

General Licensing Committee

MEMBERS: Councillor THOMPSON (Chairman) Councillor SHUTTLEWORTH (Deputy Chairman), Councillors, COOKE, LIDDIARD, MURDOCH, TAYLOR, UNGAR, WARNER and Mrs WEST.

(Apologies for absence were reported from Councillors Mrs Coles, Mrs Heaps, Mrs Hearn and Murray).

1 Minutes.

The minutes of the meeting held on 21 March 2010 were submitted and approved and the Chairman was authorised to sign them as a correct record.

2 Declaration of Interests.

None were received.

3 Review of Street Trading Policy and Facilitation of Street Markets.

The Committee considered the report of the Licensing Manager regarding a review of the current Street Trading Policy and the facilitation of a street market in the town centre.

In support of a key Council objective to increase the vibrancy and vitality of the Town Centre it was proposed to diversify street trading activity and to attract a regular street market. The current street trading policy approved by Cabinet in February 1999, placed restrictions on general street trading and to enable street trading activities to take place the current policy had been revised.

At its meeting on the 7 September 2011, Cabinet had agreed that the draft Street Trading Policy be released for consultation which was scheduled to conclude on 2 January 2012.

Subject to formal adoption of the new Street Trading Policy in addition to offering managed street trading activities, the Council would have the power provided under Schedule 4 of the Local Government (Miscellaneous Provision) Act 1982 to authorise a regular street market on public land.

The Locum Lawyer gave an overview of the successful street market which had operated in Worthing town centre for over 10 years and was managed by the local Chambers of Commerce.

The Economic Development Manager advised that in Eastbourne a street market would increase footfall in an area of the town centre that currently has fewer visitors than other more central parts. The most appropriate location had been identified in Terminus Road, towards the end closest to the seafront. Additional locations for a street market could include: Langney Road, Bolton Road and any suitable locations that divide future development opportunities as part of the Town Centre Area Action Plan.

It is proposed that, where possible the goods on sale will not be the same as those on sale in local stores so that direct competition is kept to a minimum. It is proposed that a food or craftwork offer such as a 'farmer's market' could be appropriate and would be supported by local businesses. Other market themes such as antique, books, arts and crafts would also be considered as part of the consultation process.

In response to a question from the Committee, the Licensing Manager advised that general conditions would usually be attached to any street trading consent which set out the stallholders' responsibility to maintain public safety, prevent nuisance and to preserve local amenities. A specific condition prohibited the display of merchandise likely to cause offence or distress to any other person or which would be deemed an offence under any other legislation.

Consultation had already taken place with a number of key stakeholders who were generally in favour of the principle of a regular street market and the Licensing Team had received 47 enquiries of interest from existing businesses and those operating both within and out of the town.

Existing local businesses had been consulted as part of the process and advised that the market would be sensitive to the needs of businesses and the aim was to provide diversity and consumer choice, not additional competition. The Licensing Manager also informed the Committee that existing local businesses would be given the opportunity to have a trade stall at any street market.

The Committee considered that certain areas of the Borough may not be suitable to hold street markets. The Licensing Manager advised that each application would be considered on a case by case basis and before any consent was granted, consultation would take place with Ward Councillors and a number of different agencies. If representations were received and remained unresolved the application would be considered by the Licensing Sub Committee.

Three options for the delivery of the service were proposed and it was recommended that the delivery of a future market be via a local third party with a requirement to re-invest the excess income to funding wider town centre activities.

A full business case regarding the delivery of a regular street market would be considered at a future meeting of the Cabinet at the conclusion of the consultation period.

It was proposed that the setting of the fees and charges associated with street trading be considered by the General Licensing Committee at its meeting on 16 January 2012.

RESOLVED: (1) That the contents of the draft Street Trading Policy, alongside the consultation and implementation timetable be noted.

(2) That the proposals in relation to the provision of a regular street market be noted.

4 Officer Authorisations.

The Committee considered the report of the Licensing Manager seeking authority for the appropriate powers to be delegated to specified officers within the Licensing Team to enforce legislation as set out in the schedule appended to the report.

The Licensing Manager drew attention to the Town Police Clauses Act 1847 and Local Government Act 1976 which incorporated requirements pertaining to the hackney carriage and private hire licensing regime, which specifically required that authorisation was sought and duly authorised by the Committee.

RESOLVED: That Danielle Bryant, Janet Blake, Christine Allen and Jan Standen be authorised to carry out their functions as per the schedule appended to the report with particular reference to the Town Police Clauses Act 1847, and the Local Government (Miscellaneous Provisions) Act 1976.

The meeting closed at 7.13 p.m.

**M Thompson
(Chairman)**