

**BRISTOL CITY COUNCIL**

***PUBLIC SAFETY AND PROTECTION COMMITTEE***

**10<sup>th</sup> February 2015**

**Report of:** Strategic Director, Neighbourhoods

**Title:** Review of Street Trading Designations

**Ward:** Citywide

**Officer Presenting Report:** Emma Lake, Licensing Team Leader

**Contact Telephone Number:** 01179142513

**RECOMMENDATION**

The committee are recommended to;

1. Publish a Notice of intention to pass the draft street trading resolution set out below:

(1) pursuant to paragraph 2 of schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 (“the Schedule to the Act”) and with effect from 1 June 2015

(i) the existing resolution governing street trading in the City shall be varied as follows:-

Those streets currently designated as “prohibited streets” shall be designated as consent streets except for those listed below, which will remain as prohibited streets:-

All Saints Street/ The Arcade / Barrs Court / Bridewell Street / Broadmead East/ Broadmead West / Broad Weir / Callowhill Court / Cannon Street/ Fairfax Street / Hanover Court / Haymarket / Haymarket Walk / The Horsefair / Merchant Street North / Merchant Street South /Nelson Street (part of) from its junction with Bridewell Street to Broadmead / Newgate / Old King Street Court / Penn Street/ Pithay Court / Quakers Friars / Silver Street /Union Street / Whippington Court/Wine Street from Broad Street to its junction with The Pithay.

2. The notice shall state that representations relating to the draft resolution may be made in writing to the Council within a period of 31 days beginning with the day after publication of the Notice;
3. A copy of the Notice will be served on the Chief Officer of police for the area;
4. As soon as is reasonably practicable after the end of the period referred to in paragraph (2) of this resolution, the committee shall consider any representations relating to the proposed resolution.

## **Summary**

To recommend a change to the Council's Street Trading rules by:

- (a) changing the trading status of certain streets that are currently designated as prohibited streets to enable trading to take place at the Council's discretion by way of a Street trading consent
- (b) seeking approval for publication of the necessary press notices and other procedures to be enable the changes to be made in accordance with the statutory regime.

## **The significant issues in the report are:**

The Council's current street trading rules prohibit street trading from taking place in a number of streets across the city, many of which are in the central area. It is considered there are now opportunities for the public to benefit from controlled street trading in some of those streets under the consent regime and therefore the current prohibited street status is no longer appropriate. This proposal seeks to change the designation of the majority of prohibited streets in order to facilitate and promote opportunities for street trading in Bristol.

## **Policy**

The Council's street trading rules designate streets as either 'prohibited', 'consent' or 'licence' streets for the purposes of regulating street trading. Further information on the difference between these designations is provided in Appendix A.

## **Consultation**

### **1. Internal**

Licensing officers have liaised with Harbour, Markets and Highways officers to consider which streets should continue to be designated as prohibited streets.

### **2. External**

Statutory consultation will take place if members resolve to publish notice of a draft resolution, however officers have had initial discussions with officers of Destination Bristol in respect of the prohibited streets in the Broadmead area of the city. Destination Bristol have requested that prohibited streets in this area should be retained. These streets were historically designated as “licence streets” and their status varied to that of “prohibited street” in 2000 as part of an improvement plan for the area. No changes are proposed in respect of street trading designations for those streets currently listed under Broadmead Area at Appendix A.

### **3. Context**

The policies that set out the Council’s approach to street trading in Bristol are currently under review. The key purpose of the review will be to raise the quality of street trading across the city and provide a framework that will encourage a street trading offer that adds value to the city. The first stage of the review is to propose removing the restrictions that prevent street trading on some of the streets and therefore increasing the opportunities for street trading. The reason officers are looking at this aspect first is due to the time consuming legislative process that has to be followed in order to make the proposed changes. The further policy proposals around raising standards will come forward later in the year.

The Council’s current street trading designations prohibit street trading from taking place in a number of streets across the city, many of which are in the central area. Most of these designations were first made in the 1980’s when the council adopted street trading powers. Initiatives such as ‘Make Sunday Special’ provide evidence that prohibited street status no longer best serves the public interest. The case for modernising the current designations to enable greater flexibility, whilst maintaining an appropriate level of control, is very clear. Therefore officers propose to remove this restriction from the majority of the prohibited streets in order to promote more opportunities for trading.

The prohibited streets are predominantly in the city centre Broadmead, Clifton and St Pauls areas. Some of these streets no longer exist in the same form as a result of redevelopments such as Cabot Circus.

Following liaison with representatives of Destination Bristol it is recommended that designations are not changed for the Broadmead streets as the prohibited street designation continues to support the retail offer, which was confirmed as a reasonable and lawful objective by the High Court following a challenge by way of judicial review.

#### **4. Decision Making Process**

A Council cannot pass a resolution to designate a street which is not currently designated, or resolve to vary the current designation of a street, without having followed the regime laid out in the Act. This includes the publication of a Notice in a newspaper circulating in the council's area of the intention to pass such a resolution which Notice shall:

- (a) Contain a draft of the resolution; and
- (b) State that representations relating to it may be made in writing to the Council within such period not less than 28 days after publication of the Notice as may be specified in the Notice.

It is also necessary to serve a copy of the Notice on the Chief officer of Police for the area in which the street is situated and on any highway authority responsible for that street (Bristol City Council is itself the highway authority for all of those streets within its area which are highways).

#### **5. Proposal**

It is proposed that the majority of existing "prohibited streets" be re-designated as 'consent streets' with the following exceptions remaining unchanged, namely:

All Saints Street/ The Arcade / Barrs Court / Bridewell Street / Broadmead East/ Broadmead West / Broad Weir / Callowhill Court / Cannon Street/ Fairfax Street / Hanover Court / Haymarket / Haymarket Walk / The Horsefair / Merchant Street North / Merchant Street South /Nelson Street (part of) from its junction with Bridewell Street to Broadmead / Newgate / Old King Street Court / Penn Street / Pithay Court / Quakers Friars / Silver Street /Union Street / Whippington Court /Wine Street from Broad Street to its junction with The Pithay

The current list of prohibited streets is attached at Appendix B and identifies streets in different areas of the city namely Broadmead, the City Centre, Clifton, Eastville and St Pauls. Some of these streets no longer exist as a result of redevelopments such as Cabot Circus. In the Central Area there are a number of prohibited streets adjacent to St Nicholas Market. Members may be aware that Bristol enjoys extensive market rights under the Markets Charter. These proposals would not have an impact on the Charter which would continue under the control of the Council's Executive. However, in order to provide opportunities for street trading the proposal is for streets currently designated as prohibited streets in this area to be re-designated as consent streets.

There are also streets in Clifton and Eastville which are currently designated as prohibited streets and the proposal is for these streets to be re-designated as consent streets.

No change is proposed to those streets which are currently designated as "licence streets" for street trading. The re-designation of existing 'prohibited streets' as 'consent streets' could create opportunities for the establishment of new sites for street trading in the city. Where land falls under the ownership of the City Council then the Council can levy a landowner's charge which is separate from the regulatory scheme, the same applies for land in private ownership which is also not a matter for the regulatory scheme. Appendix C sets out those streets which are proposed to remain as prohibited.

## **6. Other Options Considered**

Maintain the current arrangements. The disadvantage of keeping with the existing designations is that we will lose the opportunity to promote street trading activity by a street trading consent in some key central areas where streets are currently prohibited for street trading purposes.

## **7. Risk Assessment**

Previous changes to street designations have had an impact on traders operating at those locations, however as this proposal is to change designations to allow street trading to take place on streets that are currently prohibited then there is no negative impact on any existing traders operating under the street trading regime. The street trading consent regime allows the licensing authority to have a high level of control over trading activity so there is a limited risk with regard to any traders that once authorised fail to comply with the regulatory scheme

on those streets that would now fall within the consent regime as a result of these proposals.

## **Public Sector Equality Duties**

- 8a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
  - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
    - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
    - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
    - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
  - iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
    - tackle prejudice; and
    - promote understanding.
- 8b) An Equalities Impact assessment has been undertaken and is attached as Appendix C. No negative impact has been identified.

## **Legal and Resource Implications**

### **Legal**

The report accurately describes the legal framework governing Street trading and reflects the formalities that must be followed in order to

enable the regime to operate. Although the variation only affects a small number of the regulated streets, the full statutory consultation and notification process is still necessary.

Case law guides on what constitutes lawful consultation and from this some key principles have been established. In summary, those been consulted must:

- (i) be provided with material upon which a decision is likely to be made;
- (ii) beginning enough time for intelligent consideration of that material and respond to it;
- (iii) be given the opportunity to make considered representations; and
- (iv) have those representations conscientiously considered

It is therefore important that members are satisfied that following the publication of the draft resolution, the time allowed for comments will be sufficient to enable any person or body wishing to make representations to obtain relevant material (for example, this published committee report, it's appendices and any background papers), to consider it and to put their representations in to the Council. The legislation sets a minimum such period of not less than 28 days after publication of the notice setting out the draft resolution. Your officers are suggesting a slightly longer period for representations than the minimum required under the legislation.

As soon as practicable after the expiry of that representation period, the Council must consider any representations relating to the proposed resolution which they have received and having done so may, if they think fit, pass such a resolution relating to the Street or streets concerned. Further advice will be available to elected members when they meet to consider the outcome of the consultation. If at that stage the resolution is passed there are further formalities that need to be complied with before the new designations can come into force.

Legislation states that where the resolution relates to a Street which is owned or maintainable by certain relevant corporations their consent must be obtained. Members will therefore wish to be satisfied that none of the streets to which this resolution relates are owned or maintainable by relevant corporations, or if they are that their consent has been obtained.

**(Legal advice provided by Pauline Powell, Team Leader- Planning, Transport and Regulatory Law for Service Director - Legal Services)**

## **Financial**

### **(a) Revenue**

None

**(b) Capital**

NA

**(Financial advice provided by Robin Poole, Finance Business Partner**

**Land**

The increased number of streets where street trading may be permitted is likely to cause some increase in the number of licences granted. This would increase the gross licence fee income received by the Council and also increase the management overhead in handling the increased number of licences. The net financial impact could be a small increase in revenue.

**(Property advice provided by Ian Smith, Project leader, Strategic Property)**

**Personnel**

Not applicable

**Appendices:**

Appendix A – Definition of Street Trading Designations

Appendix B – Current list of streets designated as prohibited

Appendix C – Proposed list of streets designated as prohibited

Appendix D – Equalities Impact Assessment

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**Background Papers: None**



## APPENDIX A

### Definition of Street Trading Designations

The Council has adopted Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 (“the Act”) which enables it to control street trading within its area and in particular to designate a street as a ‘consent street’, a ‘licence street’ or a ‘prohibited’ street. Once a street is designated then that governs whether or not any street trading may take place in the street and what permissions are required for the trading to lawfully be carried on. If a street remains undesignated then the council has no control over any street trading activity that takes place. What is meant in the context of these proposals by the terms “street trading”, “street”, “licence street”, “consent street” and “prohibited street” is detailed in paragraphs 7 to 9 below.

In this context it must be appreciated that “street” has a very wide meaning and so any controls have the potential to extend to more land that would ordinarily be thought to be a street in the “plain English” sense of the word; that is, street does not just mean an adopted highway. The legislation defines a street as follows: “‘street’ includes a. any road, footway, beach or other area to which the public have access without payment; and b. a service area as defined in section 329 of the Highways Act 1980, and also includes any part of a street”. Therefore in (a) above this could include any area adjoining a street to which the public have access without payment e.g. a shop forecourt and in (b) above this could include a motorway service station area.

“Street trading” means the selling or exposing or offering for sale of any article (including a living thing) in a street, although the legislation provides for a number of exceptions to this. It should be noted that a permission to trade in a consent street or a licence street does not avoid the need for the trader to obtain the consent of the landowner for the particular street. It is also the case that a landowner’s permission to trade in a street which is designated as “prohibited” does not avoid the commission of a criminal offence.

## **Prohibited Streets**

If a street is designated as a “**prohibited street**” then a criminal offence is committed by any person engaging in street trading in that street. There could be a number of reasons for wishing to designate a street as prohibited. For example the street may not be wide enough to facilitate a trader or the council may wish to restrict trading at a particular location, e.g. outside of a concert venue as this may attract itinerant traders. It may be considered that the prohibited status might be the most appropriate designation for the majority of residential streets in the city however this would create difficulties as such a restriction would prevent, for example, ice cream vans from carrying out their business.

## **Licence Streets**

If a street is designated as a “**licence street**” then application can be made by persons over 17 for a licence to trade in the articles described in the application on certain days on that street. For so long as the designation of licence street remains in place for that particular street or part of street the Council is duty bound to grant or renew a properly made application unless one or more of the statutory grounds for refusal applies (e.g. among other grounds, that there is not enough room or that there are already enough traders in that street). Street trading in a licence street without a licence is a criminal offence.

## **Consent Streets**

If a street is designated as a “**consent street**” then street trading without a consent is a criminal offence. The council is of course always bound to act reasonably and consistent with its general obligations (e.g. those under the Human Rights Act), but subject to that the Council enjoys a very wide discretion with regard to the granting or refusal of street trading consents and does not have to rely upon specific statutory grounds in order to refuse an application for grant or renewal of a consent. As such this designation enables a very flexible approach to the control of street trading. That said, there are limitations upon this class of designation, for example in terms of encouraging medium to long

term street trading, in that for a trader a consent may well be considered to be less desirable than a licence

Schedule 4 to the Act was first adopted by Bristol in 1984 when the council designated a number of streets, primarily in the central area, as 'consent' streets. Further changes took place in the 1990's with the introduction of some 'licence' streets. In 2000 a number of 'licence streets' in Broadmead, were re-designated as 'prohibited streets', this was prompted by the council's wish to secure much needed improvement to the Broadmead shopping area in light of the opening of the Mall at Cribbs Causeway . The re-designation was part of a strategy for improving the area and steps were taken to protect affected traders by giving them the opportunity to continue trading under the Council's markets operation, until purpose built retail kiosks were constructed. In March 2009 there were further changes to the designations which resulted in the majority of streets in Bristol being designated as 'consent streets.'

## **Broadmead Area**

All Saints Street/ The Arcade / Barrs Court / Bridewell Street / Broadmead East/ Broadmead West / Broad Weir / Callowhill Court / Cannon Street/ Fairfax Court (**no longer exists**) / Fairfax Street / Hanover Court / Haymarket / Haymarket Walk / The Horsefair / Merchant Street North / Merchant Street South / Nelson Street (part of) from its junction with Bridewell Street to Broadmead / Newgate / Old King Street Court / Penn Street / Pithay Court / Philadelphia Court (**no longer exists**)/ Quakers Friars / Sarah Ridley Close (**no longer exists**) / Silver Street / Union Street / Whippington Court / Wine Street from Broad Street to its junction with The Pithay

## **Central Area**

Assembly Room Lane / Bell Lane / Brandon Steep / Bridge Street / Broad Street / Charlotte Street / Charlotte Street South / Christmas Steps / Christmas Street / Clare Street / College Street / College Square / Colston Avenue / Colston Street / Corn Street / Crow Lane / Culver Street / Denmark Street / Fars Lane / Gaunts Lane / Great George Street

High Street to its junction at Bristol Bridge

Hobbs Lane / Host Street / John Street / King Street / Leonards Lane / Lewins Mead / Little King Street / Lodge Street / Lower College Street / Lower Lamb Street / Lower Park Row / Middle Avenue / Narrow Lewins Mead

Nelson Street (part of) to its junction with Bridewell Street and All Saints Lane

Newmarket Avenue / Orchard Avenue / Orchard Lane / Park Row / Park Street / Partition Street / Perry Road / Pipe Lane / Polver Lane (**no longer exists**)

Prince Street from its junction with The Grove

Quay Street / Queen Charlotte Street / Queen Square / Queen Square Avenue / Royal Oak Avenue / Rupert Street / St Georges Road / St Michaels Hill / St Nicholas Street / St Stephens Avenue / St Stephens Street / Small Street / Trinity Street / Unity Street / Upper Wells Street / Welsh Back

## **Clifton Area**

Berkeley Square, Berkeley Square Avenue / Triangle South / Triangle West / University Road

## **Eastville Area**

The pedestrianised walkway between Stapleton Road and the Ikea premises, together with all grass verges adjacent thereto

## **St Pauls**

Argyle Road / Brighton Street / Burnell Drive / Campbell Street / Davey Street / Denbigh Street / Franklyn Street / Grosvenor Road / Halston Drive / Ludlow Close / Morgan Street / Princes Street / St Nicholas Road / Thomas Street / William Street / Winkworth Place

## **Broadmead Area**

All Saints Street/ The Arcade / Barrs Court / Bridewell Street / Broadmead East/  
Broadmead West / Broad Weir / Callowhill Court / Cannon Street/ Fairfax Street / Hanover  
Court / Haymarket / Haymarket Walk / The Horsefair / Merchant Street North / Merchant  
Street South /Nelson Street (part of) from its junction with Bridewell Street to Broadmead /  
Newgate / Old King Street Court / Penn Street / Pithay Court / Quakers Friars / Silver Street  
/Union Street / Whippington Court /Wine Street from Broad Street to its junction with The  
Pithay

## Appendix D



### Bristol City Council Equality Impact Assessment Form

(Please refer to the Equality Impact Assessment guidance when completing this form)

Name of proposal	To change the designation of a number of streets in the central area from 'prohibited' for the purposes of streets trading to a designation where street trading consents can be granted
Directorate and Service Area	Neighbourhoods and Communities, Regulatory Services
Name of Lead Officer	Di Robinson, Service Director – Neighbourhoods and Communities

#### Step 1: What is the proposal?

Please explain your proposal in Plain English, avoiding acronyms and jargon. This section should explain how the proposal will impact service users, staff and/or the wider community.

1.1 What is the proposal?

## 1. What is the purpose of the proposal?

Please summarise what is planned.

A number of streets in the central area have been historically designated as prohibited for street trading purposes. In light of recent initiatives such as 'Make Sunday Special' this restriction has prevented street trading taking place as part of these events. This has led to a decision to review the status of prohibited streets with a view to, in principle, changing the designation to allow street trading to take place.

Officers have sought the views of Destination Bristol in respect of the prohibited streets in the Broadmead area of the city. Destination Bristol responded that prohibited streets in this area should be retained. Therefore no changes are proposed in respect of street trading designations for those streets currently listed under the Broadmead Area. These prohibited streets were previously licensed however as a result of the need to regenerate Broadmead in light of the competition from out of town retail centres a decision was taken in the 1990's to make the streets prohibited and replace the trading offer with purpose built kiosks, which have now been constructed.

Officers have prepared a list of proposed changes to the existing designations which will be presented to the Public Safety and Protection committee to recommend that the committee publish a Notice of intention to vary the existing designations and to pass a draft street trading resolution in line with the required statutory process.

It is proposed that the majority of existing "prohibited streets" be re-designated as streets where trading can take place through the issuing of street trading consents, with the exception of streets identified within the Broadmead area of the city. The current list of prohibited streets identifies streets in different areas of the city namely Broadmead, the City Centre, Clifton, Eastville and St Pauls. Some of these streets no longer exist as a result of redevelopments such as Cabot Circus. In the Central Area there are a number of prohibited streets adjacent to St Nicholas Market. Bristol enjoys extensive market rights under the Markets Charter. These proposals would not have an impact on the Charter which would continue under the control of the Council's Executive. However, in order to provide opportunities for street trading the proposal is for streets currently designated as prohibited streets

in this area to be re-designated as consent streets.

Streets in St Pauls were designated as prohibited streets to protect the St Pauls Carnival, which also operates under the Market Charter, however the proposal is for these streets to be re-designated as consent streets. Officers believe that whilst the original intention in making these streets prohibited was to facilitate enforcement during the Carnival it is now felt that other measures can be used to achieve the same aim, such as a condition preventing trading during the Carnival. Therefore by re-designating streets in this area as consent streets opportunities for street trading can be permitted outside of Carnival time.

There are also streets in Clifton and Eastville which are currently designated as prohibited streets and the proposal is for these streets to be re-designated as consent streets.

No change is proposed to those small number of streets which are currently designated as “licence streets” for street trading. The re-designation of existing ‘prohibited streets’ as ‘consent streets’ could create opportunities for the establishment of new sites for street trading in the city and help to support initiatives such as ‘Make Sunday Special’. Appendix B outlines the proposed revised street trading designations in respect of prohibited streets.

## **Step 2: What information do we have?**

Decisions must be evidence-based, and involve people with protected characteristics that could be affected. Please use this section to demonstrate understanding of who could be affected by the proposal.

### **2.1 What data or evidence is there which tells us who is, or could be affected?**



The impact of having a Street Trading policy and Street trading designations in place is positive as it identifies to applicants, customers and traders what is expected by the council both in terms of the quality of the retail offer and the standards of the trading facility.

## **General**

The proposed changes to these designations will provide more opportunity for street trading to take place in the central areas. There is no impact on any existing traders as no street trading activity is permitted to take place on the streets as they are currently prohibited. Our street trading policy relates to street trading across the city and when considering the impact of the proposed policy changes on the public we need to rely on data covering the whole of the city whilst bearing in mind that spatially the demography of Bristol varies.

Based on the demographics of the City of Bristol:

- 77.9% are White British compared to 80.5% the national average
- 16.7% have a Limiting Long-term Illness or Disability which is lower than the national average of 17.9%
- 50% are women which is in line with the national average,
- 15.6% are aged between 16-24, 31.7% aged between 25-44, 4.7% aged between 60-64, 6.5% aged between 65-74 and 6.6% are 75 and over.

## **Licence holders**

There are approximately 45 licensed street traders in the city, each permission permits a range of products to be provided at different sites across different timescales. There is no data available specifically in respect of the demography of licence holders in Bristol. Measures have now been introduced in order for this information to be collected through the completion of equality monitoring forms as part of the application process. The largely anecdotal information and observation from officers indicates that holders of street trading consent for premises such as hot food vans are mainly from the BME community. The service receives very few complaints from consumers however during the last year there have been two occasions where potential traders have complained that they were unable to trade due to prohibitions in place. Redesignation of some streets should help to address these complaints as there will be more

locations available from which to trade.

The focus of enforcement activity in this area is with regard to when trading takes place without permission. This is a particular problem in the Broadmead shopping area where we are aware from the Broadmead Manager that there is a problem with unlicensed traders.

2.2 Who is missing? Are there any gaps in the data?

We do not currently have any equalities data on the profile of the existing traders or complainants. Measures have been implemented in order for equality information to be collected for licence holders.

2.3 How have we involved, or will we involve, communities and groups that could be affected?

When changing designations a statutory process needs to be followed that requires a notice to be placed in a local newspaper and for the police to be served with a copy of the notice. In addition a briefing note will be made available at Neighbourhood Partnership meetings.

### **Step 3: Who might the proposal impact?**

Analysis of impacts on people with protected characteristics must be rigorous. Please demonstrate your analysis of any impacts in this section, referring to all of the equalities groups as defined in the Equality Act 2010.

3.1 Does the proposal have any potentially adverse impacts on people with protected characteristics?

Age

No negative impact anticipated.

Disability

No negative impact anticipated. If a street is re-designated as a street where trading can take place applicants will be required to apply for consent. When the application is determined a number of factors are considered including public safety and access. Permission would not be granted where street trading would limit street width or reduce access for disabled people.

#### Ethnicity

Anecdotally a significant proportion of street trading consents are held by members of the BME community. Redesignation of streets should open up more opportunities for people to become involved in street trading. No negative impact anticipated.

#### Gender

No negative impact anticipated. Anecdotally a significant proportion of street trading consents are held by males. Information regarding the changes will be posted on BCC's website so that women are made aware of the changes and can take advantage of the new designations?

#### Pregnancy & maternity

No negative impact anticipated. If a street is re-designated as a consent street applicants will be required to apply for consent. When the application is determined a number of factors are considered including public safety and access to a site as specified in the existing Street trading policy. Permission would not be granted where street trading would limit street width or reduce access for people with pushchairs.

#### Religion and belief

No negative impact anticipated. When considering applications licensing officers will be mindful of both the positive and potential negative impacts of allowing street trading to take place outside places of worship?.

#### Sexual orientation

No negative impact anticipated.

#### Transgender

No negative impact anticipated.

#### Any other relevant specific groups

No negative impact anticipated.

The BCC website will provide details of where trading can take place and will sign post to our street trading policy. Other potential negative impacts of new street trading activity such as noise and litter will be mitigated by the imposition of relevant conditions on any permissions granted.

3.2 Can these impacts be mitigated or justified? If so, how?

3.3 Does the proposal create any benefits for people with protected characteristics?

The proposal will create opportunities for more people to become involved in street trading across the city. Street trading can enhance the vibrancy and streetscene across the city and may encourage people to visit different areas of the city.

3.4 Can they be maximised? If so, how?

Clear information to the public and potential street traders about the changes in designations so that people trade lawfully will be provided both on the BCC website and from the Licensing Office.

#### **Step 4: So what?**

The Equality Impact Assessment must be able to influence the proposal and decision. This section asks how your understanding of impacts on people with protected characteristics has influenced your proposal, and how the findings of your Equality Impact Assessment can be measured going forward.

4.1 How has the equality impact assessment informed or changed the proposal?

4.2 What actions have been identified going forward?

4.3 How will the impact of your proposal and actions be measured moving forward?

The EQIA will be updated following the consultation in respect of redesignating streets if approved.

The next stages is for the a report to be presented to committee recommending the committee to resolve to publish a notice in respect of redesignating some prohibited street as consent streets.

Following the completion of the statutory notice period any comments will be presented back to the Public and Safety Protection Committee for their consideration. If the committee are happy to proceed with the proposal then a

further notice confirming the changes will be published.

Service Director Sign-Off: Di Robinson	Equalities Officer Sign Off: Anneke van Eijkern
Date: 9 <sup>th</sup> July 2014	Date: 20 <sup>th</sup> June 2014