

# Cabinet



## Extract of the minutes of meeting held on Wednesday 8 February 2012 at 6.00pm

### \*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 be 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.

**\*100 Street market in Terminus Road** (Cabinet 7 September 2011, page 117, minute 41 and minute 99 above).

100.1 Councillor Liddiard addressed the Cabinet. He welcomed the proposals and asked if they could be extended to facilitate a street market in Little Chelsea. The Chairman commented that he was already working closely with traders in Little Chelsea and would be happy to follow-up such an initiative if approached by the local traders.

100.2 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. As part of the consultation on revising the policy consultation had taken place with stakeholders, businesses and residents in relation to holding a regular street market in the town centre. The issues respondents were particularly requested to comment on included the location of the market, the type of market and products to be sold and the day of the week the market should be held. Wide support had been received from all consultees with no significant objection. Details of consultation responses were given in an appendix to the report.

100.3 The proposal was for the market to be located in Terminus Road using the three sections in order of priority:

- (a) From Seafront to Seaside Road (35 pitches)
- (b) Seaside Road to Pevensey Road (10 pitches)
- (c) Pevensey Road to Langney Road (13 pitches)

These sites could accommodate a total of 58 pitches. Depending on the success of the market it would allow for growth, beginning at the seafront end of Terminus Road. Langney Road was not recommended for use at this time, but could be considered in the future.

100.4 The consultation response, the greater part of which was via social media sites, indicated a preference for local produce and quality of both produce and customer service. Local businesses supported the idea of a farmers market and were keen to participate but were not supportive of a general goods market. The preferred market day was Friday, however it was desirable to avoid a clash with other markets in the area. This matter, along with market frequency, would need to be further discussed as part of the

procurement process. The eventual aim would be for a weekly market.

100.5 A preliminary programme of work to deliver the market was given and suggested that the earliest opening date could be July 2012. The objective was for the market to be administered by a third party at no cost to the Council. The Council would need to issue consents but this cost would be covered by the fee. There would however be one-off set up costs estimated at £25,000 involving highway and signage changes, application for traffic regulation orders and the need to seek planning approval.

\*100.6 **Resolved (key decision):** (1) That the proposed way forward to implement the street market, including designations under the Local Government (Miscellaneous Provisions) Act 1982 and submission of a planning application, be agreed and the Senior Head of Development and Environment in consultation with the Leader the Council be given delegated authority to take all steps necessary to deliver a regular street market in Terminus Road.

(2) That the market operator will be a business organisation that has the benefit of Eastbourne business and economic development as their objectives.

(3) That full Council be recommended to delegate the setting of the cost of the consents relating to the street market to the General Licensing Committee.

(4) That £25,000 be allocated from the regeneration reserve to cover the set up costs for the market.