

BRIGHTON & HOVE CITY COUNCIL
For General Release

Meeting: Licensing Committee
(Non Licensing Act 2003 Functions)

Date: 4th October 2007

Report of: Director of Environment

Subject: Report on the extended trading hours for
Upper Gardner Street Market

Wards affected: St Peter's & North Laine

1 Purpose of the report and policy context

1.1 On the 8th February 2007 the Licensing committee were asked to consider a request from the stall holders at Upper Gardner St Market that the trading hours of the market be changed. At that meeting it was resolved :-

- That street trading consent shall be granted or renewed with conditions limiting trading periods for trading to be Saturdays between 0700 and 1700 hours dependent upon amending any relevant traffic orders.
- That the Director of Environment reviews the current street trading consent fee for Upper Gardner Street and sets it at a level that can reasonably be expected to recover costs, including street cleaning after the market closes each week.
- That a further report be submitted to the Committee after six months, on the effects of the extended hours on the market.
- That officers approach the Brighton & Hove Business Forum to see if they would be interested in taking over the management of the market. An approach might also be made to Common Cause, the cooperative that ran the George Street Farmers Market.

2 Recommendations

- 2.1** That street trading consent for Upper Gardner Street with conditions limiting trading periods for trading on Saturdays between 0700 and 1700 hours be continued.
- 2.2** That the consent fee is set at a level that officers reasonably believe cover costs of the service and may rise incrementally each year to cover inflation but in this case as it also covers refuse collection, as stall holders are not required to store and remove waste, it is subject to any changes in Council refuse collection charges.
- 2.3** That the market remain as at present being managed by the UGS market traders' association with the Council's function as regulatory authority, issuing street trading consents and enforcing conditions and provisions.
- 2.4** That the current informal parking arrangement continues and the Council continues to monitor the situation.

3 Information/Background

- 3.1** There have been no complaints received from traders, local Businesses or local residents in relation to the extended opening hours of the market. Enforcement officers have visited the market on several occasions and these hours have not caused any problems and traders have complied with the new hours.
- 3.2** The Traffic Regulation Team within the Highway Operations section have received one complaint in relation to the use of residents parking bays on Saturday.
- 3.3** Currently the resident permit bays on the east side of Upper Gardner Street are enforceable from 4pm to 8pm every Saturday which was a recent change as part of the Central Brighton parking review. The bays are not enforceable outside of these hours (4pm-8pm) on a Saturday and this informal arrangement seems to work well. The market traders use the bays during the day and the majority of residents park their vehicles elsewhere and this has become easier for residents since the

recent parking changes as part of the Central Brighton Review. Vehicles can park in front of the market pitches or park in the resident permit bays within the unenforceable hours, however, if they are causing an obstruction to the oncoming traffic this can be dealt with by the Police.

- 3.4** If the Council decides to change the traffic order and enforce the resident permit bays between 9am -8pm every Saturday this would mean that residents would have priority to park within the resident bays during these hours. This could lead to difficulties to the market traders and it could also lead to more vehicles using the one way street during the market trading hours causing disruptions and obstructions. This could also lead to road closures and bay suspensions to allow market traders to use the pitches. There is the option of moving the market traders to the southern end of the road and close this section of the road off. However, this would mean that the northern section would need a two way traffic order and it would also mean vehicles turning around on a narrow road which would be a safety issue.
- 3.5** The officer recommendation, therefore, is to continue with the informal arrangement that overall seems to be working well and continue to monitor the situation.
- 3.6** The consent fee level has been assessed and having regard to the small number of pitches currently let it is not felt that an increase would be beneficial. There has been no increase in costs notified by City Clean therefore there is no compelling reason to raise the consent fees at this time.
- 3.7** Officers have approached the Brighton & Hove Business Forum to see if they would be interested in taking over the management of the market who in turn have approached Common Cause, the cooperative that ran the George Street Farmers Market and there is no current proposal or expression of interest by either group in taking over the management of the market.
- 3.8** The North Laine Community Association at their meeting on 10th September were of the opinion that they supported the market and wished the council to do the same. In particular they reported that some residents felt upset at the notes circulated to them by one resident in relation to parking during the market's operating hours and do not feel that this resident represents the general opinion of residents as a whole living in the North Laine area. They would support the placing of parking signs that clearly explain the situation but would not support enforcing resident only parking earlier than 16.00hrs.
- 3.9** The UGS market traders' association report that all traders are happy with the longer trading hours on Saturdays

4 Consultation

- 4.1** Ward Councillors, UGS market traders' association, City clean, North Laine Community Association, Parking and Highways have been consulted.

5 Background Papers

- 5.1 None

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