

	REPORT TO CABINET TO BE HELD ON 15 FEBRUARY 2011
	Key Decision YES Forward Plan Ref No N/A
Corporate Aims Creating healthy and vibrant communities Developing safer and stronger communities	Cabinet Portfolio Holder Cllr Andrew Backhouse

REPORT OF: Chief Executive – 11/100

WARDS AFFECTED: All

SUBJECT: SERVICE PERFORMANCE OVERVIEW AND SCRUTINY COMMITTEE – REVISED FINAL REPORT OF THE STREET TRADING TASK GROUP SCR/11/01

PURPOSE OF REPORT: To present the revised findings and recommendations of the Street Trading Task Group, as endorsed by the Service Performance Overview and Scrutiny Committee on 26 January 2011. Report reference SCR/11/01 attached.

RECOMMENDATION (S):

That

- i. the current schedule of controlled streets be revised to include all public highways within the Borough;
- ii. the revised schedule also include those roads, footways, beaches or other areas to which the public have access without payment;
- iii. the designation of all the areas/streets listed in the schedule be 'Consent' streets;
- iv. the formal process to make the necessary designation order be commenced as soon as possible, with a view to having the order approved before the summer season;
- v. based on the necessary involvement of both Licensing and Regeneration, officers consider the most appropriate way of administering the Borough-

wide designation of 'Consent' streets and areas and advise Members in due course;

- vi. officers review the fee structure for street trading consents taking account of the findings of the Task Group and report back to Members with a recommended fee structure;
- vii. the fee structure include cover for the administrative costs of the scheme, site supervision, management of pitches and support for Council activities ancillary to the street trading activities (e.g. promotional events);
- viii. the Borough Council continue to press the Government for changes to the law on peddling and continue to work with the Police to improve existing controls; and
- ix. the transfer of the highway amenities function completely to the County Council on 1 April 2011 be noted.

REASON FOR RECOMMENDATION (S):

To ensure that the Borough Council makes optimum use of the Local Government (Miscellaneous Provisions) Act 1982 across the Borough both to help regulate and promote street trading as appropriate, whilst noting that the regulation of café amenities in the Scarborough urban area falls to the County Council from 1 April 2011.

HIGHLIGHTED RISKS:

That the Borough Council does not establish a clear and consistent framework for regulating street trading in the Borough which can be properly resourced.

1. BACKGROUND

- 1.1 Established in 25 November 2009, the Task Group chaired by Cllr James Preston submitted its final report to the Service Performance O&S Committee on 29 September 2010, which was then presented to the Cabinet on 19 October 2010. The recommendations in the original report largely reflected the Task Group's aspiration to establish a clearer and more stringent, and if possible, single system of regulation in the Scarborough urban area which both supported the Council's regeneration aims and provided 'local colour', whilst at the same time being on a manageable scale with minimal inconvenience to the user of the public highway. The Task Group also noted the changes surrounding the management and development of the Market Hall, and wished to support these changes by going one step farther and advocating the creation of a 'market quarter' centred around the Market Hall. It was this particular recommendation which concerned the Cabinet and prompted the Cabinet to refer the matter back to scrutiny for further investigation. There were however several other developing issues which Members have taken the opportunity to reconsider as part of this revised report.

- 1.2 The Task Group was re-convened at the meeting of the Service Performance Overview and Scrutiny Committee on 24 November 2010 with the following membership: Cllr James Preston (Chair), Cllr Rosalyn Fox, Cllr Lucy Haycock, and Cllr Cecil Ridley. The Task Group interviewed the Council's Investment Manager, Nick Taylor, the Head of Regeneration and Planning, Pauline Elliott and the Head of Environmental Services, Andy Skelton at a meeting on 5 January 2011. Information obtained from these interviews, advice from the Council's Senior Solicitor, David Kitson, and further desktop research derived from other local authorities have all contributed to the report.



Chief Executive

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Background Papers:

None

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT ST JOHN HARRIS (SEE CONTACT DETAILS ABOVE)