

PLYMOUTH CITY COUNCIL

Subject: Street Trading Report

Committee: Licensing Committee

Date: 14 February 2012

Cabinet Member: The Leader

CMT Member: Director for Place

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Key Decision: No

Part: 1

Executive Summary:

This report seeks to set the process for issuing Consents for the 2012/2013 trading year.

Corporate Plan 2011 – 2014:

This report links to the delivery of the corporate priorities defined in the Corporate Plan. In particular:

1 Create a vibrant City Centre and support schemes that give renewed life to the City.

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land

Street Trading is operated under the Local Government (Miscellaneous Provisions) Act 1982. The Council's policy is to administer street trading as a trading account and to finance all expenditure from the Consent fees. All activities including enforcement, administration, stall maintenance and improvements are financed from the Street Trading account. Progress now needs to be made to generate applications and issue Consents to maintain this income stream for the 2012/2013 financial year.

Other Implications: e.g. Community Safety, Health and Safety, Risk Management and Equality, Diversity and Community Cohesion:

The issuing of Street Trading Consents under the Council's street trading policy ensures that all Consent holders are properly licensed and operate in a hygienic and safe manner within the street trading policy guidelines. It also finances the management of Street Trading enforcement.

Recommendations & Reasons for recommended action:

It is recommended that:

1. The Consent dates for 2012/2013 are approved.
2. The consent fees set out in Appendix I, for 2012/2013 are approved.
3. The Assistant Director for Economic Development has delegated authority to approve, within Committee policy the issuing of Consents to existing city centre traders seeking to continue trading during 2012/2013
4. The Assistant Director for Economic Development has delegated authority to approve within Committee policy the issuing of Consents to new traders for vacant sites.
5. The Assistant Director for Economic Development has delegated authority to approve within Committee policy short-term street trading consents in association with other city centre events and commercial activity.
6. The Assistant Director for Economic Development has delegated authority to approve and set fees for ad hoc street trading applications, within Committee policy.

Reason for recommendations:

These actions are recommended as the quickest option in facilitating the process of renewing Street Trading Consents for the start of the 2012/2013 trading year and maintaining the income stream.

Alternative options considered and reasons for recommended action:

The authority to renew annual Consents and set Consent fees by referred to the Licensing Committee for approval. This would take up Committee time on routine renewals and due to Committee timetables would slow down renewal process which could result in a loss of income.

Background papers:

Sign off:

Fin	DEV F 111 200 54 2.02. 12	Leg	AG/ 1387 0/2.2 .201 2	HR		Corp Prop		IT		Strat Proc	
Originating SMT Member											
Have you consulted the Cabinet Member(s) named on the report? Yes / No											

1.0 INTRODUCTION

- 1.1 The Council operates a scheme under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 for the control of Street Trading in the City Centre, the Hoe and Barbican areas.
- 1.2 Under the scheme certain streets have been designated “Prohibited Streets” where Street Trading (with limited exceptions such as news vendors) is totally prohibited and other “Consent Streets” where Street Trading is permitted only with the consent of the Council. Within the designated areas the monitoring and enforcement of the Terms and Conditions of Street Trading licences and the prevention of unauthorised Street Trading is undertaken by enforcement staff, funded in part from the Street Trading Consent fees.
- 1.3 The Council has identified 20 sites or locations within the designated Consented Streets where it will grant Street Trading Consents comprising:
 - 12 sites, in the pedestrianised City Centre.
 - 7 locations in the Hoe area, for the sale of ice cream from mobile vans.
 - 1 site in the City Centre from a mobile unit for the sale of ice cream
- 1.3 The purpose of the report is:
 - a) To set the consent dates and fees for 2012/2013
 - b) To ask that the Assistant Director for Economic development be given delegated powers to approve the issuing of Consents

2. Duration of Consents for 2012/2013

- 2.1 It is proposed that all City Centre Consents commence on Monday 19th March 2012 and end on Sunday 17th March 2013
- 2.2 It is proposed that all Hoe ice cream sites (vans) commence on 31st March 2012 until 30th March 2013

3. Consent fees for 2012/2013 background

- 3.1 The Local Government (Miscellaneous Provisions) Act 1982 (Sch 4 para 9) provides that a Council may charge fees as it considers reasonable for the granting or renewal of Street Trading Consents. In particular, it may take account of the duration of the Consent, the street in which it authorises trading and the description of articles in which the holder is authorised to trade
- 3.2 The Council’s policy is to administer its street trading scheme as a trading account and to finance all of its expenditure on street trading from the consent fees. The Council cannot, however, budget to make a profit on its street trading activities. Therefore the overall budgeted level of consent fee income must not exceed the amount that the Council reasonably consider will be required to cover the total cost of operating the scheme, including the cost of taking criminal and/or civil proceedings against those who trade without consent

Consent fees were adjusted/increased for the period 2011/2012, however many traders struggled during this period due to the current economic climate. In order to support struggling traders through these difficult times there are no plans to increase fees for the period 2012/2013

Consent Fees for 2012/2013

3.3.1 Current consent fees are set out in Appendix I to this report.

4. Allocation Procedure

- 4.1 Existing consent holders in the City Centre are granted a degree of preference in the re-allocation of their consents unless applications are received for alternative trades that are sufficiently attractive to possibly warrant displacing an existing consent holder. It is recommended that the Assistant Director for Economic Development is authorised to grant Street Trading Consents to the existing city centre trader
- 4.2 In the City Centre, any Consents not renewed to existing traders are advertised and it is recommended Consents be allocated under delegated authority by the Assistant Director for Economic Development.
- 4.3 For the Hoe/Barbican the allocation of Ice cream consents to be undertaken by the Licensing Sub Committee at a specially convened meeting in

5 Street Trading during City Centre Events

The City Centre Company organises a number of events and entertainment each year in the City Centre. City Centre space is also used commercially for promotional activity. Opportunities for short-term street trading during these periods are often requested. This type of short-term street trading can add to the attractiveness of the City Centre making the City Centre a more desirable place to visit. It is proposed that in these instances the Assistant Director for Economic Development may approve short-term licences for street trading associated with events or promotional activity.

6. Ad Hoc Street Trading

6.1 From time to time applications are received from entrepreneurs with really good propositions who wish to trade in the City Centre for a period less than 12 months. They are self sufficient and do not require a street trading stall. An example of these may be an artist wishing to draw and sell personal caricatures and another person seeking to sell his poetry on scrolls. Neither of these activities has the potential to clash with permanent shops or traders but would add to the vibrancy of the city centre and help to maintain the income stream. This type of trading does not require a fixed site and could be located comfortably and safely within the city centre.

6.2 The Committee is asked to give delegated authority to the Assistant Director for Economic Development to allocate ad hoc street trading Consents and set fees for this within Committee policy.

APPENDIX I

SITE	LOCATION	CONSENT FEE 2011/2012	PROPOSED FEE 2012/2013
2B	New George Street (Waterstones)	5,964	5,964
2D	New George Street (Waterstones)	5,964	5,964
9	New George Street (Waterstones)	5,964	5,964
3A	Bedford Way (Royal Parade)	3,591	3,591
3B	Bedford Way (New George Street)	5,964	5,964
4A	Old Town Street	3,591	3,591
7	New George St Operating from top outside of Drake Circus to the area opposite Bedford Way	2,758	2,758
8	New George Street Winter (Sundial area) seasonal	2,316	2,316
8	New George Street Summer (Sundial area) seasonal	1,213	1,213
10	Sundial/Armada Way Opp. Ernest Jones approved 2010 known as Sundial East	7,112.80	7,112.80
11	Sundial,/Armada Way, opposite MadHouse. Known as Sundial West	7,112.80	7,112.80
12	Cornwall St. flower bed opposite Superdrug Approved 2010	4,000	4,000
13	Place de Brest, flowerbed opposite Specsavers Approved 2010	4,000	4,000
	ICE CREAM SITES		
B	Madeira Road	4,238	4,238
C	Madeira Road	4,238	4,238
E	Hoe Road	10,457	10,457
F	Hoe Road	10,457	10,457
G	Hoe Road/Grand Parade	5,269	5,269
H	Pier Street	1,260	1,260
I	Cliff Road	1,025	1,025