

Bath & North East Somerset Council		
MEETING	Planning, Transportation and Environment Policy Development & Scrutiny Panel	
DATE:	8 <sup>th</sup> July 2014	
TITLE:	Review of Street Trading Policy	
WARD:	All	
AN OPEN PUBLIC ITEM		
<b>List of attachments to this report:</b>  <b>Draft Street Trading Policy</b>  <b>Draft Street Trading Policy conditions</b>  <b>Draft guidance notes for Street Trading stalls in Bath and North East Somerset</b>		

## **1 THE ISSUE**

- 1.1 To review the Council's street trading policy which was last updated in 2010. The Council is formally consulting on this review which began on 1<sup>st</sup> June and ends on 30<sup>th</sup> July 2014.

## **2 RECOMMENDATION**

- 2.1 The Panel are invited to note the report and offer any comments regarding the revised Street Trading Policy, conditions and guidance notes for street trading stalls which can be fed into the formal consultation.

## **3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 3.1 Finance and Property: The revised policy proposes that there will be a preferred set of standards for the design and appearance of stalls and compliance is expected from all street trading pitches. Stalls within the main shopping area of Bath will be expected to use a particular design in recognition of the importance of this area and the world heritage status of the city. This area will include the central spine of Milsom Street down through Union Street, Stall Street and

Southgate Street in addition to other popular areas such as Kingsmead Square, Sawclose and Terrace Walk.

- 3.2 It is proposed that all new applicants will be required to adopt the new standards from when they are granted a street trading pitch; existing pitches will be required to upgrade their units by 1<sup>st</sup> January 2017. To assist both existing applicants and new street traders, the Council has produced guidance notes which identify the types of stalls and standards of quality and design which would achieve compliance. In anticipation of this change, the Council has already been working with existing street traders to help them upgrade their units. For both existing and new traders, the Council intends to purchase a number of units which could then be rented to the trader on a cost recovery basis for the period that they have a street trading consent. This prevents the trader from paying a large, upfront cost to help them with their business from the outset. The unit would remain the property of the Council but be retained by the trader during the period of time that they retain the street trading consent. The trader would also be responsible for insuring the unit against theft and/or damage.
- 3.3 The cost of the units is expected to be under £10k which will be found from existing budgets. The anticipated annual rental income from the units is likely to be in the region of £3k until such time as the cost of each unit has been recovered.
- 3.4 All fees charged in respect of street trading will remain on a cost recovery basis.

#### **4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL**

- 4.1 The Council has adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 for the whole of its area and has designated all streets in the area as 'Consent Streets' for street trading purposes. This effectively means that street trading in any street is prohibited subject to legal exemptions, without first obtaining a street trading consent from the Council.
- 4.2 The Council is committed to equality of opportunity and believes that the diversity of the community is a strength which contributes to the social and economic prosperity of Bath and North East Somerset.

#### **5 THE REPORT**

- 5.1 The Council is keen that this revision of its Street Trading Policy emphasises the importance of street trading to both the local environment and local economy and the role it plays in helping small businesses to establish and grow. The main changes in this revised policy are:

- A recognition of the need to have consistency in the standard and design of stalls particularly within the main shopping area of the city of Bath
- The establishment of pitches for buskers so that they are able to legitimately sell goods that are associated with their performance e.g. CD's
- A recognition of the benefit that street markets can bring to Bath and North East Somerset through providing greater diversity of choice for consumers

5.2 The Council is consulting widely with stakeholders throughout B&NES about this revised policy, conditions and guidance notes. Consultation has included and will include:

- An online consultation questionnaire via the B&NES Council website [www.bathnes.gov.uk/consultations/street-trading-policy](http://www.bathnes.gov.uk/consultations/street-trading-policy)
- A letter/email to all street traders, Councillors, Parish Council, Town Councils and others providing a copy of the proposed policy, conditions and guidance notes
- Attendance at the Bath City Conference Consultation Café and presentations to groups such as the Independent Traders Forum
- A stakeholder workshop on 23 July 2014 for all consultees where the policy, conditions and guidance notes can be discussed in more detail

## 6 RATIONALE

6.1 The revised Street Trading Policy must be adopted and as part of the consultation views are being sought from a wide range of stakeholders, including this Panel.

## 7 OTHER OPTIONS CONSIDERED

7.1 None.

## 8 CONSULTATION

8.1 Consultation will be through circulation of this report in addition to the consultation already taking place within this review.

## 9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

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<b>Background papers</b>	<i>Draft Street Trading Policy, conditions and guidance</i>
<b>Please contact the report author if you need to access this report in an alternative format</b>	