

INFORMATION NOTE - STREET TRADING

INFORMATION NOTE OF THE LICENSING AND ENFORCEMENT MANAGER

1. PURPOSE OF THE INFORMATION NOTE

- 1.1 To update the Hitchin Committee with regard the Street Trading Policy and discussions with the Hitchin Town Centre Manager.

2. BACKGROUND

- 2.1 On 21st November 2011, following a full public consultation and an additional consultation with Area Committees, the Licensing and Appeals Committee recommended the adoption of a Street Trading Policy to Cabinet. Cabinet formally adopted the Policy on 13th December 2011 to take effect from 2nd April 2012. Full Council formally designated the streets within the conurbations of Baldock, Hitchin, Letchworth Garden City and Royston, and the main arterial routes A10, A505, A507, A602 and A600, as consent streets.
- 2.2 From 2nd April 2012, any trading from the streets of the four main towns or arterial routes where goods are offered for sale required a consent from the Council. The provision of tables and chairs or A-boards on the highway, however, remains the responsibility of the County Council under the Highways Act 1980 and does not fall with the remit of this Policy.
- 2.3 At a meeting of the Hitchin Area Committee dated 6th March 2012 it was resolved that:

“(2) That the proposal by the Hitchin town Centre Manager to assume management of the issue of permits within the boundary of the listed consent streets in Hitchin be noted”.

3. ISSUES

- 3.1 With the Policy now in effect, all commercial and not-for-profit organisations and individuals that wish to offer the sale of goods from the streets of Hitchin require a consent from the Council. In the case of events within the Market Place, this could prove prohibitive as each individual trader would require an individual consent, albeit that the Policy prevents a charge being made to not-for-profit organisations. This could equally apply to other areas of land ordinarily used for street trading.
- 3.2 The Policy was designed in such a way so as not to discourage cultural and community activities by allowing persons such as the Town Centre Manager to obtain an annual consent, at a reduced cost, for areas of land which they have landowners permission to make available for street trading. This would allow the Town Centre Manger to make their consent available to both

commercial and not-for-profit organisations which would remove the requirement for the traders to obtain their own consent. The principle of not charging not-for-profit organisations remains, however a charge could be made to commercial organisations which could be retained by the Town Centre Manager. The Town Centre Consent would be subject to the same conditions as an individual consent, which would be the responsibility of the consent holder.

4. CONSIDERATION

- 4.1 In order for the Town Centre Manager to have the ability to facilitate street trading within Hitchin, an application would need to be made for the land concerned. As part of the application, landowners' consent would have to be obtained. It has been suggested to the Town Centre Manager that the application is made for all land concerned and that a consent will be issued on a staged approach as landowners' consent is obtained for each separate area.
- 4.2 A meeting was held with the Hitchin Town Centre Manager on 27th June 2012, at which he confirmed that an application would be made shortly and supported the policy as he felt that street trading required regulating by way of a formal consent process.
- 4.3 As a general point, an individual or organisation can allow others to use their consent, as discussed above in 3.2. Whilst this 'sub-consent' will be monitored by the Licensing and Enforcement Team, any organisation or individual who is refused the use of a Town Centre Consent or is unhappy to do so for whatever reason, can also apply to the Council for their own consent in the usual way.

5. CONCLUSION

- 5.1 That the Hitchin Committee note the content of this Information Note.

6. CONTACT OFFICERS

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