

LONDON BOROUGH OF BRENT

EXECUTIVE

16th AUGUST 2004

FROM THE DIRECTOR OF ENVIRONMENT

FOR INFORMATION / ACTION

Tokyngton

FP REF: ES-04/05-243

REPORT TITLE : Wembley Market – Street Trading Special Fees

1.0 SUMMARY

- 1.1 As a result of the major building and refurbishment works for the new stadium and arena a temporary relocation of the Sunday market that currently operates in the Wembley Car Park to Olympic Way will be required. Because current licensing fees are based on single scattered sites this report sets out the case for a special fee to be introduced that lasts for the duration of the temporarily relocated market and more realistically reflects the costs involved.

2.0 RECOMMENDATION

- 2.1 Members are recommended to agree that a special fee of £6 per stall per trading day be introduced for traders occupying a pitch on the temporary Sunday market in Olympic Way.

3.0 FINANCIAL IMPLICATIONS

- 3.1 Brent Council is required to make a charge to recover the cost of issuing, enforcing and administering street trading licences on licensed streets in the Borough. We are not however allowed to make a profit from these activities and we are only permitted to charge the cost of providing the service.
- 3.2 The full implications arising from this are detailed in the main body of the report.

4.0 STAFFING IMPLICATIONS

- 4.1 All staffing including issuing licences, fee collection, site visits and enforcement will be undertaken by existing staff.

5.0 ENVIRONMENTAL IMPLICATIONS

- 5.1 There are no specific environmental implications affecting this report. There will be environmental issues to consider but planning consent is required for Olympic Way and they will be addressed by the Planning Service.

6.0 LEGAL IMPLICATIONS

- 6.1 Street trading and the requirement for traders to be licensed is controlled by the London Local Authorities Acts 1990 onwards.
- 6.2 The Act prohibits the selling, offering for sale or displaying for sale of any article on the street unless under the authorisation of a licence or temporary licence. The definition of a street includes any road or footway and does not distinguish between private and public roads.
- 6.3 The Act also permits local authorities to set a fee or variable fees to cover the cost of issuing licences, enforcement of illegal trading and some ancillary activities such as additional street cleansing. The local authority may not however recover more than the reasonable administrative or other costs associated with the street trading.
- 6.4 As required by the London Local Authorities Act 1990, a notice of the proposed changes as determined by the Executive will be published in a newspaper circulating in the area.

7.0 DIVERSITY IMPLICATIONS

- 7.1 Proposals in this report were subject to screening and officers believe there are no diversity implications.

8.0 DETAIL

- 8.1 Wembley Sunday Market is one of the largest and most popular markets in England.
- 8.2 It has been held on the car park to Wembley Stadium for many years and attracts thousands of people to Wembley each week.
- 8.3 Because of the construction of the new National Stadium and the general development of the surrounding area the market will not be able to operate from its current car park site for approximately 12 months.
- 8.4 The building of a multi-storey car park to service the stadium and Wembley complex will be built on part of the present market site.
- 8.5 In addition to construction work there are plans to site a temporary pavilion on the car park to allow events to be held while refurbishments are carried out at the Arena, and this is seen as vital to the area and the music industry in general by providing a continued major venue for entertainments.
- 8.6 Both Wembley (London) Ltd and the market operators (Wendy Fair) are keen to ensure the market survives and flourishes throughout the period of change.
- 8.7 To enable the market to survive and maintain its popularity it will have to be re-located from the car park to a nearby and suitable site, of which Olympic way is the only one.

- 8.8 The market has operated from Olympic Way on an occasional basis in the past when the market site has been used for stabling in connection with the Horse of the Year Show.
- 8.9 Temporary Street trading licences covering one or two weekends have been issued to cover the times the market has been moved to Olympic Way in the past.
- 8.10 The proposed temporary re-location of the market from the Wembley car park will require individual traders to be licensed for street trading. In their normal location they do not require a licence issued by the local authority so the question of fees does not arise.
- 8.11 The London Local Authorities Acts provides for the Council to make a charge for issuing licences to street traders but we can only recover the cost of providing the service and not make a profit.
- 8.12 The current fees for street trading are based on the cost of issuing, administrating and enforcing the legislation at scattered sites throughout the borough and for taking enforcement action against illegal traders across the whole of Brent.
- 8.13 Because the large number of traders for Wembley Sunday Market will be concentrated in one area the cost of providing a licensing service to the market will be less than if the same number of traders were spread across the Borough. To reflect this, it is proposed that a special fee be set for street trading on Olympic Way.
- 8.14 The current fee is based on the area occupied by each trader and would be £20 per day for a stall that is 2x4 metres in size. For 200 stalls this would amount to £208,000 for the 12 month period.
- 8.15 The estimated cost of providing the service including enforcement and administration and additional cleansing that may be required will be £62,400 which relates to a fee of £6 per stall per trading day for 12 months.
- 8.16 The fees are based on an estimated 200 stalls. However if the number of stalls falls below this, although the income will be lower the cost of providing the service will also be comparatively lower.

9.0 BACKGROUND INFORMATION

Details of Documents:

- | 9.1 | <u>Document</u> | <u>File</u> |
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| | London Local Authorities Acts | Legal File |
- 9.2 Any person wishing to inspect the above papers should contact Alan Howarth, Health Safety & Licensing, Brent House, 349 High Road, Wembley, Middlesex HA9 6BZ,
Telephone: 0181 937 5369

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