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| Report title | Chertsey Town Centre Street Licensing |
| Report author | Azra Mukadam |
| Department | Economic Development |
| Exempt? | No |
| Exemption type | N/A |
| Reasons for exemption | N/A |

Purpose of report:

To resolve

To recommend to Full Council

Synopsis of report:

This report seeks authority to finalise the process to designate Guildford Street, Chertsey, as a licence street and amend the Council’s Street Trading Resolution by adding Guildford Street to its list of licence streets.

Recommendation(s):.

That the Council resolves that:

- 1) All previous resolutions of the Council made pursuant to paragraph 2 of Schedule 4 to the Local Government Miscellaneous Provisions Act 1982 (the Act) be hereby revoked
- 2) Pursuant to Paragraph 2 of Schedule 4 to the Act, that as from the date when this resolution takes effect, all areas of land within the Borough of Runnymede which are “streets” within the definition of that term contained in Paragraph 1 of Schedule 4 to the Act shall be designated as prohibited streets with the exception of any streets referred to in resolution 3 below
- 3) The parts of streets set out below be designated as Consent Streets or Licence Streets, as defined in Schedule 4 to the Act :

Consent Streets

Broadway, New Haw

Licence Streets

1. Context and background of report

- 1.1 In 2021, the Chertsey Town Team and local businesses reported to officers, that they needed support to bring shoppers back into the town. The lack of footfall and vibrancy is a legacy from the Covid pandemic and the impact from both hybrid working and online shopping popularity.
- 1.2 The most evident method identified to increase footfall to the area was to run regular events and markets in the town centres, drawing local people to the area and offering a wider range of goods.
- 1.3 A report was taken to the Environmental and Sustainability Committee (E&S Committee) in September 2021 to allow the authority to develop street markets across the Borough's town centres with the first focus of development to be in Egham and to use this as a way to further review opportunities for the rest of the Borough.
- 1.4 A further report was presented in June 2023 to the Environmental and Sustainable committee, which agreed that the Corporate Head of Law and Governance be authorised to serve public notice starting the proceedings to amend the current designation of licenced streets in the Borough (pursuant to its powers under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982), and a public consultation be undertaken to add one street, Guildford Street, Chertsey as a designated licence street and permit street trading.
- 1.5 Officers also sought authority in July 2023 from Full Council to commence the process of designating streets within Chertsey Town Centre in which street trading is permitted, specifically Guildford Street.
- 1.6 A public notice was published on the 15th August 2023 in the Surrey Advertiser newspaper (refer to Appendix B) and on the Runnymede Council Public Notice webpage.
- 1.7 The deadline for any public representation on the notice was 28 days (i.e. 12 September 2023) to respond in writing.
- 1.8 As no communication had been received from County Council Highways Department or Surrey Police, a reminder was sent on 30th October.
- 1.9 County Council Highways Departments have since responded with no issues. They confirmed that they have no objections to the designation of the section of Guildford Street between its junctions with Riversdell Close and Windsor Street/London Street being designated a Licence Street to provide future opportunities for markets and events to be held at the location. As highlighted in Appendix D
- 1.10 Surrey Police have not responded.
- 1.11 Officers confirm that no representations were received during the public notice period or since then.

2. Report and, where applicable, options considered and recommended

- 2.1 As there has been no representation concerning the public notice to date , officers seek permission to proceed with the designation of Guildford Street, Chertsey, as a licence street.
- 2.2 Once permission has been permitted by committee, further approval will be sought from Full Council to proceed with the designation of Guildford Street, Chertsey as a licence street.
- 2.3 Consideration of permitting licence streets in other parts of the borough like local centres and villages have also been reviewed. The main challenges that are faced by designating license streets in smaller and more localised centres were identified in the E&S Committee report dated June 2023 (Appendix A point 2.2)

3. Policy framework implications

- 3.1 Corporate Business Plan 2022- 2026 The Council's Corporate Business Plan identifies five key objectives: climate change, empowering communities, health and wellbeing, economic development and organisational development.
- 3.2 In line with some of the key objectives, this report aims to further the aim of the climate change strategy through creating a greener environment and encouraging a circular economy whereby we source local, support more ethically focused trading through the street markets and antique style market events. Also encouraging localised events that people can cycle or walk to.
- 3.3 This report aligns objectives from the Economic Development Strategy 2022-2026 through objective 3 of developing the vitality and vibrancy of our town centres and growing the tourism and leisure economy by providing a wider range of shopping experiences to the community by way of offering markets in the town centres. Allowing visitors to spend time dwelling and spending locally through the partnership opportunity of town businesses and the market offerings.
- 3.4 By creating more vibrancy and vitality of our town centres we aim to reduce leakage spend to neighbouring boroughs. Regular street markets will encourage the community to interact with local traders and local retailers, allowing the opportunity to visit shops while attending the market.
- 3.5 National Planning Policy Framework 3.5 Section 7. of the NPPF 'Enhancing the Vitality of Town Centres' paragraph 86. This report aims to work within the planning policy framework to promote town centres and to retain, enhance and create new opportunities where possible to support promoting the vitality of town centres.
<https://www.gov.uk/guidance/national-planning-policy-framework/7-ensuring-thevitality-of-town-centre>

4 Resource implications/Value for Money

- 4.1 Legal – Any resources for the Street trading licencing has been and will be sought though current resources and will not require any additional resources.

- 4.2 Economic Development – Town Centre Management will be key in supporting the development of regular markets.
- 4.3 Environmental Services/Licensing – There are licensing issues around the sale of alcohol and any kind of public entertainment. Licensing of alcohol and regulated entertainment is simply a case of submitting a Temporary Event Notice unless a premises licence already covers this type of activity. This involves minimal resourcing from the Licensing and Environmental health Officers and is inexpensive at £21 per event.
- 4.4 Currently there has been no additional resources needed from Direct Services (DSO) Refuse, street cleaning and staff resources during market day. This will be reviewed at the end of the first year of this development.
- 4.5 Potential risks associated with more frequent markets are that there may not be enough demand to allow the traders to derive an income on a regular basis from the market, resulting in less interest from market operators to set up further markets

5. Legal implications

- 5.1 Authorisation of Markets in England takes various forms, the latest being statutory, under the Local Government (Miscellaneous Provisions) Act 1982 (the Act), section 3 authorising Street Markets (through Schedule 4) and section 37 Temporary Markets.
- 5.2 Under s3 of the Act, Local Authorities can adopt provisions contained in Schedule 4 and decide if they wish to prohibit or allow street trading in their area. If they decide to allow street trading, they can designate specific streets as consent or licence streets.
- 5.3 Runnymede Borough Council adopted the powers contained in Schedule 4 of the Act in 1982, creating consent and licence streets, the list of which has been amended over the years. The Council has adopted prohibition for all streets except for those designated by resolution (rather than listing the streets where street trading is prohibited), meaning street markets can only take place on designated streets.
- 5.4 The June 2023 report to this Committee sought authority to start the process of designating Guildford Street, Chertsey, as a licence street and was followed by approval during the next meeting of the Council. The process to create a licence street is initiated by consultation, including consultation with the Chief Constable and Highways, which has now been completed, followed by consideration of the responses. No responses having been received, the Council can therefore now proceed with confirmation of the addition of Guildford Street, Chertsey, to its list of licence streets.
- 5.5 If this committee recommends the addition of Guildford Street and Full Council accepts the recommendation, publication of this resolution will need to take place on two consecutive weeks and under strict statutory deadlines. It is anticipated that the resolution will take effect from April / May 2024.

6. Equality implications

- 6.1 The Council has a Public Sector Duty under the Equality Act 2010 to have due regard to the need to:
- a. Eliminate unlawful discrimination, harassment, or victimisation.
 - b. Advance equality of opportunity between persons who share a Protected Characteristic and persons who do not share it
 - c. Foster good relations between those who share a relevant protected characteristic and persons who do not share those characteristics.
- 6.2 An Equalities Impact Assessment was completed for the Economic Development Strategy (EDS) in April 2022. Increasing market and event activity within the Borough's towns directly relates to Priority three of the EDS which seeks to support the Borough's town centres.
- 6.3 A screening assessment has been undertaken regarding the specific designation of Guildford Street as a Licence Street for the June 2023 report, which has concluded that an equalities screening assessment is adequate at this stage. Attached at Appendix C

7. Environmental/Sustainability/Biodiversity implications

- 7.1 The Council's current terms and conditions stipulate that litter and rubbish should be removed by traders or market operators at the end of the day's trading. Furthermore, officers will continue to use their best endeavours to encourage localised walking or cycling to the town to attend the markets. Market operators already promote the markets on local social pages and resident groups to attract the local community.
- 7.2 Moving forwards, to support the Council's wider response to climate change, officers propose to review the Council's market trading terms and conditions to consider the types of markets that are being developed in the towns. Markets could be required to demonstrate that they are working towards a more sustainable business model, for example only providing paper or recyclable bags to customers.
- 7.3 During this review process, officers will also consider, for example, whether amendments should be made to stipulate the types of products and equipment being used by markets, or to encourage local suppliers and/or the sale/display of local goods and produce where practical and feasible.
- 7.4 A report on the review of the market trading terms and conditions will be the consideration of a separate committee report, which will be brought through this committee at a later date (exact date to be confirmed).

8. Timetable for Implementation

- 8.1 As referenced in point 5.5

9. Conclusions

- 9.1 In conclusion, this report presents an opportunity for regular annual markets to be held in Chertsey. The appetite is overwhelming from retailers and the market operator after a trial market day. Feedback from operators and businesses suggests that the local community and businesses on the high street benefit from the vibrancy and interaction in a safe and open setting. Officers have since published a Public

Notice in line with the local authorities adopting provisions contained in Section 3, Schedule 4 Local Government (Miscellaneous Provisions) Act 1982, and there has been no representation from the public against the notice.

10. Background papers

Can be provided upon on request.

11. Appendices

Appendix A (E&S Committee Report 8th June)

https://rbc365.sharepoint.com/:w:/s/CommitteeReports-EnvironmentandSustainabilityCommittee/EfmwFW_39hZAu7KRBGFUp6kBXrqQGA_3Mf1Jcgbb6l378w?e=OqAKo0

Appendix B (Public Notice)

Appendix C (Equalities Screening Assessment)

Appendix D (Guildford Street map)