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CAMBRIDGE CITY COUNCIL

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

TO: Licensing Committee –15<sup>th</sup> April 2013

WARDS:

**Designation of new consent streets and prohibited streets for street trading**

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1) **INTRODUCTION**

1.1 On 28<sup>th</sup> January 2013 Licensing Committee approved the publication, in accordance with the requirements set out in Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982, of its intention to pass resolutions to designate streets for streets trading as follows:

- To designate four new consent streets in Sussex St, Regent St, the footpath across New Square, and Parkers Piece (the area of public highway marked with pitch number 21 in **Appendix 1 of the 28<sup>th</sup> January report**).
- To designate Causeway Passage, Christ's Lane, Eden St Backway, Little St Mary's Lane, Lower Park St, New Park St, Portland Place and Mud Lane as prohibited streets and to remove Bradwell's Court from the list of prohibited streets.

1.2 In addition it approved the publication of notice of two new street trading pitches in Sussex St and one in Regent St.

1.3 This reports summarises and considers the representations that have been made following the publication of the intention to pass these

resolutions and the notice as above, and sets out the next steps to the designations as set out in legislation.

## **2 RECOMMENDATIONS**

- 2.1 To consider any representations received to the public notices.
- 2.2 To pass a resolution to change the designation of Sussex St and Regent 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.
- 2.3 Taking into consideration the representations made, to pass a resolution to designate Parkers Piece (the area of public highway amended, following representations, and marked with pitch number 21 in **Appendix 1** and **Appendix 2** to this report) and the footpath across New Square, as consent streets in accordance with the requirements set out in Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982.
- 2.4 To establish two new street trading pitches in Sussex St and one in Regent St.
- 2.5 To pass a resolution to designate Causeway Passage, Christ's Lane, Eden St Backway, Little St Mary's Lane, Lower Park St, New Park St, Portland Place and Mud Lane as prohibited streets and to remove Bradwell's Court from the list of prohibited streets
- 2.6 To publish a notice that the resolutions as set out in points 2.2,2.3 and 2.5 have been passed.

## **3. BACKGROUND**

- 3.1 The report that went to licensing Committee on 28<sup>th</sup> January detailed the background and rationale for the new designations and the proposed new pitches in existing consent streets. This report is attached as **Appendix 3** to this report.

## **4. CONSULTATIONS**

- 4.1 The Council has consulted widely on these proposals through publishing its intention to pass a resolution to change the designation of these streets in the Cambridge News on 15<sup>th</sup> February 2013. Details of this consultation also featured on the Council's website. The consultation ran from 15<sup>th</sup> February until 18<sup>th</sup> March 2013.

- 4.2 The Council has received no representations regarding the designation of consent streets in Sussex St, Regent St and the public footpath across New Square.
- 4.3 The Council received 8 responses regarding the designation of the piece of public highway on Parkers Piece (marked with pitch number 21 in **Appendix 1 of the 28<sup>th</sup> January Licensing report**). These responses are set out in **Appendix 4** to this report.
- 4.4 In summary the responses were concerned with the specific location of this pitch on the public highway rather than the designation of the street itself. After consideration of these responses the Council proposes to re site the pitch against the wall of the University Arms Hotel, mid-way between the two sets of bollards as suggested by a number of respondents. A detailed map illustrating this new location is illustrated in **Appendix 2** to this report.
- 4.5 The Council has received no representations regarding the designation of Causeway Passage, Christ's Lane, Eden St Backway, Little St Mary's Lane, Lower Park St, New Park St, Portland Place and Mud Lane as prohibited streets and to remove Bradwell's Court from the list of prohibited streets.
- 4.6 The Council has received no representations regarding the notice of two new street trading pitches in Sussex St and one in Regent St.

## **5. Next steps for the designation of new consent streets**

- 5.1 Following the passing of the resolution, notice must be published in a local newspaper for two consecutive weeks in accordance with the requirements set out in Schedule 4 to the Local Government (Miscellaneous) Provisions Act 1982. The first publication must be not later than 28 days before the designation is to come into force. The resolution will come into force on 10<sup>th</sup> June 2013.
- 5.2 The Council will also publish a separate notice in the local newspaper inviting applications for the 6 new 12 month pitches and 11 new 4 month pitches as detailed in the report that went to Licensing on 28<sup>th</sup> January 2013 ( **Appendix 3** to this report). These pitches will also be advertised on the street trading section of the Council's website. The closing date for application will be 28 days from the date of the notice.

Applicants will be signposted to the Council's Street Trading Policy. for details of the application process and assessment criteria

- 5.3 If more than one application is received for any of the new pitches, a meeting of the City Council's Licensing Sub-Committee will be convened to consider the applications for that pitch in accordance with the Council's Street Trading policy. These are likely to be held in July 2013.
- 5.4 Officers in the council's legal teams have been consulted in the development of these proposals.

## **6) CONCLUSIONS**

The designation of these new consent streets respond to the issues raised in the review of the Council's Street Trading Policy, which was undertaken in 2012. They provide new street trading opportunities 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 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 and the revised site for Pitch number 21

**Appendix 2** – Detailed map illustrating the proposed location for Pitch number 21

**Appendix 3** - The report on the Designation of New Consents Streets that went to Licensing Committee on 28th January

**Appendix 4** – Summary of responses to the public notices.

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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