

## Wolverhampton City Council

**OPEN DECISION ITEM**

Committee / Panel	<b><u>LICENSING COMMITTEE</u></b>	Date	<b>16/01/2013</b>
Originating Service Group(s)	<b><u>EDUCATION AND ENTERPRISE</u></b>		
Contact Officer(s)/ Telephone Number(s)	<b><u>COLIN PARR</u></b> <b><u>0105</u></b>		
Title/Subject Matter	<b><u>REVIEW OF FEES AND CHARGES FOR STREET TRADING CONSENTS FOR 2013/14</u></b>		

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**Recommendation**

The Licensing Committee are recommended to:

- (i) Approve the proposed fees and charges set out in Table 1 for Annual Street Trading Consents 2013/14 as detailed in paragraph 4.4 of the report with effect from 1 April 2013.
- (ii) Approve the proposed fees and charges set out in Table 2 for Occasional/Temporary Street Trading Consents as detailed in paragraph 4.5 of the report with effect from 1 April 2013.

## **REVIEW OF FEES AND CHARGES FOR STREET TRADING CONSENTS FOR 2013/14**

### **1.0 Purpose of Report**

1.1 To submit for consideration proposed street trading fees and charges to take effect from 1 April 2013 and also to advise the Licensing Committee of arrangements for the control and regulation of street trading activities undertaken in the City.

### **2.0 Background**

2.1 In 1986 the Council adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, designating all streets in the City as “consent” streets, enabling the Council to control certain street trading activities. In general terms any trading on a “street”, with a few exceptions, requires “consent to trade”.

2.2 Licensing Services are responsible for the administration (including the collecting of fees) for street trading, whilst the enforcement responsibilities associated with street trading are currently undertaken by the Environmental Health Function.

### **3.0 Overview of Local Controls**

3.1 The Council’s constitution delegates the Council’s functions relating to the processing, determination and management of street trading, under the Local Government (Miscellaneous Provisions) Act 1982, to the Licensing Committee.

3.2 A variety of different consents are issued which set controls such as location and approved times of operation. All consent locations are determined by an officer group from Regeneration, covering the disciplines of planning, highways design, highways enforcement etc.

3.3 Consents are agreed and defined based upon location within the City and time of operation. The following represents the location types:

- Dudley Street
- Bilston Street/Queen Street
- Victoria Street/Skinner Street/Cleveland Street
- Molineux Area (Football Consents)
- Bilston Town Centre
- Wednesfield Town Centre
- Evening Consents
- Other City Areas Food
- Other City Areas Flowers
- B Type Consents
- Operating on Land Accessible to the Public Without Payment (Private Land)

## Notes:

- All consents apply for a 12 month period only. There are no guarantees that successful applications for 2013/14 will be successful in 2014/15.
- Evening Consents permit trade at any location within a ¾ mile radius of the Council's retail markets only between the hours of 21.00 and 05.00 hours and are typically issued for catering units.
- Other City Areas Food and Flower consents relate to the consent for traders on designated pitches in other City areas previously issued as mobile consents.
- 'B' Type Consents allow trading in any street in the City, except within a ¾ mile radius of any Council market or other prohibited area. B Type Consents are typically issued for ice cream sales or snacks by means of a mobile unit.
- Operating on Land Accessible to the Public Without Payment (Private Land) relates to consents issued for food, non-food and Molineux match days.

### 4.0 **Review of Fees and Charges 2013/14**

- 4.1 Paragraph 9 of Schedule 4 of the 1982 Act states "that a Council may charge such fees as they consider reasonable for the grant or renewal of a street trading consent".
- 4.2 Each year proposals for the review of fees and charges related to street trading are generated. These proposals are based upon the Council's policy of reviewing fees and charges annually at least in line with the increased cost of providing the service, whilst also having due regard to the Council's social and economic policies.
- 4.3 Having regard to the above, due to reduced income in 2012/13 and consistent costs, it is recommended the fees and charges for street trading consents are increased by 10% in 2013/14.
- 4.4 Table 1 below indicates the proposed fees for annual street trading consents for 2013/14 rounded to the nearest £5.00 for administrative purposes.

**Table 1 – Proposed Annual Street Trading Fees 2013/14**

<b>LOCATION / TYPE</b>	<b>2012/13 Existing Consent Annual Fee (£)</b>	<b>2013/14 Proposed Consent Annual Fee (£)</b>
Dudley Street	3075	3380
Bilston Street/Queen Street	2675	2940
Skinner Street/Cleveland Street/Victoria Street	2675	2940
Molineux Area (Football Consents)	630	690
Bilston Town Centre	1970	2170
Wednesfield Town Centre	1810	1990
Evening Consents	1730	1905
Other City Areas Food	1180	1300
Other City Areas Flowers	400	440
B Type Consents*	415	460
Private Land Consent	85	95

- 4.5 Table 2 below indicates the proposed fees for occasional/temporary street trading consents for 2013/2014.

**Table 2 – Proposed Occasional/Temporary Street Trading Fees 2013/14**

LOCATION / TYPE	2012/13 Existing Consent (£)	2013/14 Proposed Consent (£)
<b><u>City Centre (within Ring Road)</u></b>		
Individual Week Days (Monday to Friday, excluding Bank Holidays)	25.00	30.00
Mid-Week Consent (Monday to Friday inclusive, excluding Bank Holidays)	100.00	110.00
Weekends (Saturday and Sunday inclusive)	100.00	110.00
Bank Holidays and Specialist Market Days	50.00	55.00
<b><u>Bilston and Wednesfield Town Centres</u></b>		
Individual Week Days (Monday to Friday, excluding Bank Holidays)	15.00	15.00
Mid-Week Consent (Monday to Friday inclusive, excluding Bank Holidays)	50.00	55.00
Weekends (Saturday and Sunday inclusive)	50.00	55.00
Bank Holidays and Specialist Market Days	25.00	30.00
<b><u>Other Areas</u></b>		
Individual Week Days (Monday to Friday, excluding Bank Holidays)	10.00	10.00
Mid-Week Consent (Monday to Friday inclusive, excluding Bank Holidays)	30.00	35.00
Weekends (Saturday and Sunday inclusive)	30.00	35.00
Bank Holidays and Specialist Market Days	15.00	15.00
Special Outdoor Event (i.e. City Show, Vaisakhi, Steam and Vintage Rally, etc)	Up to 150.00 per event	Up to 165.00 per event

## 5.0 **Trader Consultation**

- 5.1 A Street Traders' Forum was established in 2007. The group's primary function has been to consult with traders regarding proposals for city centre improvements particularly those pertaining to Dudley Street, Queens Square and the implications that these changes may have for them and their businesses. The forum now meets on an annual basis.
- 5.2 On 15 January 2013 street traders were invited to attend a street traders forum. The agenda listed several topics to be discussed including:-
- City centre street trading
  - Fees and charges 2013/14
- 5.3 Any relevant representations made by the trade will be reported verbally at this meeting.

6.0 **Financial Implications**

6.1 Based upon current occupation, the proposed fees outlined in Table 1 would meet the budgetary requirements for 2013/14. [ES/07012013/P]

7.0 **Equalities Implications**

7.1 This report does not generate any equalities implications.

8.0 **Environmental Implications**

8.1 This report does not generate any direct environmental implications. However, the presence of street traders clearly impacts on the street scene environment.

9.0 **Legal Implications**

9.1 The legal implications are considered within the main body of the report. [SH/02012013/X]