

BROMSGROVE DISTRICT COUNCIL

LICENSING COMMITTEE

10TH JANUARY 2011

STREET TRADING POLICY: COMPARISON OF FEES AND REVIEW OF POLICY

Relevant Portfolio Holder	Cllr P. Whittaker
Relevant Head of Service	Steve Jordan
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 This report sets out additional information as to the fees charged by other neighbouring Councils in respect of Street Trading as requested by Members. The report also addresses the issue of including a review of the Bromsgrove District Council Street Trading Consent policy in the work programme for the Licensing Committee.

2. RECOMMENDATIONS

- 2.1 **That a review of the Bromsgrove District Council Street Trading Consent Policy be included in the work programme for the Licensing Committee in June 2011.**
- 2.2 **That Members note the background information as to fees charged for Street Trading consents by other Councils as set out in para 4.2 of this report together with the proposed fees for Bromsgrove District Council for 2011/2012 as set out in para 4.1.**

3. BACKGROUND

- 3.1 The current version of the Street Trading Consent policy was approved by the Licensing Committee on 7th September 2009. The fees associated with the policy were adopted by Full Council on 20th January 2010. The policy was re-considered by the Licensing Committee briefly in May 2010 when a minor change was made by deleting paragraph 14. This arose due to operational difficulties relating to the definition of trading from lay-bys
- 3.2 As Members will be aware, under the new policy the whole of the district of Bromsgrove (with the exception of the High Street in Bromsgrove and certain adjoining streets) are classed as "Consent Streets". To trade from a mobile unit on a consent street a licence is required.

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4. KEY ISSUES

Fees

4.1 The current fees applicable under the Bromsgrove Street Trading Consent Policy are:-

- Annual Street Trading Consent: £552 per annum
- Occasional Street Trading Consent: £25 per day

It is intended that these fees will be increased as part of the annual review of fees and charges. On this basis from 01 April 2011 the fees will increase to:-

- Annual Street Trading Consent: £575 per annum
- Occasional Street Trading Consent: £26 per day

4.2 Members have asked for information on the fees charged for Street Trading consents by other Councils in Worcestershire. Officers investigated this by way of background research at the time the current fees were set. The relevant figures are set out below:-

Council	Current fees	Proposed fees for 11/12 (where information available)
Wyre Forest	Mobile Trailers £633 per annum Static units £1351 per annum	Not known
Worcester City	Mobile Trailers £633 per annum Static Units £3320 per annum Daily fee £61 plus £17 per additional day	Not known
Malvern Hills	No policy	N/a
Wychavon	Hot food £590 per annum Cold Food £415 per annum Non Food £590 per annum Thereafter standard annual renewal fee of £215	Hot food £610 per annum Cold Food £420 per annum Non Food £610 per annum Thereafter standard annual renewal fee of £220

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Redditch	£84 per day – policy due to be updated	
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4.3 As can be seen, the BDC fees are not significantly lower than those applicable in other nearby areas for mobile units. Officers are of the opinion that the current fees and those proposed for 2011/2012 are at the appropriate level. The main area of difference to be noted is that there is no distinction in the BDC fees scheme as between mobile and static units. Both Wyre Forest and Worcester City charge more for static units; Wyre Forest £1351 and Worcester City £3320. It is believed that the number of BDC licence holders trading from static as opposed to mobile units is minimal.

Review of Street Trading Consent Policy

4.4 The current policy has been in active operation for a period of less than 12 months. As referred to at para 3.1 it was amended very slightly in May 2010. Otherwise there have been no problems reported by either members of the public or traders. Most traders have now applied for and been granted a street trading licence. There have been a number of applications referred to the Licensing Sub-Committee. The policy was reviewed by the Scrutiny Board in October 2010 who did not make any recommendations. There is still some work to be carried out in terms of checking that all street traders have now applied for a licence.

4.5 In terms of carrying out a review of the policy, Members may wish to consider including this as an item on the work programme for Licensing Committee in say June 2011. This would be 12 months after the last changes were made to the policy.

5. FINANCIAL IMPLICATIONS

5.1 The Council is entitled to charge for the issuing of Street Trading Consents. The current and proposed charges are set out in para 4.1.

6. LEGAL IMPLICATIONS

6.1 The Street Trading Consent Policy is governed by the Local Government (Miscellaneous Provisions) Act 1982.

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7. POLICY IMPLICATIONS

- 7.1 Other than advising Members as to the current and proposed charges, there are no policy implications for this report.

8. COUNCIL OBJECTIVES

- 8.1 CO2 - Improvement

9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

- 9.1 There are no significant risks associated with the details included in this report.

10. CUSTOMER IMPLICATIONS

- 10.1 None – save for proposed fee increases in para 4.1.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

- 11.1 N/a

12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

- 12.1 The Council needs to ensure that fees charged are set at reasonable levels.

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

- 13.1 N/a

14. HUMAN RESOURCES IMPLICATIONS

- 14.1 N/a

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

- 15.1 N/a

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16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

16.1 N/a

17. HEALTH INEQUALITIES IMPLICATIONS

17.1 N/a

18. LESSONS LEARNT

18.1 N/a

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

19.1 N/a

20. OTHERS CONSULTED ON THE REPORT

Please include the following table and indicate 'Yes' or 'No' as appropriate. Delete the words in italics.

Portfolio Holder	Yes
Chief Executive	No
Executive Director (S151 Officer)	No
Executive Director – Leisure, Cultural, Environmental and Community Services	No
Executive Director – Planning & Regeneration, Regulatory and Housing Services	No
Director of Policy, Performance and Partnerships	No
Head of Service	Yes
Head of Resources	No

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Head of Legal, Equalities & Democratic Services	No
Corporate Procurement Team	No

21. WARDS AFFECTED

All wards

22. APPENDICES

None

23. BACKGROUND PAPERS

None

24. KEY

None

AUTHOR OF REPORT

Name: Sue Garratt
E Mail: s.garratt@redditchbc.gov.uk
Tel: (01527) 534100