

<b>Decision maker:</b>	<b>Cabinet member: economy and corporate services</b>
<b>Decision date:</b>	<b>10 October 2016</b>
<b>Title of report:</b>	<b>High Town Post Refurbishment Trading Review.</b>
<b>Report by:</b>	<b>Head of technical and parking services</b>

## **Classification**

Open

## **Key decision**

This is not a key decision

## **Wards affected**

Central Ward, Hereford

## **Purpose**

To approve a new layout in high town and commercial street for activities relating to markets, fairs and street trading

THAT:

- (a) **the indicative layout plan in the appendices be approved.**

## **Alternative options**

- 1 To maintain the status quo with regard to placement of stalls and bookings relating to markets, fairs and street trading; this is not recommended because it would not deliver improvements to the look of the space following refurbishment of the city centre

## **Reasons for recommendations**

- 2 To ensure the future provision of activities relating to markets, fairs and street trading is safeguarded and fit for purpose following the planned refurbishment of the city centre.

## Key considerations

- 3 The current multi-use of high town sees this civic space used for a variety of purposes that the council manages. In summary, these are:
  - Street trading: Three full time trading units (with tables and chairs), one seasonal six month kiosk. These provide income circa £50k per annum
  - Markets: Regular weekly retail markets held on selected days, plus speciality markets e.g. produce, craft, garden, antiques etc. These provide income circa £100k per annum
  - 'Hire of space' bookings: The council deals with over 100 bookings a year from a range of commercial, not for profit and charitable organisations. These range from small 'table' or gazebo sized areas too much larger events, high town provides a vital platform to ensure the civic space is utilised by a wide range of stakeholders. This also includes children's rides/attractions during school holiday periods. These provide income circa £35k per annum
- 4 Subject to funding, high town and Commercial Street are due to be refurbished during 2017-18 and 2018-19 respectively. This will include new paving, lighting and street furniture. It is therefore timely to determine what activities and trading take place in these areas, to ensure continued and future vibrancy occurs.
- 5 Following discussions with the Hereford business improvement district (HBID), ward member, city council and the market traders it is felt that it would be appropriate to relocate the retail market further into High Town than is currently the case. This would improve lines of sight for the shops, ensure neater lines of gazebo stalls and also move stalls away from close proximity to the bull plinth and Old House. Ground anchor fixings for stalls would also improve visual amenity by removing the need for leg weights.
- 6 To achieve this market relocation, it would be necessary to remove one of the three street trading pitches from high town and relocate it to Commercial Street, approximately in line with starbucks on a wide expanse of space there. Two street trading pitches would remain in high town on a semi-permanent basis, as well as a central 'hire of space' area for third party daily bookings.
- 7 Existing street traders would be offered the chance to apply for the new street trading pitches, with the council setting out new parameters that would need to be met to improve visual amenity, reduce street scene 'clutter' behind trading units and provide a fresh new look for the area.
- 8 Children's attractions to normally be limited to 'single day bookings' only, unless special circumstances arise or are linked in to a specific event e.g. organised events by or supported by HBID or the city council.
- 9 Hereford May fair would not be affected by this proposal as street/market trading activity, as well as 'hire of space' bookings are suspended during this time.

## Community impact

- 10 A fresh new look for the city centre should help ensure vibrancy and vitality for those visiting and working in it.

## Equality duty

- 11 This proposal will support the council in demonstrating its commitments to the Equality duty.
- 12 Consultation regarding the proposed new layout has been held with Herefordshire Disability United and also Herefordshire Vision Links.
- 13 The new layout should improve access for disabled users of the area by:
  - Continuing to keep the tactile path for the visually impaired between WH Smiths and Lloyds Bank unobstructed (this issue was highlighted by Herefordshire Vision Links and Royal National College for the Blind as being important during a previous consultation held with them by the Council regarding the High Town refurbishment)
  - Ensuring consistency with placement of market stalls by introducing a ground anchor system for gazebos, which will be located in neat lines with appropriate gaps for access.
  - Continuing to communicate with the above 2 groups once detailed proposals have been received for the design/style of trading units/seating areas for pitches A, B and C.

## Financial implications

- 14 It is envisaged that existing income budgets would be met or exceeded with the proposed new layout being implemented assuming the existing Street traders are successful in their applications.
- 15 It is possible that a street trader would not be successful in their application, resulting in them been unable to continue trading post the refurbishment. Efforts would be made to secure a new trader in this eventuality.

## Legal implications

- 16 The power to hold markets in Hereford was consolidated in 2003 following the enactment of Herefords Markets Act 2003. Section 3 and 4 provide for the operation, regulation and relocation of markets within the district of Herefordshire. The power to relocate a market is subject to a requirement to consult with market traders and other interested that appear to the Council to affect by the proposed relocation.
- 17 Further consents, permissions and licences relating to the street trading pitches will be required to facilitate this revised layout including Planning Permission under Section 70 of the Town and Country Planning Act 1990 in respect of the change of use of the land or siting of structures or operational development on the land as appropriate, street trading consents under Section 7 of the Local Government (Miscellaneous Provisions) Act 1982 and licences under Section 115 Part VIIA of the Highways Act 1980.

## Risk management

- 18 Should the proposed new layout not be implemented, then there could be a perception that whilst the area may have been refurbished, nothing else will have

changed in terms of the type and location of the activities that support the vibrancy of the city centre.

## **Consultees**

- Market Traders – face to face and by letter. Tacit support
- Hereford City Council who are supportive of this proposal – face to face meetings and by letter.
- Hereford Business Improvement District (HBID) who are supportive of this proposal – face to face meetings and by letter.
- Ward Member – face to face meetings and by letter. Tacit support.
- Hereford Civic Society – by email informing of intentions. Tacit support.
- Herefordshire Disability United – by email informing of intentions. Tacit support.
- Herefordshire Vision Links – by email informing of intentions. Tacit support.
- Emergency services – by email. Tacit support

## **Appendices**

Appendix A - Proposed new layout plan

## **Background papers**

None