

# Bath & North East Somerset Council

MEETING	Climate Emergency and Sustainability Policy Development & Scrutiny Panel	
MEETING	12 September 2024	EXECUTIVE FORWARD PLAN REFERENCE: <i>[Cabinet reports only]</i>
		E 9999
TITLE:	<b>Streets Strategy</b>	
WARD:	All	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b> <ul style="list-style-type: none"><li>• None</li></ul>		

## 1 THE ISSUE

- 1.1 In light of the importance of our street scene, it is proposed to introduce a Streets Strategy across Bath & North East Somerset to ensure a coordinated approach to the management of our retail areas, events and activities which take place to support the economic vibrancy and animation of our public spaces. As part of this approach, we will continue to ensure that accessibility is duly considered.
- 1.2 The proposed Streets Strategy will be underpinned by the council's Corporate Strategy, the Public Realm & Movement Strategy and the Accessibility Study for Bath City Centre. However, it is proposed that the principles will apply across the whole authority area to ensure a consistent approach.
- 1.3 Coordinated management and enforcement of our spaces will also be considered with a view to factoring it into the Streets Strategy. This will be supported by a proposed design guide developed for pavement licences, but with the Streets Strategy in mind; which clearly defines the approach to accessibility, layout and visual appearance for all temporary street furniture in the public realm (tables & chairs, A-boards, trading stalls, etc.). The guides will take a holistic approach to all of these temporary pieces of street furniture and their relationship to each other in the street scene.
- 1.4 The Streets Strategy would be the overarching document, and would be used to inform the following policies and operational documents, which are proposed to be developed over the next 12 to 18 months:
- (1) Amenities on the Highway (outside of Pavement Licence legislation)

- (2) Street Trading
- (3) Buskers and Street Entertainment
- (4) Events & Film
- (5) Markets
- (6) A Boards

## **2 RECOMMENDATION**

The panel is asked to:

- 2.1 Consider the principles of a Streets Strategy and give its views on what issues should be identified, considered and addressed within the proposed coordinated approach. This feedback will be used to help inform, design and develop the proposed individual policies, with a view to ensuring alignment across all. The policies will then be subject to public engagement, as necessary.
- 2.2 For example, the panel may wish to consider what approach it would recommend to the Cabinet Member and officers on whether the council should take a prescriptive approach, similar to other local authorities in:
  - (1) Zoning of street trading by type, such as creating a food quarter, or antiques quarter, etc
  - (2) Implementing a consistent approach to the design, look and feel of trading areas, i.e. prescribing colours of parasols, no plastic floral displays, etc
  - (3) Taking a stronger stance on coordinated enforcement, across highways and licensing.

## **3 THE REPORT**

- 3.1 Due to the increased popularity in café culture post Covid, particularly within Bath City Centre, the desire for businesses to animate their spaces outside their premises is starting to have an impact on the free movement of highway users, on the council's undertaking of its statutory duty of highways inspections, and on street cleansing.
- 3.2 These statutory duties are also hampered by the increase in structures on the highway, such as planters, floral arches and heavy parasol bases. The size and design of these structures can make it impractical for businesses to remove the items and store them inside their premises at the end of the trading day, as per their Pavement Licence, and is affecting the appearance of streets and spaces in the city, in some areas.
- 3.3 During Covid permissions were relaxed as a temporary measure, after the Government introduced temporary legislation to support the hospitality sector to trade in external areas, during lockdown, with the council taking a permissive approach. The legislation was then extended for a further 2 years and subsequently made permanent in 2024. Now that the new Legislation is in place, with clear conditions, as detailed in 3.4, the council needs to review its approach.

3.4 The current Pavement Licensing Legislation only allows for counters or stalls for selling or serving food or drink:

- Tables, counters or shelves on which food or drink can be placed
- Chairs, benches, or other forms of seating, and
- Umbrellas
- Barriers
- Heaters
- and other articles used in connection with the outdoor consumption of food or drink.

3.5 All the above items are required to be removable and related to the serving, sale and/or consumption of food or drink. In principle these items cannot be permanent fixed structures, and should be able to be moved easily, and stored away at night.

3.6 Therefore, a new Amenities on the Highway Policy is proposed. As part of that policy there would be a review of relevant existing structures and an investigation into how other local authorities manage such structures, to benchmark against comparator authorities, and regard to options and risks which would be set out for the relevant decision maker to consider.

3.7 The principles above will also be considered in our parks and other council-owned land, to ensure we have a consistent approach across the authority area.

3.8 Bath & North East Somerset is also home to 47 street traders, who offer products from street food to maps and clothing. Street Trading is selling or exposing or offering for sale any article in a street. However, concerns have been raised from businesses and councillors regarding the look and feel of our traders' stalls, the trading days/times, the type of traders and whether they are suitable to support both our aspirations as a world heritage setting and the growing economy. The importance of these traders is recognised, as they are often small start-up businesses, or specifically designed for trading on streets.

3.9 The authority hosts 70-100 events per year, along with 60-80 film productions, ranging from large events such as the Bath Half Marathon, Bath Christmas Market, Keynsham Music Festival, to community events such as the Bath Carnival and productions from Netflix and Warner Brothers to tv series and news/media outlets.

3.10 The council's Events Policy was written in 2011/12, reviewed in 2015, with minor updates in 2017 and 2019. Due to the changes in events since the pandemic it now requires a full review to incorporate both changes that have come forward and the wider use of the area by filming and TV productions. The council also recognises the importance of markets to both the local economy and to the character of the area. There is a desire to introduce more markets into the area, as part of our regeneration plans, to support and contribute to our communities. This will build upon the current markets such as the Bath Christmas Market and the Farmers Market in Midsomer Norton.

3.11 The council is keen to maintain the balance of markets throughout its area and also ensure that there is consistency in the way that markets are organised. In this context the council is considering implementation of a markets' policy

which sets out the basis upon which markets are held and the process by which applications for new markets will be considered.

3.12 Busking and street entertainment has long been part of the Bath experience, creating a vibrant and pleasant atmosphere for those who visit Bath. We welcome buskers and street entertainment that enlivens our city's streets. However, performances on the street can have both positive and negative impacts, depending on location, time of day, type of activity/performance being undertaken and its volume and repetition. As part of the work on the proposed Streets Strategy consideration will be given to management strategies which could apply to buskers.

3.13 In terms of timeline to deliver both the proposed strategy and policies, officers intend to prioritise the workstreams. Each workstream will require officers to review existing policies or develop new ones where none exist, and the timeline will vary according to what is required and the level of engagement or consultation that is appropriate. Our immediate priority is the Amenities on the Highway Policy, to support the changes to the new Primary Legislation for Pavement Licensing.

## **4 STATUTORY CONSIDERATIONS**

4.1 A Street Strategy is not required by statute.

4.2 The proposed Street Strategy is wide in scope and each proposed Policy review/formulation would be considered in line with any relevant statutory regime related to it.

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

5.1 The creation of the proposed Streets Strategy and the proposed policies informed by it are wide ranging. Officers from existing services will undertake this work as part of service design and policy formation. It is likely that this will be completed during 2025-26 as some elements will require public engagement and decisions be taken through the appropriate democratic processes.

5.2 The costs required in creating the strategy will be met from existing resources, while any financial implications resulting from the implementation of the strategy will be assessed before and during approval.

## **6 RISK MANAGEMENT**

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

## **7 EQUALITIES**

7.1 An Equalities Impact Assessment (EIA) has been prepared, and further EIAs will be carried out as appropriate if the proposed Streets Strategy and policies move forward.

## **8 CLIMATE CHANGE**

8.1 This report, which seeks to introduce the principles of a Streets Strategy and gather the considerations raised by the panel does not have a positive nor negative effect on climate change. The proposed review of/introduction of policies informed by the Strategy however may have the opportunity to have a positive effect.

## 9 OTHER OPTIONS CONSIDERED

9.1 Consideration was given to reviewing and/or introduction of policies independently, however, this was felt inappropriate, as an overarching Strategy is desirable to bring the elements together.

## 10 CONSULTATION

10.1 Consultation has been undertaken with the Cabinet Member for Neighbourhood Services, Director of Place Management, Section 151 Officer and Legal Services.

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<b>Background papers</b>	Corporate Strategy Public Realm & Movement Strategy Accessibility Study
<b>Please contact the report author if you need to access this report in an alternative format</b>	