

LICENSING COMMITTEE

Wednesday, 7 February 2018.

STREET TRADING (REP1824)**EXECUTIVE SUMMARY**

1. A request has been received from the Economic Regeneration Team to alter two of the policy provisions relating to Street Trading in the Sea-Front area within the Waveney district.

Is the report Open or Exempt?	Open
Wards Affected:	Kirkley Ward
Cabinet Member:	Councillor Mary Rudd Cabinet Member for Community Health & Safety
Supporting Officer:	Caroline Evans Licensing Services Manager 01394 444678 caroline.evans@eastsoffolk.gov.uk

1 CURRENT POLICY

- 1.1 Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 (LGMPA) introduced an adoptive code for the control of street trading.
- 1.2 It was originally resolved that Schedule 4 be applied to the District of Waveney from 1st January 1983.
- 1.3 The current street trading policy is attached as **Appendix A**.

2 STREET TRADING

- 2.1 Street trading is the selling, or exposing or offering for sale any article in a street. Certain types of trading are exempt – notably newspapers or periodicals from stands of less than a certain size. Signing people up to AA or RAC membership, or similar activities, is not widely regarded as “selling articles” and hence does not need a licence or consent.
- 2.2 Section 2(1) of the Local Government (Miscellaneous Provisions) Act 1982 provides that a District Council may by resolution designate any street in their district as Prohibited, Licence or Consent.
- 2.3 The purpose of designating streets for street trading is to ensure that:
 - a) an area is not saturated with street traders to the detriment of permanent businesses;
 - b) the highway is not obstructed; and
 - c) the presence of a street trading unit does not present a danger to pedestrians and other road users or an annoyance to residents

3 PROPOSAL.

- 3.1 A request has been received from the **Economic Regeneration Team** to alter two of the policy provisions relating to Street Trading in the Sea-Front area within the Waveney district.

- 3.2 This request is attached as **Appendix B** and it proposes:

- a) To remove the current restriction that allows only 3 stalls in the Sea Front area;

Lowestoft Sea Front (from East Point Pavilion to Claremont Pier, 3 stalls in total)

It is hoped that this will result in the Council being able to attract more traders to the Sea Front area.

- b) To remove the stipulation that all applications for the Sea Front area have to go to the a Licensing Sub-Committee for approval;

All applications for licences for Lowestoft High Street, London Road North and Lowestoft Sea Front will go to the Licensing Committee for decision.

This would allow traders to have their applications processed more quickly.

Applicants would have had to have gained permission for the use of the land/site prior to applying to Licensing, so their suitability will already have been assessed.

4 HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?

4.1 To support new business opportunities, in line with the long-term vision of the East Suffolk Business Plan.

5 FINANCIAL AND GOVERNANCE IMPLICATIONS

5.1 The promotion of the Sea Front area to encourage new traders would directly generate more income from license fees as well as promoting economic growth for the region.

6 OTHER KEY ISSUES

6.1 The decision affects the entire Waveney District.

7 OTHER OPTIONS CONSIDERED

7.1 No change to the current policy for street trading in Waveney District Council's area.

8 REASON FOR RECOMMENDATIONS

8.1 To review, and recommend changes if appropriate, to promote the aims of the East Suffolk Business Plan.

RECOMMENDATIONS	
1.	That the Licensing Committee reviews Waveney District Council's policy for street trading to remove the restriction on numbers of traders allowed in the Sea front area.
2.	That the Licensing Committee reviews Waveney District Council's policy for street trading to remove the requirement that all new applications relating to the Sea front area have to have Committee approval prior to issue.

APPENDICES	
Appendix A	Current Street Trading Policy.
Appendix B	Request from the Economic Regeneration Manager.

BACKGROUND PAPERS – None
