

Meeting: Council

Date: Wednesday 18 July 2012

Subject: Review of street trading policy and facilitation of street markets

Report of: Councillor David Tutt on behalf of the Cabinet

The Council is invited to confirm its decision of 22 February 2012 as set out below, following the placement of an advertisement in the Eastbourne Herald on 27 April 2012, in which anyone who was minded to object was given 28 days to do so. No representations or objections were received.

Further copies of the minutes of the Council are available on request – please see the end of this report. A copy may be seen on the Council's website at:

<http://www.eastbourne.gov.uk/council/meetings/council/>

The Council is invited to:-

Formally designate all the streets within the borough as consent streets or prohibited streets, as detailed in the report to Council on 22 February 2012 and the street trading policy, and confirm the decision made on 22 February 2012.

Minute Extract
COUNCIL 22 February 2012

58 Review of street trading policy and facilitation of street markets
(Council 22 February 2012, page 294, minute 58).

This matter was reported and moved by Cllr Tutt on behalf of the Cabinet and seconded by Councillor Ede.

Resolved (key decision): (1) That the setting of fees and charges related to street trading to the General Licensing Committee.

(2) That Council formally designates all the streets within the borough as consent streets or prohibited streets as detailed in the report to Cabinet of 8 February 2012, and the street trading policy, and consider any objections, under the designation procedure.

(NOTE: The statutory procedures referred to in resolution (2) above regarding consent street designation require that the full Council later

confirm their proposed delegation at a subsequent meeting, after advertising and considering any representations on the proposal).

Minute Extract
CABINET 8 February 2012

***99 Review of street trading policy and facilitation of street markets**
(Cabinet 7 September 2011, page 117, minute 41).

- 99.1 Cabinet considered the report of the Senior Head of Development and Environment. Cabinet, last September, had agreed to consult with key stakeholders and other interested parties with a view to a revised street trading policy that would allow for regular street markets to be held. Details of the responses to the public consultation were given in an appendix to the report together with the draft policy.
- 99.2 The draft policy covered all the streets in the borough so that applications could be made for all types of street trading in a more structured way. The policy covered the streets where trading would be permitted (consent streets) and those where trading would not be permitted (prohibited streets). The seafront promenade and beach up to the high water tide mark would designated as a prohibited street where street trading would be prohibited unless it was in connection with a pre-planned Council authorised event. Other prohibited streets would be all classified A roads, and/or where the speed limit exceeded 30 miles per hour. The consent streets, where the Council considered it necessary, would include the allocation of specific 'pitches' where street trading could take place to facilitate monitoring and enforcement. In addition, street trading in a consent street would be subject to controls to protect the amenity of the locality. The policy covered the type of trading that could take place; including hours of operation, the potential impact on established businesses and residents in the area, health and safety implications, and the trading unit itself.
- 99.3 In addition to the direct consultation with key stakeholders, 162 responses had been received. There was almost unanimous agreement that the current approach to street trading required review, with 161 respondents indicating that they felt the new draft policy was "fit for purpose." Some improvements to the policy were suggested and these were summarised in the report.
- 99.4 With a revised, more inclusive policy in place, the Council could take steps to permit a regular street market and offer a more diverse experience. A key consideration was the location of a potential market and this was dealt with in the following item at minute 100 below.
- *99.5 **Resolved (key decision):** (1) That the revised street trading policy be approved.
- (2) That full Council be recommended to delegate the setting of fees and

charges related to street trading to the General Licensing Committee.

(3) That full Council be asked to formally designate all the streets within the borough as consent streets or prohibited streets as detailed in the report and the street trading policy, and consider any objections, under the designation procedure.

For a copy of the original report to Cabinet on 8 February 2012 please refer to the Council's website at <http://www.eastbourne.gov.uk/council/meetings/cabinet/> or contact Local Democracy at 1 Grove Rd, Eastbourne, BN21 4TW.

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