

PLYMOUTH CITY COUNCIL

Subject: Street Trading Report 2014 / 2015
Committee: Licensing Committee
Date: 18th February 2014
Cabinet Member: The Leader
CMT Member: Anthony Payne (Strategic Director for Place)
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Ref: City Centre Street Trading 2014
Key Decision: No
Part: I

Purpose of the report:

This report seeks to set the process for the issuing of consents for the 2014 / 2015 trading year.

The Brilliant Co-operative Council Corporate Plan 2013/14 -2016/17:

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

- I. Create a vibrant City Centre and support schemes that give renewed life to the city.
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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 all 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 2014 / 2015 financial year.

Consent fees were not adjusted for the period 2013 / 2014.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

The issuing of the 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.

Equality and Diversity

Has an Equality Impact Assessment been undertaken? No

Recommendations and Reasons for recommended action:

It is recommended that:

- I. The Consent dates for 2014 / 2015 are approved
- II. The Consent fees set out in Appendix I, for 2014 / 2015 are approved.
- III. 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 2014 / 2015
- IV. The Assistant Director for Economic Development has delegated authority to approve within Committee policy the issuing of Consents to new traders for vacant sites.
- V. 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.
- VI. 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 2014 / 2015 trading year and maintaining the income stream.

Alternative options considered and rejected:

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

Published work / information:

None

Background papers:

None

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	

Sign off:

Fin	PC.Pla ceFED DI314 00606 0214	Leg	19523/ag/6 .2.14	Mon Off		HR		Assets		IT		Strat Proc	
Originating SMT Member													
Has the Cabinet Member(s) agreed the contents of the report? Yes / No* please delete as necessary													

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 licenses 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 22 sites or locations within the designated Consented Streets where it will grant Street Trading Consents comprising:

14 sites, in the pedestrianized City Centre

7 Sites in the Hoe and Waterfront 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.

1.4 The purpose of the report is:

a) To set the consent dates and fees for 2014 / 2015

b) To ask that the Assistant Director for Economic development be given delegated powers to approve the issuing of consents.

2.0 Duration of Consents for 2014 / 2015

2.1 It is proposed that all City Centre Consents commence on Tuesday 1st April 2014 and end on Tuesday 31st March 2015.

2.2 It is proposed that all hoe ice cream sites (vans) commence on Tuesday 1st April 2014 and end on Tuesday 31st March 2015.

3.0 Consent fees for 2014 / 2015 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 not adjusted for 2013 / 2014 and for the year 2014 / 2015 it is proposed that the Consent fees are increased for the 2014 / 2015 year by 1.5% . The extra income from the pitch fees would cover the electricity connection costs for all pitches.

The proposed consent fees are set out in Appendix I to this report.

4.0 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, date to be set once applications have been received.

5.0 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 licenses for street trading associated with events or promotional activity.

6.0 Ad hoc Street Trading

6.1 From time to time applications are received from entrepreneurs with 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 their 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 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 of Economic Development to allocate ad hoc street trading Consents and set fees for this within Committee policy.

Appendix I

SITE	LOCATION	CONSENT FEE 2013 / 2014	PROPOSED FEE 2014 / 2015
2A	New George Street (nr. Former Woolworths building)	5964	6054
2B	New George Street (WHSmiths)	5964	6054
2D	New George Street (nr. Sundial)	5964	6054
9	New George Street (Waterstones)	5964	6054
3A	Bedford Way (Royal Parade end)	3591	3645
3B	Bedford Way (New George Street)	5964	6054
4A	Old Town Street	3591	3645
7	New George Street – operating from top outside Drakes Circus to the area opposite Bedford Way	2758	2799
8	New George Street Winter (Sundial area) seasonal	2316	2351
8	New George Street Summer (Sundial area) seasonal	1213	1231
10	Sundial East	7112.8	7219
11	Sundial West	7112.8	7219
12	Place De Brest East	4000	4060
13	Place de Brest, o/s Specsavers	4000	4060
ICE CREAM SITES			
B	Madeira Road	4238	4302
C	Madeira Road	4238	4302
E	Hoe Road	10457	10614
F	Hoe Road	10457	10614
G	Hoe Road / Grand Parade	5269	5348
H	Pier Street	1260	1279
I	Cliff Road	1025	1040