

**OXFORD CITY COUNCIL
GENERAL PURPOSES LICENSING COMMITTEE – 15th July 2005**

Report of: Strategic Director for the Environment

Title: STREET MARKETS IN BROAD STREET

Ward: Carfax

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Key Decision: No

Lead Member: Councillor Maureen Christian

Scrutiny responsibility: Community

SUMMARY & RECOMMENDATIONS

As its meeting on 8th February 2005 the Central, South & West Area Committee (CSW) agreed to support the granting of street trading consents to allow up to four street markets to take place on Broad Street, subject to certain conditions and a fee structure outlined in the report.

The General Purposes Licensing Committee is recommended to approve:

- Delegating the authority to issue street trading consents for 4 street markets a year in Broad Street to the Environmental Health Business Manager and delegating approval of the programming and participating markets to the CSW Area Committee as described in Section 3 of this report.
- The fee structure as laid out in Section 4 of this report

1. Introduction

This report outlines an amendment to the Council's street trading consent scheme to allow street markets to trade in Broad Street up to 4 times a year.

2. Background

For many years Oxford City Council has operated a street trading consent scheme under the Local Government (Miscellaneous Provisions) Act 1982. Under the scheme streets within Oxford are classified either as "consent streets", where street trading can take place in certain specified locations, or "prohibited streets" on which there can be no street trading. Broad Street is a

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long established consent street in which one trader has operated in a roadside location at night since the mid 1980's.

To date, one street market has taken place in Broad Street on 4th, 5th and 6th November 2004 as a 3-day continental market. The market traded at full capacity, with several stallholders returning to France a day early having sold all their stock.

It is necessary to gain the consent of the Highway Authority, Emergency Services and Police before the street trading consent scheme is amended. In the case of last November's continental market in Broad Street, a group of Oxford City and Oxfordshire County Council Officers and OX1 worked closely with the market operator to agree the operational detail of the market as well as keeping in touch with the frontages to ensure that their needs were accommodated as far as possible.

Both before last November's market and since, there have been a number of enquiries about using Broad Street as a venue for markets or similar activities. The proposal outlined in this report has emerged out of a review of the success of the continental market and is recommended to Licensing Committee by CSW Area Committee.

3. Proposal

Market operators generally need a long lead-in time to a market to allow for arrangements with individual traders, publicity, site negotiations etc. In turn it would be helpful if the Oxford City Council could prepare a programme of different types of markets, for example a Fair Trade market, a German market to celebrate Bonn Week as well as a continental market similar to that run last November.

Feedback following last November's market was mixed. Clearly shoppers loved it and the idea of further markets in Broad Street is strongly supported by OX1 and the Oxford City Council's tourism service as well as by some of the Broad Street frontages. However, a number of the frontages expressed strong reservations about similar events running in the future. Their concerns related to the timing, site layout and operational detail.

Having considered the feedback and heard representations from some of the Broad Street retailers at its meeting on February 8th 2005, CSW Area is recommending the following proposal to Licensing Committee.

- Delegating the authority to issue street trading consents for 4 street markets a year in Broad Street to the Environmental Health Business Manager in consultation with the Oxfordshire County Council (Highways and Emergency Services), OX1 and Broad Street frontages, seeking guidance of the CSW Area Committee as appropriate. (A similar arrangement already exists with respect to trading pitches elsewhere in Oxford).

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Standard street trading conditions would be applied, amended as appropriate or directed by the CSW Area Committee. Enforcement would be the responsibility of the Environmental Health Business Unit.

Any additional markets would be subject to separate approval by the Area Committee and granting of a consent by Licensing Committee.

- Delegating approval of the programming and participating markets to the CSW Area Committee to cover issues such as layout (e.g. some stalls facing shops), hours of operation, times of the year, maintenance of a cycle route and keeping the use and noise from generators to a minimum.

N.B. The Street Trading Consent is usually granted to the market organiser, rather than individual stallholders.

4. Fee

The Area Committee also noted that a fee would need to be set which would enable the City Council to recover costs incurred through the granting of a consent and associated administration and enforcement of these markets.

The legislation allows for fees to be levied for the grant of a street trading consent. The level of fee can vary according to the duration of the consent, the street in which trading will take place and the description of articles in which the trader is authorised to trade. The fee charged for weekly street trading consents is £125 per stall which, apportioned, is £18 per day. It is recommended that a fee of £18 per day per stall is charged.

This fee is comparable with that charged by other councils for similar events but does not cover the cost of any refuse collection or street cleansing. It is not possible to levy a separate fee under this legislation for the cost of street cleansing or refuse collection.

THIS REPORT HAS BEEN SEEN AND APPROVED BY:

Portfolio Holder: Mary Clarkson

Legal and Democratic Services: Jeremy Franklin

Business Manager: John Copley