

REPORT OF URGENT ACTION: STREET TRADING CONSENT FEE WAIVER AND FUTURE POLICY ON APPLICATIONS

1 SUMMARY

- 1.1 This report informs Members of urgent action taken under the procedure agreed by Council on 25 July 12000 (Minute 254/00) to determine an application for the waiver of Street Trading Consent fees for Hockley Parish Council's Christmas Lights Switch-On Event.
- 1.2 This report also requests Members to resolve how they wish future fee waiver applications for this event and for Rochford Parish Council's May Fayre to be determined.
- 1.3 Street Trading Consent is required for selling or exposing or offering for sale any article (including a living thing) in a designated street.
- 1.4 The provisions in the Local Government (Miscellaneous Provisions) Act 1982 to control street trading are adoptive. The Council has resolved to adopt these provisions and therefore the determination of applications for Street Trading Consent is a statutory function. The Council has discretion to charge such fees as they consider are reasonable for the grant or renewal of Street Trading Consent.

2 INTRODUCTION

- 2.1 Members have resolved that applications from charities and community groups for a waiver of the fee for granting a Street Trading Consent be reported to the Corporate Resources Sub-Committee for consideration. (Minute 437/98)
- 2.2 Authority has been delegated to the Chief Executive and/or the Corporate Directors to take decisions in cases of urgency, after consultation with the Chairman or Vice Chairman of the appropriate Committee of the Council and Group Leaders. All decisions taken in this manner would be reported to the next Meeting of the Council or the appropriate Committee.

3 APPLICATION BY HOCKLEY PARISH COUNCIL

- 3.1 An application has been received from Hockley Parish Council for the grant of Street Trading Consent to have stalls selling goods at their Christmas Lights Switch-On Event scheduled for Saturday 18 November 2000 between 6pm and 8pm.

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- 3.2 Most of the stalls will be run by scouts, guides or other charitable bodies, but there will also be a small commercial element with the intention of charging a stall fee which would be entirely allocated to the fund for improving the lights display.
- 3.3 The stalls will sell various items including, hot chestnuts, tea, coffee, soft toys, etc and will be positioned between Nos. 1 to 45 (inclusive) Spa Road, Hockley.
- 3.4 Hockley Parish Council has applied for waiver of the fee due for the grant of Street Trading Consent because of the public nature of this event.
- 3.5 Members have previously granted 100% fee waivers for identical events organised by Hockley Parish Council in 1999, 1998 and 1997. (Minutes 410/99, 439/98 and 527/97)
- 3.6 As the event date was before the next available Sub-Committee Meeting, action was taken under the Urgency Procedure to determine the fee.
- 3.7 Given that this has become a regular event, Members may wish to consider whether they would like to continue to receive a report annually, if an application for a fee waiver is received. To remove the need for annual reporting, Members could delegate power to the Corporate Director (Finance and External Services) to waive the fee, unless there are material changes to the format, or objectives of holding the event.

4 ROCHFORD PARISH COUNCIL'S MAY FAYRE

- 4.1 Members have dealt with applications for the waiver of the fee for the grant of Street Trading Consent from Rochford Parish Council for their May Fayre in an identical way. 100% fee waivers have been given for the past 3 years. (Minutes 322/00, 210/99 and 260/98 (172(A))
- 4.2 Consequently, Members may also wish to consider whether they would like to continue to receive a report annually, if an application for a fee waiver is received from Rochford Parish Council for their May Fayre. To remove the need for annual reporting, Members could delegate power to the Corporate Director (Finance and External Services) to waive the fee, unless there are material changes to the format, or objectives of holding this event.

5 RESOURCE IMPLICATIONS

- 5.1 Loss of £112 income if a 100% waiver of the fee is granted for Hockley Parish Council's event for this year.

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5.2 Loss of income for Rochford May Fayre. £109 was lost this year.

6 PARISH IMPLICATIONS

6.1 The events are organised by Hockley and Rochford Parish Councils respectively to benefit the local communities.

7 RECOMMENDATION

7.1 It is proposed that the Committee **NOTES** the urgent action taken.

7.2 It is proposed that the Committee **RESOLVES**

- (1) That the Corporate Director (Finance and External Services) be given delegated power to waive 100% of the Street Trading Consent fee for all future fee waiver applications received from Hockley Parish Council for their Christmas Light Switch-on event, unless there are material changes to the format, or objectives of holding this event.
- (2) the Corporate Director (Finance and External Services) be given delegated power to waive 100% of the Street Trading Consent fee for all future fee waiver applications received from Rochford Parish Council for their May Fayre event, unless there are material changes to the format, or objectives of holding this event.

G P Woolhouse

Head of Housing, Health & Community Care

Background Papers:

Application for Street Trading Consent from Hockley Parish Council dated 11 September 2000.

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