

Council – 25th June 2013

**Recommendation from Cabinet
Member (Community Safety and
Equalities), 21st March 2013**

CABINET MEMBER
(COMMUNITY SAFETY AND EQUALITIES)

21st March, 2013

Cabinet Member
Present: -

Councillor Townshend

Shadow Cabinet
Member Present:

Councillor Crookes

Other Members
Present: -

Councillor Fletcher (for item 71 below)
Councillor O'Boyle (for items 72 and 73 below)
Councillor Welsh (for items 72 and 73 below)

Employees Present: -

H. Abraham (Customer and Workforce Services Directorate)
N. Eaton (Community Services Directorate)
C. Edwards (City Services and Development Directorate)
G. Holmes (Chief Executive's Directorate)
S. Nagra (Chief Executive's Directorate)
U. Patel (Customer and Workforce Services Directorate)
H. Peacocke (Customer and Workforce Services Directorate)
S. Roach (Community Services Directorate)
J. Venn (Chief Executive's Directorate)
M. Watson (Community Services Directorate)
S. Wiles (Community Services Directorate)

In attendance: -

Honorary Alderman Gazey (Observer)
M. Gwynne (Coventry University, Work Experience)
R. Morgan (for items 72 and 73 below)
K. Sohanta (Coventry University, Observer)
K. Healy (West Midlands Police) (for item 71 below)

Apologies: -

Councillor Abbott

Public Business

RECOMMENDATION

74. Outcome of Consultation on Coventry City Council's Revised Street Trading Consent

The Cabinet Member considered a report of the Director of Community Services which reported on the outcome of a consultation carried out on Coventry City Council's revised Street Trading Consent Policy. Specifically, the consultation sought views on proposed changes to existing terms and conditions, including the fee structure.

The extension of street trading controls across the City was approved by Full Council on 21st February 2012 (their Minute 118/12 refers). From 1st April 2012 any traders, including mobile traders, must hold a street trading consent.

The Street Trading Policy was successful in meeting its initial aims, in particular, dealing with nuisance car sales. However, following the first 12 months of implementation, the policy had been reviewed in response to comments from local street traders and officer's experiences in administering and implementing the policy.

Some of the issues identified included traders struggling to meet the charges for consent; inconsistency between consent requirements for city centre traders compared to those outside the city centre and traders on private land having to pay two charges – one to the landlord and one to the council.

The proposed changes were:

- Annual consent fee to be reduced from £2000 to £500.
- The following street traders to be given "deemed consent" and would no longer have to pay any fee:
 - (i) Traders on private land (with owner's permission)
 - (ii) Peripatetic traders (such as ice cream vans), who keep moving and do not trade within 50m of a school.
 - (iii) Street trading on ALL Council owned land where permission has been obtained (currently only applies to City Centre but would in future apply to public parks, etc.)
 - (iv) Traders at charitable and recognised community events, each event lasting no more than 48 hours in any 4 week period (currently has no time constraints).
- The Council may temporarily suspend above deemed consents (in whole or part) for specific time periods and localities. This is in order to ensure effective management of street trading activity in the vicinity of *high profile or large scale events*.
- The ability of other existing traders to serve the needs of the area will no longer be a consideration in assessing applications – *This is consistent with other trading activities in the City*.
- The Council will no longer require Criminal Records Bureau checks for certain applications – *This is consistent with other trading activities in the City*.
- The Council will no longer require food traders to be in possession of a current food hygiene training certificate in assessing applications – *This is unnecessary duplication, being already enforced by other regulations*.

A public consultation on the proposed changes was carried out from 14th December 2012 to 14th February 2013. To date, more than 40 responses had been received, mostly from current street traders which represented around 65% of the total. Feedback from the consultation had generally been positive with overwhelming consensus on the proposed changes to the fee structure, including deemed consent arrangements. All of the consultation received were summarised in Appendix B of the report.

As a result of the responses received through the consultation, a number of options were reviewed by officers as per the following:

Option 1 – Adopt the revised Street Trading Consent Policy (incorporating the

proposed changes as outlined above)

Option 2 – Adopt the revised Street Trading Policy with the following amendments:

- (i) Remove the Council's right to temporarily suspend deemed consents (in whole or part) by prior notice for specific periods and localities.
- (ii) Reintroduction of a clause assessing adequacy of existing trade outlets to meet area needs (i.e. a saturation policy)

Option 3 – Take no action and continue with existing terms and conditions (including fee structure)

RESOLVED that, after due consideration of the issues contained in the report and matters raised at the meeting, the Cabinet Member (Community Safety and Equalities):-

- 1. Noted the recommendation(s) of the Streets and Neighbourhoods Scrutiny Board (4).**
- 2. Considered the responses received to the consultation (as summarised in Appendix B) and the Equality Assessment (Appendix C) relating to the changes.**
- 3. Supported the revised Street Trading Consent Policy (option1).**
- 4. Recommended that Full Council:**
 - a) Approve the revised Street Trading Consent Policy as set out in Option 1.**
 - b) Delegate authority to the Assistant Director (Public Safety and Housing) in consultation with the Cabinet Member (Community Safety and Equalities) to make minor amendments to the Street Trading Consent Terms and Conditions, to approve fee waivers in appropriate cases and to review the fee structure annually and if necessary adjust the fee levels in line with inflation and/or so as to avoid any significant income deficit/surplus and any other material considerations.**