

## PLYMOUTH CITY COUNCIL

**Subject:** Street Trading Report 2015 / 2016  
**Committee:** Licensing Committee  
**Date:** 3 February 2015  
**Cabinet Member:** The Leader  
**CMT Member:** Anthony Payne (Director for Place)  
**Author:** Emily Bullimore, Street Operations and Street Trading Manager  
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**Ref:** City Centre Street Trading 2015  
**Key Decision:** No  
**Part:** I

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### **Purpose of the report:**

This report seeks to set the process for the issuing of consents for the 2015 / 2016 trading year.

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### **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 2015 / 2016 financial year.

Consent fees were increased by 1.5% for the period 2014 / 2015.

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### **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.

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### **Equality and Diversity**

Has an Equality Impact Assessment been undertaken? No

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**Recommendations and Reasons for recommended action:**

It is recommended that:

- I. A formal review of the existing street trading policy is currently underway.
- II. The Consent dates for 2015 / 2016 are approved
- III. The Consent fees set out in Appendix 1, for 2015 / 2016 are approved.
- IV. 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 2015 / 2016
- V. The Assistant Director for Economic Development has delegated authority to approve within Committee policy the issuing of Consents to new traders for vacant sites.
- VI. 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.
- VII. The Assistant Director for Economic Development has delegated authority to approve and set fees for ad hoc street trading applications, within Committee policy.
- VIII. The Assistant Director for Economic Development has delegated authority to approve within Committee policy the issuing of Consents to applicants for vacant ice cream consent sites or the 2015 /2016 trading period.

Reason for recommendations:

I - The purpose of the policy review is to ensure that the current provision of street trading is a) fit for purpose b) works for permanent retailers in the city centre and c) creates or adds to the vibrancy of the city centre, whilst consulting and working in partnership with existing retailers and street traders working together as a Co-operative Council.

II-VIII - These actions are recommended as the quickest option in facilitating the process of renewing Street Trading Consents for the start of the 2015 / 2016 trading year and maintaining the income stream.

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**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

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**Published work / information:**

None

**Background papers:**

None

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

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**Sign off:**

Fin	ABPI aceF EDD 1415 006	Leg	SD/22097/ 22.1.15	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 2015 / 2016

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

## **2.0 Formal Review of Existing Street Trading Policy**

2.1 The street trading policy is currently under review and subject to cabinet member approval will be released for consultation during 2015.

## **3.0 Duration of Consents for 2015 / 2016**

3.1 It is proposed that all City Centre Consents commence on 1<sup>st</sup> April 2015 and end on 31<sup>st</sup> March 2016.

3.2 It is proposed that all hoe ice cream sites (vans) commence on 1<sup>st</sup> April 2015 and end on 31<sup>st</sup> March 2016.

## **4.0 Consent fees for 2015 / 2016 background**

4.1 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.

4.2 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 for 2014 / 2015 by 1.5% and for the year 2015 / 2016 it is proposed that the Consent fees are increased for the City Centre Street Trader pitches and ice cream consent sites by 1.5% to cover the increased costs of repairs and maintenance.

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

## **5.0 Allocation Procedure**

5.1 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.

5.2 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.

5.3 For the Hoe / Barbican allocation of Ice Cream consents previous trading locations, previous trading records including Environmental Health & payment history, evidence of public liability insurance and current driving licence, food hygiene certificates, standard and appearance of vehicle, type of goods on offer, quality and price of goods on offer and in the case of new applicants, the references received are taken into account when allocating sites to applicants. It is recommended that consents be allocated under delegated authority by the Assistant Director for Economic Development.

## **6.0 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.

## **7.0 Ad hoc Street Trading**

7.1 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.

7.2 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

<b>SITE</b>	<b>LOCATION</b>	<b>CONSENT FEE 2014 / 2015</b>	<b>PROPOSED FEE 2015 / 2016</b>
2A	New George Street (nr. Former Woolworths building)	6054	6145
2B	New George Street (WHSmiths)	6054	6145
2D	New George Street (nr. Sundial)	6054	6145
9	New George Street (Waterstones)	6054	6145
3A	Bedford Way (Royal Parade end)	3645	3700
3B	Bedford Way (New George Street)	6054	6145
4A	Old Town Street	3645	3700
7	New George Street – operating from top outside Drakes Circus to the area opposite Bedford Way	2799	2840
8	New George Street Winter (Sundial area) seasonal	2351	2386
8	New George Street Summer (Sundial area) seasonal	1231	1249
10	Sundial East	7219	7327
11	Sundial West	7219	7327
12	Place De Brest East	4060	4121
13	Place de Brest, o/s Specsavers	4060	4121
<b>ICE CREAM SITES</b>			
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