

PLYMOUTH CITY COUNCIL

Subject:	Street Trading Report 2016 / 2017
Committee:	Licensing Committee
Date:	19 January 2016
Cabinet Member:	The Leader
CMT Member:	Anthony Payne (Director for Place)
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Ref:	City Centre Street Trading 2016
Key Decision:	No
Part:	I

Purpose of the report:

This report seeks to set the process for the issuing of consents for the 2016 / 2017 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, parking costs 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 2016 / 2017 financial year.

Consent fees for both City Centre and Ice Cream sites were increased by 1.5% for the period 2015 / 2016.

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. A formal review of the existing street trading policy is currently underway.
- II. The Consent dates for 2016 / 2017 are approved of 1 April 2016 – 31 March 2017
- III. The Consent fees set out in Appendix 1, for 2016 / 2017 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 2016 / 2017
- V. The Assistant Director for Economic Development has delegated authority to approve within Committee policy the issuing of Consents to new traders or contested sites for city centre sites in consultation with the chair and vice chair of the licensing committee.
- 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 existing ice cream traders seeking to continue trading 2016 / 2017
- IX. The Assistant Director for Economic Development has delegated authority to approve within Committee policy the issuing of Consents to new traders or contested sites for vacant ice cream sites in consultation with the chair and vice chair of the licensing committee.
- X. For Hoe and Madeira Road trading sites the licensing committee delegate approval to the licensing sub-committee for all applications.
- XI. The application forms for city centre sites, ice cream sites and Hoe and Madeira Road sites have been updated to reflect the changes within the areas. This includes updating the forms to remove any wording regarding stalls on hire from the Council as we do not have any, and also to make reference to dedicated parking bays for ice cream consent holders.

Reason for recommendations:

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.

These actions are recommended as the quickest option in facilitating the process of renewing Street Trading Consents for the start of the 2016 / 2017 trading year and maintaining the income stream.

Alternative options considered and rejected:

The authority to renew annual Consents and set Consent fees by referral 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	ABPl ce FEDD 15160 10.17. 12.15	Leg	24256/ag/l 7.12.15	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 30 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.

8 sites in Hoe and Madeira Road for sale of food and non-food items.

1.4 The purpose of the report is:

a) To set the consent dates and fees for 2016 / 2017

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 2016.

3.0 Duration of Consents for 2016 / 2017

3.1 It is proposed that all City Centre Consents commence on 1 April 2016 and end on 31 March 2017.

3.2 It is proposed that all hoe ice cream sites (vans) commence on 1 April 2016 and end on 31 March 2017.

3.3 It is proposed that all Hoe Road and Madeira Road food and non-food sites commence on 1 April 2016 – 31 March 2017

4.0 Consent fees for 2016 / 2017 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 2015 / 2016 by 1.5% and for the year 2016 / 2017 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 and parking costs for the dedicated parking bays for consent holders.

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.

5.2 In the City Centre, any consents not renewed to existing traders are advertised.

5.3 Existing Ice Cream Consent holders are granted a degree of preference in the re-allocation of their consents. Any contested consents or new applications would be considered in consultation with the chair and vice chair of the licensing committee.

5.4 In 2013 the Committee approved the creation of trading sites on Hoe Road and Madeira Road and delegated approval of new applications to the Licensing Sub Committee. As none have in fact been let it proposed that new applications would continue to be considered by the Licensing Sub Committee.

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.

8.0 Update of application forms

8.1 To update all application forms to reflect parking arrangements and fees.

8.2 To remove reference to hiring of a stall as the council do not provide this service anymore. The application forms are in Appendix 2

Appendix I

Revised Jul 2013

SITE	LOCATION	CONSENT FEE 2015 / 2016	PROPOSED FEE 2016 / 2017
CITY CENTRE SITES			
2A	New George Street (nr. Former Woolworths building)	6145	6237
2B	New George Street (WHSmiths)	6145	6237
2D	New George Street (nr. Sundial)	6145	6237
9	New George Street (Waterstones)	6145	6237
3A	Bedford Way (Royal Parade end)	3700	3755
3B	Bedford Way (New George Street)	6145	6237
4A	Old Town Street	3700	3755
7	New George Street – operating from top outside Drakes Circus to the area opposite Bedford Way	2840	2882
8	New George Street Winter (Sundial area) seasonal	2386	2422
8	New George Street Summer (Sundial area) seasonal	1249	1268
10	Sundial East	7327	7437
11	Sundial West	7327	7437
12	Cornwall St o/side Superdrug	4121	4183
13	Place De Brest East	4121	4183
14	Place de Brest, o/s Specsavers	4121	4183
ICE CREAM SITES			
B	Madeira Road	4302	4367
C	Madeira Road	4302	4367
E	Hoe Road	10614	10773
F	Hoe Road	10614	10773
G	Hoe Road / Grand Parade	5348	5428
H	Pier Street	1279	1298
I	Cliff Road	1040	1056
HOE AND MADEIRA ROAD SITES			
1	Hoe Road colonnade west	5400	3000
2	Hoe Road mid-west colonnade	5400	3000
3	Hoe Road mid – east colonnade	5400	3000
4	Hoe Road colonnade east	5400	3000
5	Hoe Road lido west	5400	3000
6	Madeira Road triangle west	5400	3000
7	Madeira Road triangle east	5400	3000
8	Madeira Road adjacent to cannons	5400	3000