



WORTHING BOROUGH  
C O U N C I L

17 September 2021

| <b>Worthing Licensing &amp; Control Committee A</b> |  |
|---|--|
| <b>Date:</b>  | <b>27 September 2021</b>                   |
| <b>Time:</b>  | <b>6.30 pm</b>                             |
| <b>Venue:</b>                                       | <b>Council Chamber, Worthing Town Hall</b> |

|   |
|---|
| <p><b>Committee Membership:</b> Councillors Steve Wills (Chair), Charles James (Vice-Chairman), Mike Barrett, Henna Chowdhury, Russ Cochran, Dan Coxhill, Cathy Glynn-Davies, Kevin Jenkins, Sean McDonald, Richard Mulholland, Richard Nowak, Hazel Thorpe, John Turley, Nicola Waight and Rosey Whorlow</p> |
|---|

## Agenda

### Part A

#### 1. Declarations of Interest / Substitute Members

Members and officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

#### 2. Confirmation of Minutes

To approve the minutes of the Licensing and Control Committee A meeting of held on the 28 June 2021, copies of which have been previously circulated.

### 3. Public Question Time

To receive any questions from Members of the public in accordance with Standing Order 11.2

*( Note: Public Question Time will operate for a maximum of 30 minutes.)*

### 4. Local Government (Miscellaneous Provisions) Act 1982 – Schedule 4 Changes to Street Trading Controls (Pages 1 - 24)

To consider a report by the Director for Communities, copy attached as item 4

|  |  |
|--|--|
| For Democratic Services enquiries relating to this meeting please contact:                                   | For Legal Services enquiries relating to this meeting please contact:                      |
| Chris Cadman-Dando<br>Democratic Services Officer<br>01903 221073<br>chris.cadman-dando@adur-worthing.gov.uk | Shelley-Ann Flanagan<br>Solicitor<br>019031095<br>Shelley-ann.flanagan@adurworthing.gov.uk |

**Duration of the Meeting:** Four hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.

Licensing & Control Committee A

27 September 2021



WORTHING BOROUGH  
COUNCIL

Ward: All

## Local Government (Miscellaneous Provisions) Act 1982 – Schedule 4

### Changes to Street Trading Controls

#### Report by the Interim Director for Communities

#### 1. Summary

- 1.1 Further to the decision of this Committee, on 28 June 2021, to publish its intention to change the street trading designation under the above act of a number of streets in the borough that are currently designated 'prohibited' streets to 'consent' streets for street trading purposes. Members are requested to:

- (i) consider the representations received as a result of the statutory consultation process
- and
- (ii) if appropriate to resolve to re-designate the streets listed in paragraph 2.1 below as consent streets for the purposes of street trading
- or
- (iii) authorise officers to publish an amended public notice in connection with this matter varying the streets proposed to be designated consent for street trading.

#### 2. Background

- 2.1 On 28 June 2021 this Committee authorised officers to publish a notice of intention to pass a resolution changing the designation of the following streets from prohibited to consent for the purposes of street trading:

**Broadwater Street West (South of Ardsheal Road)**

**South Street**

**Liverpool Terrace & Gardens**

- 2.2 Street Trading means the selling, or exposing, or offering for sale, of any article in a street. A street for the purposes of this definition includes any road, highway, footway, beach or other area to which the public have free access without payment.
- 2.3 Worthing Borough Council has adopted controls under the provisions of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 (the act) to control street trading in certain areas of the town centre and further afield.
- 2.4 Worthing has two types of area with Street Trading Controls in place:
- Prohibited Areas
  - Consent Areas

Whilst traders are welcome to street trade in undesignated areas it is illegal to trade in the 'prohibited' areas. In addition, without the relevant permit it is illegal to trade in the 'consent' areas.

- 2.5 In streets that are designated 'prohibited' for street trading no street trading is allowed and the council under this act, has no power to make any exception whilst the designation is in place.
- 2.6 In streets that are designated 'consent' street trading may be permitted upon successful application to the Council.

#### A list of controlled streets - **Appendix A**

- 2.7 The Council allows markets organised by Worthing Town Centre Initiative (WTCl), special events and a limited number of street trading stalls in its 'consent' streets subject to the trader holding a permit but has a strict policy that 'permanent' vendors are not competing with local shops in the vicinity directly, not selling fast food, not operating from a van or trailer and are adding colour to the town. Specific conditions placed on the Consent streets Portland Road and Bath Place by this committee strictly limits trading to organised markets only.
- 2.8 As a response to the Covid-19 pandemic, HM Government encouraged businesses to trade outside where the risk of transmission is significantly reduced. The Business & Planning Act 2020 is temporary legislation that has been introduced to relax Planning and Licensing Legislation to facilitate this and the new fast track Pavement Licence regime, the act introduces, allows the use of public pavements by food & hospitality businesses to trade outside their premises on the pavement. Despite the lifting of the Covid-19 restrictions the government's advice will continue to be to meet & trade outside wherever possible and the temporary legislation will continue in force until September 2022.
- 2.9 The Council would like to facilitate further opening up of the economy in a safe manner and to do this needs to amend the current street designations to allow controlled street trading in a number of areas that have been identified as being

suitable. Allowing the staging of occasional outdoor markets, speciality markets and public events to stimulate economic activity in a safe outdoor environment.

- 2.10 This Committee, on 28 June 2021, considered whether the current street trading designations in the areas outlined above should be amended. Members decided that changes could be made and approved a set of draft principles & conditions to be utilised by officers when considering applications in these particular areas. Officers were authorised to take the necessary steps under the Local Government (Miscellaneous Provisions) Act 1982 to achieve this. This included the publishing of its intention in the local press and consultation of the relevant authorities and the public.

The L&C Committee report from 28 June 2021 can be found at:

<https://democracy.adur-worthing.gov.uk/documents/g1581/Public%20reports%20pack%2028th-Jun-2021%2018.30%20Worthing%20Licensing%20Control%20>

Conditions approved by Committee for the above consent areas - **Appendix B**  
L&C Committee Decision 28 June - **Appendix C**

### **3. Consultation & Representation**

- 3.1 A public notice was published in the legal section of the Worthing Herald on 8 July 2021. A copy of the notice is attached. (**Appendix C**)
- 3.2 In accordance with the legislative requirements copies of the public notice were served on the Police and the Highway Authority (WSCC). In addition Worthing Town Centre Initiative (WTCl), the A&W Environmental Protection Team and WSCC Fire & Rescue Service were also consulted.
- 3.3 Nine representations from members of the public were received during the consultation period. These have been included with the report and all relate to the proposal to change the designation of Liverpool Terrace & Gardens. There are no objections regarding Broadwater Street West or South Street.  
(**Public Representations - Appendix D**)
- 3.4 No objections were received from Sussex Police, WSCC Highway Authority, WTCl, the A&W Environmental Protection Team or WSCC's Fire & Rescue Service. Responses were received from Sussex Police, WSCC Highways and WTCl. These are listed below:
- 3.5 Sussex Police Licensing Team stated that they have no significant comments. The licensing dept. would always look at any event planned on its specific merits/demerits. Any premises/stall or otherwise, would need to demonstrate what measures they were putting in place in order that the activity undertaken would not be likely to have, or to encourage a negative impact. Therefore, from a licensing perspective they cannot see the proposed changes being an issue.

- 3.6 WSCC Highways stated there was no objection in principle to the proposed changes provided any closures follow due process, there are appropriate risk assessments in place and reasonable pedestrian passage is maintained at all times.
- 3.7 Worthing Town Centre Initiative supports the proposed changes as it would give more flexibility to events held in the Town Centre. The one thing they would ask is that organisers are asked to provide notice of events in the Liverpool Terrace and Gardens area as these have the potential to cause increased noise and other disruptions to residents in Liverpool Terrace and Alexander Terrace.

#### **4. Proposal**

- 4.1 Members should consider the representations received and determine the next course of action. The options are to pass a resolution to proceed with the proposed changes as advertised, or to amend the proposed changes in light of the representations received and re-advertise.
- 4.2 If members pass a resolution to adopt the amended street trading controls the Council must publish a further public notice on two consecutive weeks, the first publication to be not less than 28 days before the day specified for the resolution to come into force. The date any resolution comes into effect must be not less than one month from the date the resolution is made.

#### **5. Consideration**

- 5.1 Members must take into consideration the following when determining this matter:
- The conditions already approved to safeguard the use of these areas.
  - The representations received from members of the public and relevant authorities.
- 5.2 When considering this matter the following options are available to the Committee:
- Grant the change in designation as per the published intention.
  - Grant the change in designation, with additional or alternative conditions imposed appropriate to safeguarding the area.
  - Reject the whole or part of the proposal.
- 5.3 Having considered all the representations, if members decide to continue to change the designation of the streets listed at 2.1 their decision will be advertised by public notice in the local newspaper on two consecutive weeks, the first publication to be not less than 28 days before the day specified for the resolution to come into force.
- 5.4 Members are required to give reasons for their decision.

#### **6. Legal Implications**

- 6.1 In determining this matter the principles of the Human Rights Act 1998 must be taken into consideration and the convention rights of both individuals and businesses given due weight.

- 6.2 Members must consider each licensing matter on its own merits, and in accordance with the principles of natural justice, as well as the provisions of the Local Government (Miscellaneous Provisions) Act 1982. All relevant factors must be taken into account, and all irrelevant factors must be disregarded.
- 6.3 All licensing matters, before the Committee, must be considered against the backdrop of anti-discriminatory legislation, such as the Equality Act 2010 and also in accordance with the Council's stated policy on Equal Opportunities.
- 6.4 In accordance with Section 17 of the Crime & Disorder Act 1998 the Council is under a duty to exercise its functions with due regard to the likely effect on, and the need to do all it reasonably can to prevent, crime and disorder in its areas. The possible crime and disorder implications are clearly relevant factors in the consideration of all applications and this is re-emphasised by the Licensing Act 2003 itself. In giving "due regard" to these possible implications members will consider and weigh up all the information available and representations made, including those from interested parties and the responsible authorities particularly the Police.

## **7. Other Implications**

- 7.1 Any decision taken will have regard for the local environment and, in particular, any conditions attached for the purposes of preventing public nuisance will take this principle into account.
- 7.2 There are no significant direct race relations, crime & disorder, equal opportunities or financial implications arising from this report. Crime & disorder and environmental implications have been considered.

## **8. Recommendation**

### **8.1 Members are requested to:**

- **Consider representations received as a result of the statutory consultation process**
- And**
- **Resolve to designate:**  
**Broadwater Street West (south of Ardsheal Road)**  
**South Street**  
**Liverpool Terrace**  
**as consent streets for the purposes of street trading in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1982. Such resolution to come into effect on 8 November 2021.**
- Or**
- **Amend the designation and authorise officers to publish an amended public notice in connection with this matter, varying the proposed designated streets.**

**Tina Favier**  
**Interim Director for Communities**

**Principal Author and Contact Officer:** Simon Jones

Senior Licensing Officer - Tel: 01273 263191 or [simon.jones@adur-worthing.gov.uk](mailto:simon.jones@adur-worthing.gov.uk)

**Background Papers:**

- Local Government (Miscellaneous Provisions) act 1982 – Schedule 4  
<http://www.legislation.gov.uk/ukpga/1982/30/contents>
- Adur & Worthing Councils' Guide to Street Trading  
<http://www.adur-worthing.gov.uk/licensing-and-permits/streets-highways-towns/>
- Agenda and draft minutes from WBC L&C Committee A - 28 June 2021  
<https://democracy.adur-worthing.gov.uk/ieListDocuments.aspx?CId=169&MId=1581&Ver=4>

**Appendices:**

- Appendix A – List of streets currently controlled for street trading.
- Appendix B - Street Trading Conditions & Principles to be applied.
- Appendix C – L&C Decision from 28 June 2021
- Appendix D - Public Notice published
- Appendix E - Public Representations

Portland House, Worthing

Ref: SJ/Lic.U/Street Trading

Date: 14 Sept 2021.



## Appendix A

### List of Streets designated prohibited or consent under the Local Government (Miscellaneous Provisions) Act 1982

Street trading means the selling, or exposing, or offering for sale, of any article (including a motor vehicle) in a street. A street for the purposes of this definition includes any road, highway, footway, beach or other area to which the public have free access without payment.

To trade in the following roads requires a permit from Worthing Borough Council. It is an offence (punishable with a fine of up to £1,000) for a person to trade without a permit.

- Montague Street & Montague Place
- South Street Square
- Bath Place
- Portland Road
- Marine Crescent & Marine Drive

No street trading of any description, including the sale of motor vehicles, is allowed in the following streets and the Council under this act has no power to make exceptions. It is an offence (punishable with a fine of up to £1,000) for any person to trade in the streets listed below.

|  |   |
|--|---|
| Ann Street<br>Anscombe Road<br>Ardsheal Road<br>Bedford Row<br>Bernard Road<br>Boulevard (North of Nelson Road)<br>Broadwater Street West<br>Brighton Road<br>Buckingham Road<br>Chapel Road<br>Chatsworth Road<br>Columbia Drive<br>Crescent Road<br>Cross Street<br>Dominion Road<br>Findon Road<br>George V Avenue<br>Goring Way<br>Graham Road<br>Ham Road<br>High Street<br>Liverpool Road<br>Liverpool Terrace | Marine Parade<br>Marine Place<br>Mulberry Lane<br>New Street<br>Offington Lane<br>Oxford Road<br>Prospect Place<br>Railway Approach<br>Rectory Road<br>Sompting Road<br>South Farm Road (north of Ardsheal)<br>South Street<br>South Street Tarring<br>Steyne<br>Teville Gate<br>Teville Place<br>Teville Road<br>Union Place<br>Victoria Road<br>Wallace Avenue<br>Warwick Street<br>West Buildings<br>West Parade |
|--|---|

**Set of Conditions & Principles agreed by L&C Committee on 28 June to be Applied to all street trading applications for Broadwater Street West, South Street - Worthing & Liverpool Terrace & Gardens.**

*Applications for markets & events will be considered on individual merit but are only likely to be given consent:*

- A. If the market or event and proposed activities will add colour and interest to the local environment.*
- B. The proposed trading will be on an occasional basis as part of an organised market or organised public event.*
- C. The trading shall take place on the days and between the times specified in the consent.*
- D. Except if special permission has been received from the Council, no trader will utilise petrol or diesel generators or gas heaters. Only solar or battery power will normally be permitted.*
- E. The trading shall not take place otherwise than at the location specified in the consent.*
- F. There will be no trading of any articles other than those specified in the consent.*
- G. The market or event organiser shall keep the consent so that it can be immediately produced for inspection by an authorised Officer of Worthing Borough Council or Sussex Police.*
- H. The permit holder shall hold public liability insurance cover in the sum of £10,000,000 to cover injuries or loss to members of the public.*
- I. If supplying food & drink the individual traders must hold a current food hygiene standard rating of 3 or above. It is the permit holder's responsibility to check and record the provided documentation.*
- J. The permit holder shall ensure removal of all litter from the site at the end of each period of trading;*
- K. The permit holder shall ensure no trader causes obstruction in the street or danger to persons using it;*
- L. The permit holder shall ensure no trader causes any nuisance or annoyance to any person (whether using the street or otherwise).*
- M. The permit holder shall ensure that all required licences are in place, for instance a valid Temporary Event Notice to allow alcohol sales.*

Consents will not be granted where:-

- *The proposed trading would compete directly with shops and businesses in the vicinity to their detriment.*
- *The proposed trading would have an undesirable effect on the character of the area, create excessive obstruction, lead to an increase in litter or over-use of the area.*

**Draft Minutes from L&C Committee Hearing - 28 June 2021**

**LCCA/5/20-21 Local Government (Miscellaneous Provisions) Act 1982 – Schedule 4  
Changes to Street Trading Controls 2**

Before the Committee was a report by the Director for Communities, a copy of which had been circulated to all members, a copy of which is attached to the signed copy of these minutes as item 5. Members were requested to consider changing the street trading designation under the above act of a number of streets in the borough that were currently designated 'prohibited' streets for street trading purposes. This report sought to start the process of changing their designation to that of 'consent' street, allowing the provision of occasional street markets and the holding of events that include pop-up vendors, subject to the required permissions.

The Senior Licensing Officer introduced the report to the Committee and answered questions about the nature of the areas and consultation. Specific questions were asked about Liverpool Street and whether road closures would be needed if a change of designation was adopted. Members were told that there was no plans for the need for road closures. A question was asked about disabled access in relation to Broadwater Street West and members were told that disability groups would be consulted as part of the consultation.

**Resolved:**

- i) That Members pass a draft resolution declaring its intention to re-designate: Broadwater Street West (south of Ardsheal Road), South Street and Liverpool Terrace as consent streets for the purposes of street trading in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1982 and start the required consultation.**
- ii) That the Committee pass the draft resolution declaring its intention to redesignate, authorise officers to publish the resolution and complete the process if no relevant objections are received from the public and authorities.**
- iii) That If relevant representations are received the matter be referred back to this committee for consideration.**

Copy of Public Notice published on 8 July 2021

## **PUBLIC NOTICE**

**WORTHING BOROUGH COUNCIL**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

### **STREET TRADING**

The Council hereby gives notice of intention to pass the following resolution in accordance with the provisions of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

**Draft Resolution: The Council hereby changes the designation of the following 'prohibited streets' to 'consent streets' for the purposes of street trading:**

**Broadwater Street West (South of Ardsheal Road)**

**South Street**

**Liverpool Terrace**

**To allow street trading, subject to the required permit, on an occasional basis as part of an organised market or authorised public event only.**

**Any representations regarding this proposal should be submitted in writing within 28 days of this notice to the:**

**Licensing Unit, Health, Public Health & Regulation,**

**Adur & Worthing Councils,**

**Portland House, Richmond Road, Worthing, BN11 1HS**

**Or Email: [licensing.unit@adur-worthing.gov.uk](mailto:licensing.unit@adur-worthing.gov.uk)**

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**Fwd: Street Trading in Worthing**

1 message

30 July 2021 at 12:49

[REDACTED]

Hiya,

Please see below rep regarding Street Trading in Liverpool Gardens, I believe Simon was saving these in a folder but not sure where.

Thanks  
Becca

----- Forwarded message -----

[REDACTED]  
D [REDACTED]  
Subject: Street Trading in Worthing  
[REDACTED]

Dear Sirs

I have been asked by the Alexander Terrace Management Company which represents the leaseholders and residents of Alexander Terrace to object to the proposal to allow street trading in Liverpool Terrace and Gardens.

There are good reasons for Liverpool Terrace and the Gardens to be currently designated 'prohibited streets' for the purposes of street trading. Quite apart from the fact that it is the only green space in the centre of town providing shoppers and visitors the opportunity to relax and escape the hubbub of the main shopping streets, there are twenty-five residential households living in Liverpool and Alexander Terraces overlooking the Gardens.

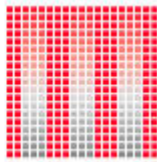
Street markets, with their excitement and activity, the shouting of the stall holders, the loud music, the generators throbbing, the children's rides, and buskers can be fun as you pass through, browse or pause for a drink. But continuously for two hours, or four hours or six hours and the noise can become unreasonable.

In our experience, the organisers of the special markets and the public events are not often particularly good at applying controls and don't respond to complaints at the time. And with the best will in the world, the Council is no longer geared up to respond to complaints of noise and disturbance at the weekend and on bank holidays.

We appreciate that, post-lockdown, ways need to be found to make and keep the town centre attractive, but with Montague Street, the pedestrianisation plans for Portland Road and Montague Place and the increasing use of the Montague Quarter, it seems unnecessary and unreasonable to further extend the street trading area into the Gardens, closer to residents

I look forward to hearing from you.

Regards  
[REDACTED]



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[REDACTED]

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[www.hobdensmanage.co.uk](http://www.hobdensmanage.co.uk)

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**Fwd: Liverpool Gardens planning objection**1 message

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15 July 2021 at 10:03

[REDACTED]

[REDACTED]

Thanks

[REDACTED]

----- Forwarded message -----

[REDACTED]

Date: Thu, 15 Jul 2021 at 07:04  
Subject: Liverpool Gardens planning objection  
To: <[licensing.unit@adur-worthing.gov.uk](mailto:licensing.unit@adur-worthing.gov.uk)>

Dear Sirs,

You have already received below e-mail from [REDACTED]. I simply resending it as fully agree with him. I think that the only green space in Worthing town could be ruined by vehicles and stalls, even by so stated occasional use, which is not specified and obviously can vary based on who knows who's decision. There are plenty alternative paved spaces around which could be and already used. Please don't ruin green space, it is wrong!

I write to strongly object to the application for permitting street trading in Liverpool Gardens. There is already inadequate green spaces in the town centre, residents and visitors alike make use of this facility frequently, whether eating on the park benches or upon blankets for family picnics, often buying the food at the said market in the town, the general public and residents value this green space, beneath the shade of the adorable trees, can be found the simplest of pleasures.

I am stunned at this proposal, maybe I can refer you to your own words on the council's website when referring to Liverpool Gardens

Liverpool Gardens has always been the town centre's 'Green Lung' and provides pleasure to many. A major re-modelling of the landscape at this important Town centre open space was undertaken over the winter of 2003. The Council chose to invest the £100,000 Shaw bequest, from a selection of other high profile projects, on creating a high quality contemporary landscape within Liverpool Gardens. The design and build project was undertaken by Continental Landscapes Ltd, with a specialist unit from their Belgian arm. The innovative design was selected because of its use of local materials in the new retaining wall and bench seat whose clear flowing lines, together with cloud pruned Escallonia, reflect the linear aspect of the site and the Regency architecture alongside. The design connects the space with the adjacent shopping area, combining themes of movement through with more intimate seating areas to provide a calm green space for a break from the surrounding busy retail and business areas. The new design maximises this small green lung's maximum potential, and gives pleasure to many. Please see <https://www.adur-worthing.gov.uk/parks/find/worthing/liverpool-gardens/>

If your own words are not convincing enough, perhaps you can note, any member of the public wanting to enjoy a green park in the town centre, has to walk almost a mile to the only remaining one, Steyne Gardens? See attached screen shot

There are many great things happening in our lovely town, now please let common sense prevail! This application, without doubt, lacks any consideration for the towns limited green resources and its residents.

Regards,

[REDACTED]

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**Fwd: Changing the designation of Liverpool Terrace & Gardens for the purposes of street trading**1 message

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21 July 2021 at 16:12

FYI

----- Forwarded message -----

Date: Wed, 21 Jul 2021 at 16:04

Subject: Changing the designation of Liverpool Terrace &amp; Gardens for the purposes of street trading

To

In response to your recent advertisement with regard to street trading at the above location , I would like to make the following points :-

Liverpool Gardens is an inappropriate location given that it is presently well used by visitors for seating, picnicking and playing whilst enjoying the gardens. The properties in Liverpool Terrace and Alexander Terrace which surround the gardens are now almost exclusively residential after the conversion of offices in Liverpool Terrace over the last year or two.

The changing of the designation will lead to increased disturbance due to an increase in traffic and general congestion to the already narrow and busy one way system which is currently already much busier this year due to a constant stream of food delivery drivers who also park illegally, especially at the South end, whilst servicing McDonalds deliveries. The pavements are not sufficiently wide to accommodate stalls and therefore I conclude that the application refers to the relatively small grassed area. There is also then, the threat of potential damage to the gardens and wildlife area at the North end.

There are other suitable alternative locations where additional street trading would be more appropriate, namely Montague Place (once the future use of this area has been decided), Steyne Gardens, the Promenade and South Street Square.

I do hope that you'll consider my comments and the effect that street trading will have in this area when making your decision.



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**Fwd: Extension to the Montagu Street Trading Area**1 message

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[REDACTED]

FYI- Another objection

----- Forwarded message -----

[REDACTED]

Date: Thu, 15 Jul 2021 at 09:20

Subject: Extension to the Montagu Street Trading Area

[REDACTED]

Dear Sir,

Not many planning decisions surprise and shock me, but this one certainly did. The picturesque green space between Edwardian style buildings is a treasure that exudes peace and tranquillity sheltered by stunning trees where the public can picnic and enjoy a pleasant couple of hours. One of the few remaining green sites in the centre of Worthing. Imagine what this extended trading area would do to disrupt the status quo, the damage to the green, the noise, the food smells and the litter would be a blight for residents and local people to endure.

Both my wife and I strongly object to this crazy idea and trust that good sense will prevail and this ill thought out scheme will be cast into George Orwell's Room 101 where it belongs.

Regards

[REDACTED]

[REDACTED]

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**Fwd: Liverpool Gardens - Proposed Street Trading**

1 message

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**Lic** [REDACTED] 4 August 2021 at 10:47  
[REDACTED]

FYI

----- Forwarded message -----  
[REDACTED]

Date: Wed, 4 Aug 2021 at 09:33  
Subject: Liverpool Gardens - Proposed Street Trading  
To: <[licensing.unit@adur-worthing.gov.uk](mailto:licensing.unit@adur-worthing.gov.uk)>

To Whom it May Concern

As residents we wish to raise a strong objection to your proposed street trading plan for Liverpool Gardens.

Currently this area is a little green oasis in the heart of very busy Worthing which is enjoyed as such by many, including parents and children for lunchtime picnics on the grass in fine weather, or the benches, meetings of friends and office workers at lunchtimes.

Changing its use to trade would completely alter beyond recognition the calm and tranquility of this area.

Would it not be a better idea to try to use existing empty retail units to trade from, as this would surely improve the appearance and feel of the town, both to residents and visitors alike.

Yours faithfully,

[REDACTED]

Sent from my iPad

31<sup>st</sup> July 2021 Delivered by-hand 2<sup>nd</sup> August 2021

The Licensing Unit  
Public Health & Regulation  
Adur & Worthing Councils  
Portland House  
Richmond Road  
WORTHING  
BN11 1HS

[REDACTED]  
[REDACTED]  
[REDACTED]  
Liverpool Gardens  
WORTHING  
West Sussex  
BN11 1YH

Dear Sir,

Re: STREET TRADING NOTICE ref. Liverpool Terrace & Gardens  
July 8<sup>th</sup> 2021 in WORTHING HERALD

As a resident of Alexander Terrace Liverpool Gardens I wish to register a strongly felt objection to such an alteration. The threat of physical disturbance within this residential area and the 'green' environment at this location, as well as the resulting social disruption suffered by the people living here that would likely result from the STREET TRADING proposition suggested by the imposition of this alteration to the 'street' status here, are completely unacceptable.

In addition to the above, and as a separate.....if potentially even more serious issue.....the way in which the 'notification' of 'a decision already made' was published without any consultation involving the residents here, presents as being among a number of blatantly obvious 'failings' that attach to the way in which THE NOTICE suddenly appeared.

The presence of 'Political Motivation' potentially attaching to arrogant self-interest in seeking to present themselves as 'a Council offering the delivery of something they hope will be seen as *them doing something to help a Covid disadvantaged retail and commercial sector* with whom the Council are keen to maintain favour' – is rather obvious.....even if this means causing discomfort to residents in what are times of universally caused Covid disadvantage!

‘Consent’ to an alteration of status relating to Liverpool Gardens, from one where STREET TRADING IS PROHIBITED to one where CONSENT IS GRANTED TO STREET TRADING, without reference to or any consultation with the people living here and/or property owners of residences at this location, is highly objectionable. Where this has been done rather evidently at a time ‘when it would be known that some residents and/or property owners – who might raise objections’ – are, to some extent, ‘inevitably likely to be away on summer holidays’, this has to echo with the sound of ‘corrupt intent’.

The situation here seems to be one in which the local elected council representative of the folk threatened with adverse effects caused by this change, ‘was not consulted’ / was away on holiday / or ‘had been corruptly persuaded not to raise any objection to such a change’ ..... and would perhaps appear to therefore ‘be part of the arrangement’ to ‘quickly get this through without problems caused by objectors’.

The possibility is that in ‘allowing this change to happen’ a local precedent would be set for ‘the avoidance’ of people being readily able to object to further ongoing unwelcome alterations, where this might adversely alter the historic style of residential status of ‘closely adjacent properties’, and a tendency for ‘the authorities simply *to give notice*’ of their already decided alteration might be even more firmly established!

The thought that this ‘notification of change’ might involve ‘personal benefit’ (of whatever kind, but certainly in terms of seeking praise for ‘combating the effects of Covid’) might readily be recognised on further investigation.

While perhaps the most discreditable feature of the proposed alteration is that a far better, rather obvious and socially more acceptable alternative would be to ‘pedestrianise’/‘Market Street convert’ the roadway and roundabout section of Montague Place! With this, ideally in terms of traffic management, being done on a permanent Pedestrian Footway paved basis. Although a permanent ‘Prominently *Noticed* No Parking’ instruction here could be a temporary ‘construction’ cost-saving measure – and this might, initially, be introduced as a ‘Market Day’ only directive – with offending vehicles towed away.

Yours faithfully,

[Redacted signature]

[Redacted signature]

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**Fwd: Liverpool Gardens -Outdoor Trading License Change**1 message

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To: [REDACTED]

FYI

Forwarded message

Date: Thu, 5 Aug 2021 at 12:54

Subject: Liverpool Gardens -Outdoor Trading License Change

Dear Sirs and Mesdames

I wish to raise an objection to the proposal to have trading stalls in Liverpool Gardens.

This area is a precious, green area that is used by all visitors to the Town Centre, of different ages and abilities to eat lunch whilst enjoying the fresh air, greenery, birds and sunshine under the shade of the trees. Also this is a much more pleasant place to sit than in the heat on the steps under the "Sails" as it is cool and allows people to stay at a safe distance from one another.

I have photographs taken at distance with, for example, several teenagers having a picnic together and a young mother with her toddler -chasing bubbles - across the park.

I would be very happy to forward these to you as evidence for the current enjoyment the local and visiting people have from the park in its current use.

This is a safe and convenient area for parents to relax with prams and push chairs and also wheelchair users are frequently seen under the shade, also enjoying their lunch.

This area is also an important foraging ground for several species of birds. We have observed Wrens, Dunnocks, Blackbirds and Blue Tits who all go through the northern wild area and other bushes to find insects and grubs. There are also several solitary bees and Holly Blue Butterflies, as there is both ivy and holly which this species needs to survive.

I have no objection to stalls per se and I feel there is plenty of room available, towards the seafront at Montague Place, Portland Place and in Bath Place, that can be utilised.

There is also the possibility of more traffic, noise and disturbance which we do of course, generally tolerate due to being right in the centre of town. We have however had endless extra noise this year already with McDonalds home delivery motorbikes and cars illegally parked and driving in a reckless manner past our dwelling. Any extra traffic and noise would become a real nuisance burden and difficult to endure.

I hope you will consider my objection on the grounds mentioned above.

06/08/2021

Adur & Worthing Councils Mail - Fwd: Liverpool Gardens -Outdoor Trading License Change

Kind Regards

[REDACTED]  
[REDACTED]

Liverpool Gardens

[Worthing](#)

[BN11 1YU](#)

This message has been scanned for malware by Forcepoint. [www.forcepoint.com](http://www.forcepoint.com)

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**Fwd: Street Trading in Liverpool Terrace and Gardens**

1 message

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L [REDACTED] 4 August 2021 at 09:48  
To: [REDACTED]

FYI

----- Forwarded message -----

F [REDACTED]  
Date: Tue, 3 Aug 2021 at 18:18  
Subject: Street Trading in Liverpool Terrace and Gardens  
To: <[licensing.unit@adur-worthing.gov.uk](mailto:licensing.unit@adur-worthing.gov.uk)>

I am writing to object to the proposal to allow street trading in Liverpool Terrace and Gardens.

There are good reasons for these to be currently designated 'prohibited streets' for the purposes of street trading. Quite apart from the fact that it is the only green space in the centre of town providing shoppers and visitors the opportunity to relax and escape the hubbub of the main shopping streets, there are twenty-five residential households living in Liverpool and Alexander Terraces overlooking the Gardens.

Street markets, with their excitement and activity, the shouting of the stall holders, the loud music, the generators throbbing, the childrens' rides, and buskers can be fun as you pass through, browse or pause for a drink. But continuously for two hours, or four hours or six hours and the noise becomes unreasonable to adjoining residents.

I appreciate that, post-lockdown, ways need to be found to make and keep the town centre attractive, but with Montague Street, the pedestrianisation plans for Portland Road and Montague Place and the increasing use of the Montague Quarter, it seems unnecessary and unreasonable to further extend the street trading area into the Gardens, closer to residents."

[REDACTED]  
[REDACTED]  
[WORTHING BN11 1YH](#)  
[REDACTED]



## Fwd: Application for permit in Liverpool Gardens

1 message

14 July 2021 at 15:41

FYI

----- Forwarded message -----

Date: Wed, 14 Jul 2021 at 15:16  
Subject: Application for permit in Liverpool Gardens  
To: <[licensing.unit@adur-worthing.gov.uk](mailto:licensing.unit@adur-worthing.gov.uk)>

Dear Sirs

I write to strongly object to the application for permitting street trading in Liverpool Gardens. There is already inadequate green spaces in the town centre, residents and visitors alike make use of this facility frequently, whether eating on the park benches or upon blankets for family picnics, often buying the food at the said market in the town, the general public and residents value this green space, beneath the shade of the adorable trees, can be found the simplest of pleasures.

I am stunned at this proposal, maybe I can refer you to your own words on the council's website when referring to Liverpool Gardens

*Liverpool Gardens has always been the town centre's 'Green Lung' and provides pleasure to many.*

*A major re-modelling of the landscape at this important Town centre open space was undertaken over the winter of 2003. The Council chose to invest the £100,000 Shaw bequest, from a selection of other high profile projects, on creating a high quality contemporary landscape within Liverpool Gardens.*

*The design and build project was undertaken by Continental Landscapes Ltd, with a specialist unit from their Belgian arm.*

*The innovative design was selected because of its use of local materials in the new retaining wall and bench seat whose clear flowing lines, together with cloud pruned Escallonia, reflect the linear aspect of the site and the Regency architecture alongside.*

*The design connects the space with the adjacent shopping area, combining themes of movement through with more intimate seating areas to provide a calm green space for a break from the surrounding busy retail and business areas.*

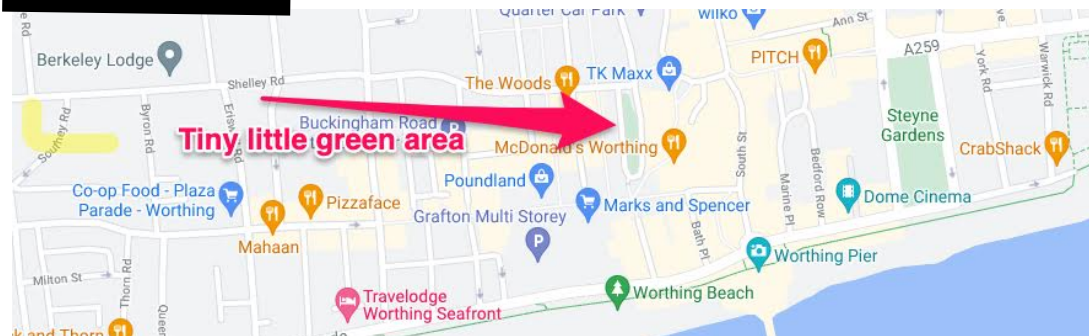
*The new design maximises this small green lung's maximum potential, and gives pleasure to many.*

Please see <https://www.adur-worthing.gov.uk/parks/find/worthing/liverpool-gardens/>

If your own words are not convincing enough, perhaps you can note, any member of the public wanting to enjoy a green park in the town centre, has to walk almost a mile to the only remaining one, Steyne Gardens? See attached screen shot

There are many great things happening in our lovely town, now please let common sense prevail! This application, without doubt, lacks any consideration for the towns limited green resources and its residents

Regards







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 [Redacted]

[Redacted]

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