

Licensing Committee

24 January 2018

Report title	Review of Fees and Charges for Street Trading Consents for 2018/19	
Wards affected	All	
Accountable director	Kevin O'Keefe, Governance	
Originating service	Licensing Services	
Accountable employee(s)	Jo Till	Section Leader
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Report to be/has been considered by	None	

Recommendation(s) for decision:

The Licensing Committee is recommended to:

1. Approve the proposed fees and charges for Annual Street Trading Consents as set out in Appendix A of this report with effect from 1 April 2018.
2. Approve the proposed fees and charges for Occasional/Temporary Street Trading Consents as set out in Appendix B of this report with effect from 1 April 2018.

Recommendations for noting:

The Licensing Committee is asked to note:

1. A review of Street Trading in the City is to be undertaken

1.0 Purpose

- 1.1 To submit for consideration proposed street trading fees and charges to take effect from 1 April 2018 and to advise the Licensing Committee of arrangements for the control and regulation of street trading activities undertaken in the City.
- 1.2 To inform Licensing Committee of a review of Street Trading.

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 Public Protection Commercial.

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 2018/19 will be successful in 2019/20.
- Evening Consents permit trade at any location within a $\frac{3}{4}$ 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 $\frac{3}{4}$ 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 2018/19

- 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 it is recommended the fees and charges for street trading consents will remain unchanged for 2018/19.
- 4.4 Appendix A sets out the proposed fees for annual street trading consents for 2018/19 rounded to the nearest £5.00 for administrative purposes.
- 4.5 Appendix B sets out the proposed fees for occasional/temporary street trading consents for 2018/19.

5.0 Street Trading Review

- 5.1 A review of Street Trading is to be undertaken by Licensing Services. The review is to develop a policy and to ensure that the offer is adequate for the City. An updated report will be presented to Licensing Committee to seek Member approval.

6.0 Financial implications

- 6.1 Should the Licensing Committee agree with the recommendations in this report it is anticipated that overall income from the proposed fees and charges in Appendices A and B will cover the estimated cost of providing the service. [SR/09012018/D]

7.0 Legal implications

7.1 The legal implications are considered within the main body of the report.
[JB/09/01/2018/M]

8.0 Equalities implications

8.1 There are no equalities implications arising from this report.

9.0 Environmental implications

9.1 There are no environmental implications arising from this report.

10.0 Human resources implications

10.1 There are no human resources implications arising from this report.

11.0 Corporate landlord implications

11.1 There are no corporate landlord implications arising from this report.

12.0 Schedule of background papers

12.1 Licensing Committee - 16 January 2013 - Review of fees and charges for street trading consents for 2013/14.

Licensing Committee - 26 February 2014 - Review of fees and charges for street trading consents for 2014/15.

Licensing Committee - 21 January 2015 - Review of fees and charges for street trading consents for 2015/16.

Licensing Committee - 20 January 2016 - Review of fees and charges for street trading consents for 2016/17.

Licensing Committee - 8 February 2017 - Review of fees and charges for street trading consents for 2017/18.