bradley Way Chorleys Lane Cronton Lane Dans Road Deacon Road Derby Road Ditchfield Road Ditton Road Dundalk Road Everite Road Fiddlers Ferry Road</p>	<p>Greenoaks Way Hale Park Hale Road Halebank Road Halegate Road Halton View Road Heath Road Highfield Road Hough Green Road Kingsway Leigh Avenue Liverpool Road Lowerhouse Lane Lowerhouse Lane East Lugsdale Road Lunts Heath Road Marshgate Milton Road Moor Lane</p>	<p>Moor Lane South Moorfield Road Norlands Lane Peelhouse Lane Prescot Road Queensway St Mary’s Road St Michael’s Road Speke Road Terrace Road Town Lane Victoria Avenue Victoria Road Warrington Road Waterloo Road Widnes Road Watkinson Way Wilmere Lane Windfield Way</p>
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<p><b>Halton Borough Council</b> – <b>Street Trading List of Prohibited Streets</b> <b>Runcorn</b></p> <p>Alcock Street Ascot Avenue Astmoor Road Astmoor Spine Road Balfour Street Banks Lane Barkers Hollow Road Barnfield Avenue Boston Avenue Bridge Street Bridgewater Street Brookvale Avenue North Bus Station</p>	<p>Granville Street Greenhouse Farm Road Greenway Road Hallwood Link Road Halton Brook Avenue Halton Brow *Halton Lea Shopping Centre *East Lane *Eastway *Northway *Southway *West Lane *West Way * Second Avenue * Third Avenue * Fourth Avenue Halton Lodge Avenue Halton Station Road</p>	<p>Newton Lane Northwich Road Norton Lane Norton View Old Quay Street Palacefields Avenue Park Road Picow Farm Road Princess Street Pump Lane Regent Street Richard Close Runcorn Road Russell Road Sandy Lane Sandy Lane, Preston Brook South Parade Southgate Approach Rd</p>
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Calvers	Heath Road	Southwood Avenue
Camelot Way	Heath Road South	Spur Road
Castlefields Avenue East	High Street	Stockham Lane
Castlefields Avenue North	Higher Lane	Stockham Lane Approach
Castlefields Avenue South	Highlands Road	Road
Cavendish Farm Road	Hilltop Road	Stockham Lane Car Park
Chester Road	Irwell Lane	Stonelea
Church Street	Keckwick Lane	Summer Lane
Clifton Lane	King Street	The Croft
Clifton Road	King Arthur's Walk	Vicar Street
Coppice Close	Lamsickle Lane	Victoria Road
Coronation Rd, Preston	Latham Avenue	Warrington Road
Brook	Leaside	Westfield Road
Cross Road	Loch Street	Weston Road
Daresbury By-Pass	Lowlands Road	Windmill Hill Avenue North
Delph Lane	Lydiate Lane	Windmill Hill Avenue
Devonshire Square	Main Street	South
Expressway	Meadway	Windmill Hill Avenue East
Festival Way	Mersey Road	Windmill Hill Avenue West
Gorsey Well Lane	Motorway M56	Windmill Lane
Grangemoor	Moughland Lane	Wood Lane
Grangeway	Murdishaw Avenue	

## Part 2 - Consent Streets

All streets within the Borough of Halton which are not designated as prohibited streets are designated as consent streets except streets owned or maintained by relevant corporations .

### 5 POLICY IMPLICATIONS

There are no policy or finance implications arising out of this agenda

### 6 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Background File	Legal Services	John Tully/Kay Cleary