

Report to: Cabinet

Date of Meeting: 6 June 2016

Report Title: The Street Trading and Highway Licensing Policy

Report By: Mike Hepworth

Assistant Director - Environment and Place

Purpose of Report

To propose an update to the policy in relation to the fees charged for markets.

Recommendation(s)

Agree to amend the Street Trading and Highway Licensing Policy to enable a more flexible approach to discounting the licensing fees for markets as set out in paragraph 9.

Reasons for Recommendations

To support the development of markets in Hastings and encourage a vibrant and high quality street trading environment.

Background

1. Street trading has long been an integral part of urban life. Successful markets add to the character and vibrancy of towns, attracting visitors and shoppers into the area. They can also provide valuable and relatively low cost opportunities, at minimal risk, for local people to start up a business.
2. Following consultation with interested parties such as the organisers of the 3 markets that were then operating across the borough, the Council revised its Street Trading and Highways Licensing Policy in October 2014 and this remains the current policy. See appendix A.
3. There is a specific section contained in the policy (paragraphs 6 - 9 inclusive) that deals with the licensing fee charges for stall holders at new markets. Paragraph 9 provides for discounted street trading fees for approved markets for an initial transitional one year period. This provision was applied across all our approved markets for the period from 1st January 2015 to 31st December 2015.
4. It should be noted that in accordance with paragraph 6 of the policy, the fees have been reviewed on an annual basis since the revised policy was adopted in October 2014. Therefore the fees mentioned in paragraph 7 are currently £16 and £1,526, rather than the original £15 and £1,511.
5. Street trading and markets have been a feature in Hastings town centre since the nineties and, occasionally in other parts of the town. In recent years the town centre market appears to have flourished and operates on a very frequent basis. However, the other markets appear to have struggled with the Old Town market closing, and the Kings Road market organiser advising us that it's essential that they continue to receive discounted street trading fees, to continue to help them build up the sustainability of their market. He advises that this market won't be viable without ongoing discounting of these fees.

Consultation

6. In response to the concerns raised in relation to the Kings Road market, the Leader of the Council recently chaired a meeting attended by the Town Centre Manager (as he coordinates the town centre market), the organisers of the Kings Road market, and officers from regeneration and licensing. It was a very constructive meeting with a lot of very positive discussion about how closer working between the market organisers and licensing service could result in more stream lined licensing processes, and therefore further reductions in the street trading consent fees.
7. However, in order for these ideas to work and for all parties to reap the benefits, it will be necessary for the market co-ordinators to provide more support to their traders in relation to the licensing process. As well as assisting the Council's licensing team in ensuring that all the licence conditions are met. The Council's Licensing Manager will draft a memorandum of understanding to underpin these arrangements with the market co-ordinators.

Proposals

8. In the circumstances it is proposed that the existing policy is amended to allow a more flexible approach to discounting the street trading fees, where this is thought to be appropriate in order to support the continued development or viability of a market.
9. It is proposed that paragraph 9 of the existing policy which currently states:

"This charge will not be set aside except that the Director of Environmental Services and the Lead Member for Licensing have delegated authority to agree a discount for an initial transitional year for street trading consent fees applied for approved markets."

should be amended to state:

"This charge will not be set aside except that the Assistant Director Environment and Place and the Lead Member with responsibility for this portfolio have delegated authority to agree discounts for street trading consent fees for markets, in circumstances they deem to be appropriate."

10. This would enable a more flexible approach. For example where a new market is being piloted, or where a market is struggling to become or remain financially viable.

Policy Implications

Economic/Financial

11. The Council has the right to recover much of the cost associated with the street trading licensing regime, and given the Council's increasing financial pressures, it is important that these costs are recovered. However, as the discounting of consent fees should only be used in the sort of circumstances described above, and should therefore be the exception rather than the norm, the cost of this 'subsidy' should be relatively low.
12. We estimate that it could amount to about £2,500 per year for a typical small market venture such as the Kings Road market.

Equalities

13. Markets offer opportunities to those from economically disadvantaged backgrounds to gain a foothold in the local community and generate wealth. They are a low cost option into business life.

Anti poverty

14. The proposal set out above will help people on low income break into market trading, which can be a low cost route into business.

Wards Affected

All

Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	Yes
Crime and Fear of Crime (Section 17)	No
Risk Management	No
Environmental Issues	No
Economic/Financial Implications	Yes
Human Rights Act	No
Organisational Consequences	No
Local People's Views	No
Anti-Poverty	Yes

Additional Information

Appendix A - Existing Street Trading and Highway Licensing Policy

Officer to Contact

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