



CAMBRIDGE CITY COUNCIL

REPORT OF: Emma Thornton- Head of Tourism and City Centre Management

TO: Licensing Committee -28th January 2013

WARDS:

Designation of New Street Trading Consent Streets

1) **INTRODUCTION**

On 8th October 2012 Licensing Committee approved a new Street Trading Policy for Cambridge. The committee acknowledged that currently there is a shortage of street trading pitches in Cambridge and that supply does not match demand. In recognition of this the Committee authorised the Head of Tourism and City Centre Management to further investigate designation of the following streets as consent streets: Sussex St, Christ's Lane, Parkers Piece (the area of public highway marked with pitch number 21 in Appendix 1), Milton's Walk, Pikes Walk and any other potential streets, and to bring a report back to the licensing Committee. The Head of Tourism and City Centre Management also committed to investigate establishing 4-month pitches on all the 8-month seasonal pitches.

2. **RECOMMENDATIONS**

- 2.1 To publish notice of the intention to pass a resolution to change the designation of Sussex St and St Andrews St from prohibited streets to consent streets in accordance with the requirements set out in Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982.

- 2.2 To publish notice of the intention to pass a resolution to designate Parkers Piece (the area of public highway marked with pitch number 21 in Appendix 1) as a consent street in accordance with the requirements set out in Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982.
- 2.3 To publish notice of the intention to establish two new street trading pitches in Sussex St and one in St Andrews St.
- 2.4 To consider any representations made and whether to pass the proposed resolution at the meeting of the Licensing Committee in April 2013.

3. **BACKGROUND**

- 3.1 In November the Head of Tourism and City Centre Management met with Ward Councillors and County Council Highway officers to review the proposed streets for their suitability for street trading and to identify any other potential areas for street trading.
 - 3.1.2 Two potential pitches were subsequently identified in Sussex St, one in St Andrew St and two in Drummer St. These proposed pitches are illustrated in the map in Appendix 1. The potential pitches on Drummer St are very close to Milton's Walk and Pike's Walk. Therefore it is not proposed to pursue designation of these two streets. Christ's lane was not considered suitable because the land ownership is complex here (a mix of Christ's College , Christ's lane shopping centre and public highway).
 - 3.1.3 Drummer St is already a consent street but Sussex St and St Andrews St are not. It is therefore proposed to change the designation of Sussex St and St Andrews St from prohibited streets to consent streets. It is also proposed to designate the area of public highway on Parkers Piece marked with pitch number 21 in **Appendix 1** as a consent st.

3.2 **Proposed new pitches in existing consent streets**

- 3.2.1 In addition to the two proposed new 12 month pitches in Drummer St it is proposed to reinstate pitch 15 on Fitzroy St. This had been suspended due to congestion. However following recent developments in this area this congestion has been removed and there is the opportunity to reinstate this pitch

3.2.2 All eleven of the current 8 month pitches have been reviewed and it is proposed to further investigate establishing 4 month pitches in all of these locations alongside the two proposed pitches in Drummer St and reinstating pitch 15 on Fitzroy St . These are illustrated in the map in Appendix 1. This work will be taken forward by the Head of Tourism and City Centre Management as soon as possible under delegated authority, and as set out in the Council's Street Trading policy.

3.2.3 If these pitches are approved (following the appropriate consultation), they will be advertised on the Council's website and the application process will be undertaken as set out in the Council's Street Trading policy.

4. Legislative guidance on designation of consent streets

4.1 The procedure the Council must follow to change the designation of streets is set out in Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

In summary, before passing such a resolution the Council must:

(a) Publish a notice of their intention to pass the resolution in a local newspaper circulating in the area;

(b) Serve a copy of the notice on (a) the chief officer of Police and (b) the County Council as highway authority

The published notice must;

(a) Contain a draft of the resolution

(b) Give a period of not less than 28 days for representations to be made to the Council in writing.

4.2 Following consideration of the representations, the Council may if they think fit, pass a resolution.

Following the passing of the resolution, notice must be published in a local newspaper for two consecutive weeks. The first publication must be not later than 28 days before the designation is to come into force.

5. CONSULTATIONS

- 5.1 As set out in section 4 above the Council will be consulting widely on these proposals through publishing its intention to pass a resolution to change the designation of these streets. Details of this consultation will also feature on the Council's website.
- 5.2. The Council shall consider any such representations which are made to them during the consultation period.
- 5.3 Officers in the council's legal teams have been consulted in the development of these proposals.

6) CONCLUSIONS

The proposals set out in this report respond to the issues raised in the review of the Council's Street Trading Policy, which was undertaken in 2012. They provide the opportunity to create 6 new 12 month pitches and 11 new 4 month pitches in Cambridge, which officers believe will be welcomed by the street trading community.

7) IMPLICATIONS

(a) Financial Implications

In setting street trading charges Local Authorities are only permitted to charge in relation to the authorisation process involved in granting or renewing a consent. The Council will continue to review the schedule of charges for street trading charges on an annual basis.

It is therefore possible that the introduction of new pitches has the potential to reduce fees across the piece. Assumptions have been made in setting the fees for 13/14 of a part year income from 4 new 12 month pitches and 5 new 4 month pitches. However if the number of pitches taken up increases above the assumptions made, then fees could be reduced in subsequent years. Equally if the take up of the new pitches does not match the assumptions made then fees may have to increase. Ultimately the charges made on an annual basis will depend on the numbers of pitches available and the uptake of these.

(b) Staffing Implications

There are no staffing implications to these proposals.

(c) **Equal Opportunities Implications**

A full Equalities Impact Assessment on the new Street Trading Policy was undertaken in October 2012 and is available to view on the council's website. The proposals set out in this report are consistent with this policy.

<http://www.cambridge.gov.uk/ccm/content/council-and-democracy/how-the-council-works/council-policies-and-plans/equality-and-diversity/equality-impact-assessments.en>

(d) **Environmental Implications**

The Council will consider any environmental implications put forward to them through the consultation on these proposals.

(e) **Procurement**

There are no procurement implications to these proposals

(f) **Community Safety**

The Council will consider any environmental implications put forward To them through the consultation on these proposals.

7) **BACKGROUND PAPERS:** The following are the background papers that were used in the preparation of this report:

Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982

8) **Appendices:**

Appendix 1– Map illustrating the existing and proposed new street trading pitches.

To inspect these documents contact Emma Thornton on extension 7464

The author and contact officer for queries on the report is Emma Thornton on extension 7464

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