

## **Report to Environment and Licensing Committee**

**Subject:** Application for Street Trading consent for the Arnold Market at Eagle Square Arnold

**Date:** 3<sup>rd</sup> November 2026

**Author:** Director of Place

### **Purpose**

To consider an application made by Gedling Borough Council for street trading consent for the Arnold Market to trade in a consent street in Arnold from 1<sup>st</sup> January 2027 until 31<sup>st</sup> December 2027.

To seek approval that the consent departs from Section 6 of the Council's Street Trading Policy allowing the market to trade on more than 16 days in a calendar year.

To seek approval that the consent departs from Section 4.1 of the policy to allow trading from a stationary van, cart, barrow or other vehicle.

### **Recommendation(s)**

#### **THAT:**

- 1) Approve the application made by Gedling Borough Council for a street trading consent for the Arnold Market to trade in a consent street in Arnold from 1<sup>st</sup> January 2027 until 31<sup>st</sup> December 2027.**
- 2) Approve a departure from Section 6 of the Council's Street Trading Policy allowing the market to trade on more than 16 days in a calendar year.**
- 3) Approve a departure from Section 4.1 of the Council's Street Trading Policy to allow trading from a stationary van, cart, barrow or other vehicle.**

## **1 Background**

1.1 Schedule 4 of The Local Government Miscellaneous Provisions Act (1982) gives District Councils the power to designate any street as either

- 'a prohibited street' (all street trading is prohibited);
- 'a licence street' (street trading is prohibited without a licence from the council); or
- 'a consent street' (street trading is prohibited without the consent of the council).

This designation then gives the council the power to control street trading on that street. The Council adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 on 6<sup>th</sup> June 1983.

1.2 In 2012 the Environment and Licensing Committee approved that the Front Street area of Arnold and portions of the streets that branch off it, be re-designated from a 'prohibited street' to a 'consent street'. This was due to the activities in town centres changing allowing for more markets, fairs and other events to take place whilst balancing the control of such events by the Council by way of a policy to monitor the type of trading and events that take place. A plan of the Council's street trading consent area is attached at Appendix 1.

1.3 During the development of the AMP, where the Arnold Market traded previously, the market was temporarily located to trade on Eagle Square which is in the street trading consent area. The Council applied for street trading consent during the temporary period and in 2025 applied for a variation of the current consent to depart from Section 4.1 of the Street Trading Policy to allow a mobile business to trade on the market.

1.4 In accordance with the legislation an application for street trading consent must be made on an annual basis.

1.5 During 2024, the Council commissioned a consultation exercise to inform the future operation of Arnold Market, which included engagement with market traders, local businesses and members of the public. This was followed by an independent market review undertaken in 2025. The findings indicated support for the continued operation of the market within Eagle Square and recognised its positive contribution to footfall, local trade and the vitality of Arnold Town Centre.

- 1.6 Planning permission was subsequently granted in 2025 for the use of Eagle Square as the permanent trading site for Arnold Market.
- 1.7 The outcomes of the consultation, market review and planning process have informed the Council's ongoing management of the market and support its continued operation in the designated street trading consent area. Reflecting the positive outcomes of the consultation and review, the Council intends to continue operating Arnold Market from Eagle Square under the current arrangements, with no immediate plans for change.
- 1.8 The current consent approved by the Environment and Licensing Committee expires at the end of December 2026.
- 1.9 The Council's street trading policy is attached at Appendix 2.

In Section 6 the policy states:

*'The council will not grant permission for any trader to operate for any more than 16 days within a calendar year'.*

The application submitted is for consent until the end of December 2027 and the days of operation exceed 16 days in a calendar year which contravenes this section of the policy, so approval is sought to depart from this section of the policy to allow the market to operate regularly on the days of the week outlined in the application.

- 1.8 In Section 4.1 the policy states:

*'The Council will not grant consent to trade from a stationary van, cart, barrow or other vehicle.'*

The application submitted requests that the consent includes trading from a mobile vehicle which contravenes this section of the policy, so approval is sought to depart from the policy to allow trading from a vehicle giving more flexibility to the types of businesses able to trade on the market allowing for a more diverse range of goods being offered for sale to the public.

## **2 Proposal**

- 2.1 Members are requested to approve the application made by Gedling Borough Council for a street trading consent for the Arnold Market to trade in a consent street in Arnold from 1st January 2027 until the end of December 2027

- 2.2 Members are requested to approve a departure from Section 6 of the Council's Street Trading Policy allowing the market to trade on more than 16 calendar days in a year.
- 2.3 Members are requested to approve a departure from Section 4.1 of the Council's Street Trading Policy to allow trading from a stationary van, cart, barrow or other vehicle.

### **3 Alternative Options**

- 3.1 To not allow the application, with the departures from the policy, would result in the Arnold market being unable to trade in Arnold for more than 16 days in a calendar year which would restrict the regularity in which the market can operate on a weekly basis. It would also mean the Council would be unable to offer pitches to traders that have alternative means of trading such as mobile businesses thereby the range of goods and services offered by the Arnold Market to the public would be restricted.
- 3.2 Section 5 of the Street Trading Policy provides that applications must meet the objectives of supporting the local economy to increase footfall into the town centre, attract new visitors, create a welcoming atmosphere, opportunity for local businesses to trade, complement existing retailers in the area, to provide diverse and alternative products and to support local traders.
- 3.3 This application, supported by the outcomes of the 2024 consultation and 2025 independent market review referred to in Section 1.5 of the report, meets these objectives. By requesting the departures from the policy regarding the number of days in a calendar year the market is allowed to trade, and by allowing other methods of trading from vehicles, it will continue to provide a market to the local area on a regular basis with opportunity for traders to be able to trade using various methods such as mobile businesses. This would therefore increase the diversity of businesses able to trade and products available for purchase to the public in the local area.

### **4 Financial Implications**

- 4.1 None

## **5 Legal Implications**

- 5.1 Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 empowers the Council to grant a street trading consent for a period not exceeding 12 months and subject to such reasonable conditions as it considers appropriate.
- 5.2 In determining the application, Members must have regard to the Council's Street Trading Policy. Any departure from Sections 4.1 and 6 of that policy must be justified by the particular circumstances of the application and supported by clear and rational reasons. Members must also consider all relevant representations, disregard irrelevant considerations, act consistently and proportionately, and have due regard to the public sector equality duty under section 149 of the Equality Act 2010.

## **6 Local Government Reorganisation Implications**

- 6.1 The application requests consent to be granted until the end of 2027 so this permission is unlikely to be affected by Local Government Reorganisation which is scheduled to take effect from April 2028.
- 6.2 Going forward any processes regarding the market will be handed over to support the workings of the LGR Shadow Authority from May 2027.

## **7 Equalities Implications**

- 7.1 Attached at Appendix 4

## **8 Carbon Reduction/Environmental Sustainability Implications**

- 8.1 Attached at Appendix 5

## **9 Appendices**

- 9.1 Appendix 1 – Plan of the Street Trading consent area

- 9.2 Appendix 2 – General Street Trading Policy
- 9.3 Appendix 3 – Application made by Gedling Borough Council for Street Trading consent including the plan.
- 9.4 Appendix 4 – EIA – Equalities Impact Assessment
- 9.5 Appendix 5 – CIA – Climate Impact Assessment

## **10 Background Papers**

- 10.1 None

### **Statutory Officer approval**

**Approved by:**

**Date:**

**On behalf of the Chief Financial Officer**

**Approved by:**

**Date:**

**On behalf of the Monitoring Officer**