

PROCEDURE FOR DESIGNATING STREETS

The Local Government (Miscellaneous Provisions) Act 1982 prescribes a statutory process to be followed in relation to the designation of prohibited and consent streets for street trading.

The Act requires the publication of a notice of intention to make a resolution to designate streets in a local newspaper. The notice will include a draft of the resolution and state that representations concerning it may be made in writing to the Council within a period of not less than 28 days from the date of the publication of the notice.

Notification will also be made to the Chief Officer of Police and to the Highway Authority.

The Licensing and Enforcement Committee must consider any representations in response to the Notice. Should such a resolution be made, a post resolution notice must be published in a local newspaper at least 28 days before the day specified in the resolution for the coming into force of the resolution to designate the streets. The following table is an indicative timetable for the making of the resolution and publication of statutory notices in 2023.

7 December 2022	Recommendation to the Licensing & Enforcement Committee to consult on policy revision
JANUARY 2023	Public Consultation Exercise to be conducted for 8 weeks to the end of February 2023
MARCH 2023	Licensing & Enforcement Committee to consider/approve any revisions to policy. Approval is then required for commencing public notices.
20 MARCH 2023 17 APRIL Ends	<p>STATUTORY Consultation</p> <ul style="list-style-type: none"> ▪ Notice to be published in local newspaper inviting representations in respect of the Council’s intention to pass resolution to designate streets (statutory period for representations begins – minimum of 28 days) ▪ A copy of the Notice served on the chief officer of police and the highway authority for the area
26 APRIL 2023	Licensing & Enforcement Committee to consider any such representations from advert of w/c 20 March 2023, and to make resolution.
1 MAY 2023	<p>STATUTORY</p> <p>Post resolution notice to be published for 2 consecutive weeks in a local newspaper circulating in the area (minimum 28 days before resolution comes into effect). 28 days expires on 29 MAY</p>
29 MAY 2023	Minimum of 28 days after post resolution Notice published
1 JUNE 2023	Designation would come into force as the process has ended.