



## Report to Policy Committee

### Author/Lead Officer of Report:

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**Report of:** Ajman Ali, Executive Director Operational Services

**Report to:** Waste & Street Scene Committee

**Date of Decision:** 21<sup>st</sup> December 2022

**Subject:** The Council's new Street Food Market licensing initiative

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, what EIA reference number has it been given? <i>(Insert reference number)</i>				
Has appropriate consultation taken place?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Has a Climate Impact Assessment (CIA) been undertaken?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the report contain confidential or exempt information?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-				
<p><i>"The <b>(report/appendix)</b> is not for publication because it contains exempt information under Paragraph <b>(insert relevant paragraph number)</b> of Schedule 12A of the Local Government Act 1972 (as amended)."</i></p>				

**Purpose of Report:**

This report sets out a proposal to create a Street Food Market Licensing initiative.

**Recommendations:**

The Waste & Street Scene Committee is recommended to:

- Approve the proposal for a new Street Food Market Licence initiative.
- Approve the Street Food Market licensing documents appended to the report (regulations, qualitative criteria, sites/locations, fees, and licence and conditions).
- Approve promotion of the Street Food Market Licence initiative with immediate effect.

**Background Papers:**

*(Insert details of any background papers used in the compilation of the report.)*

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: James Lyon, Finance Business Partner
	Legal: Louise Bate, Legal Services
	Equalities & Consultation: None at this stage, will begin if agreed to publish notice of Council's intention. Climate: None at this stage, will begin if agreed to publish notice of Council's intention.
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	<b>SLB member who approved submission:</b> Ajman Ali, Executive Director Operational Services
3	<b>Committee Chair consulted:</b> Cllr Joe Otten, Cllr Mike Chaplin and Cllr Alexi Dimond
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Committee by the SLB member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.
	<b>Lead Officer Name:</b> Steve Lonnia
	<b>Job Title:</b> Lead Officer for the Night-Time Economy, Counter Terrorism, Sports Grounds and Projects
<b>Date: 13-12-222</b>	

## 1. PROPOSAL

### 1.0 BACKGROUND

1.1.1 The purpose of this report is to propose a new Street Food Market Licensing initiative.

### 1.2 INTRODUCTION

1.2.1 The purpose of this project is to improve the on-street food trading offer across the city centre, providing more opportunities for local street food businesses (especially new start-ups) and the creation of individual sites and mini street food markets.

1.2.2 We aim to work in partnership with existing local businesses who have all shown that by bringing together the top brands from around the UK nationally and regionally is a recipe for success and provides an on-street offer that there is a huge hunger for.

1.2.3 Sheffield Markets core values state that we want to create a sustainable portfolio of markets which will offer a vibrant and positive experience for everyone, and feature ambitious traders and small businesses selling both traditional and alternative products.

1.2.4 This proposal will move us away from the traditional offer of burger and chip vans to a modern, alternative street food option, where street food from across the world is on offer and available to everyone.

1.2.5 The **Street Food Movement** over recent years has become a well-established global phenomenon and in the UK is an exciting development in the culinary offer of towns and cities, with gifted food entrepreneurs choosing to bring their menus to the streets rather than through the more traditional route of a restaurant kitchen. Many cities including Leeds, York, Manchester and Birmingham have bought into the ethos of quality street food, and this is one of our aspirations to ensure Sheffield remains as one of the UK's foremost cities.

1.2.6 The challenge for us, therefore, is to find a way to sustainably operate a high-quality street food regime in the central retail core, which can add to the vitality and viability of the street scene, draw visitors between the sites and crucially, increase their dwell time and spend time in the city.

1.2.7 Such an offer will also play a vital role in closing the gap between the daytime and night-time economies, offering those who work in the city centre an attractive culinary offer and attracting families into the city for the early evening. We can mix this with other on-street activities such as Theatre, Music, and other cultural activities.

1.2.8 We want to create and define a platform for Street Food Market traders to thrive in Sheffield City Centre by: -

- Creating a consistent business opportunity for traders
- Attracting a consistent customer base potentially over 3,000 people per month
- Ensuring our fees are fair and proportionate
- Providing a 50/50 approach with 50% experienced traders with 50% new emerging talent
- Creating the potential to provide a single drinks outlet (alcohol and softs)
- Creating the potential to provide low level entertainment
- Removing existing barriers to entry into Street food
- Identifying and nurturing new Food Traders for our Market(s)
- Assisting in the High Street regeneration
- Investment in the future of the City Centre
- Developing the Night-Time Economy
- Showcasing Sheffield's potential

### **1.3 THE PROPOSAL**

- 1.3.1 We propose to offer under the existing Markets designation within the City Centre the ability for businesses / individuals to apply for street food market licences.
- 1.3.2 This will include providing the opportunity / availability for individual business and / or groups of businesses to apply for either single or multi occupancy sites. These will be available on a daily, weekly, monthly, annually or multiple year basis.
- 1.3.3 To support business with their business / financial planning and provide a level of security to enable businesses to invest in upgrades etc. and a little certainty to the businesses in relation to term of the licence for their trade. We will accept and grant where agreed applications for licences for a 5 or 10-year period. Under which the applicant will pay an annual fee to the Council and be subject to the new regulations attached to this report.
- 1.3.4 To support the existing street trading consent holders who we are asking to move under the proposed new scheme, the proposed increases to their fee(s) will be brought in gradually over a three-year period. The council is fully aware and understanding of the difficult challenges all businesses are facing in the current financial climate.
- 1.3.5 Existing traders will also be given three years to comply with the new qualitative criteria and / or purchase a new vehicle if required in recognition of the current financial climate.

### **1.4 LEGISLATION**

- 1.4.1 Sheffield City Council purchased Market Rights in 1899 from the Duke of Norfolk, and since that time the markets have remained the property of the Council. Anyone wishing to hold a car boot, fair, craft or other market must apply to the Council for a licence.
- 1.4.2 The city centre is already a designated market area, and we host many market events, on the Moor where there is regular market presence and on Fargate which is

used more for occasional markets. This process is administered and enforced by the Council's Markets Service.

## **2. HOW DOES THIS CONTRIBUTE?**

- 2.1 The proposal has the potential to bring a whole new experience to the streets of Sheffield City Centre, and an opportunity to work collaboratively with new and existing street food providers. Potentially provide new job / business opportunities and to help businesses take the first step on the ladder towards setting up in and opening a new premises within the city.
- 2.2 The proposal will help support the City Centre Vision by providing opportunities for small and/or new business start-ups to provide a new place to eat, drink, socialise, explore, and relax whilst enjoying the great outdoors and a new culinary experience.
- 2.3 The vision is to create an offer of a new street food initiative that will provide something for everyone, and throughout the daytime, early evening and late-night economies. A diverse offer of food tastes that will match up with the diverse population we have in our great city.
- 2.4 We will help provide a street food experience that is clean, green, safe and vibrant for those that live, work, learn in or are just visiting Sheffield. Our aim is to make Sheffield the place to be, and to increase our reputation as an outdoor city.
- 2.5 The proposal is a small part of a wider project to enhance a night-time economy which is safe, vibrant, welcoming; and works for and welcomes everyone. To enable us to celebrate what we currently have, but to also ensure that we keep looking forward, improving, and aiming to be the best.

## **3. HAS THERE BEEN ANY CONSULTATION**

- 3.1 As part of a pre consultation process for the proposals in relation to the street food market license initiative, we have held face to face discussions with a number of leading street food providers in the city.
  - 3.1.1 We also consulted with existing street trading consent holders prior to the report of the 23<sup>rd</sup> November 2022 and have again met with them in recent weeks. The comments submitted by those individuals have been taken on board and included in these proposals.
  - 3.1.2 Key points raised by consent holders included current financial climate, financial difficulties traders are facing, being provided with more business security and stability in terms of length of licence, agree acceptable time limits to comply with any new standards – specifically around electric vehicles / emissions etc.
  - 3.1.3 A formal consultation was commenced with existing traders and potential new traders on the 11<sup>th</sup> November 2022, and the four documents attached at Appendix A to D were circulated for feedback, and comments etc. The consultation will close on 6 January 2023.

3.1.4 We have also undertaken a consultation process with the health protection service, South Yorkshire Police and Fire & Rescue services to obtain their feedback on specific service-related issues. No specific concerns were raised.

## **3.2 THE DOCUMENTS**

3.2.1 The Street Food Market Licence Regulations – this document is attached at Appendix A and sets out the detailed regulations relating to payments, insurance, operation, health & safety, code of practice and complaints etc.

3.2.2 The Street Food Market Licence – this document is attached at Appendix B and sets out the actual licence agreement, and the clauses and conditions of the licence.

3.2.3 The Street Food Market Licence sites and application fees – this document is attached at Appendix C and sets out the proposed sites and fees for the new street food market licensing initiative.

3.2.4 The Street Food Market Licence Qualitative Criteria – this document is attached at Appendix D and sets out the standards and general design principles traders will have to comply with.

## **4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION**

### **4.1 IMPLICATIONS FOR THE MARKETS SERVICE**

4.1.1 There are no negative implications for the Markets Service, however members should note the comments in the Financial Implications section.

### **4.2 FINANCIAL & COMMERCIAL IMPLICATIONS**

4.2.1 There are direct revenue implications as a result of this proposal for the Markets Service.

4.2.3 The first part of the proposal is to change from a Street Trading regime to a Street Food Market Licence initiative, as part of this, five traders would transfer from the old system to the new initiative. The existing annual income from these five traders is a total of £15,982.

4.2.4 Consent holders have generally been allowed to pay their fees in quarterly instalments (in advance). Currently that brings in £3,995.50 per quarter.

4.2.5 It is proposed to increase fees to reflect the current markets rate for sites of this nature around the country. The full list of proposed fees is attached at Appendix C. In brief that will increase the current fee of £1994 to £4144 and the current fee of £5000 to £7780.

4.2.6 It is proposed to increase the fees over a three-year period as set out below.

Bottom of Fargate	-	Ice Cream Trader	-	£5,000 per annum (existing)
Peace Gardens	-	Ice Cream Trader	-	£5,000 per annum (existing)

**Fees:** will be increased annually over 3 years to reduce the financial burden of a one-off increase.

Year 1 £5,750 (Payable Nov 22)  
Year 2 £6,500 (Payable Nov 23)  
Year 3 £7,805 (Payable Nov 24)

West Street	-	Hot Food Trader	-	£1,994 per annum (existing)
Sheaf Square	-	Hot Drinks Trader	-	£1,994 per annum (existing)
Howard Street	-	Hot Drinks Trader	-	£1,994 per annum (existing)

**Fees:** will be increased annually over 3 years to reduce the financial burden a one-off increase.

Year 1 £2,494 (Payable Nov 22)  
Year 2 £3,300 (Payable Nov 23)  
Year 3 £4,145 (Payable Nov 24)

- 4.2.7 With the new fees in place and the first annual increase agreed, if all five traders change over to the new initiative that will bring in £18,982 per year and £4,745.50 per quarter.
- 4.2.8 Therefore, we will receive £9,491 from these five consents before the end of the 2022/23 financial year.
- 4.2.9 The second part of the proposal is to create several sites which will be available for either single occupancy and/or multiple occupancy trading. The location of these new sites is set out in the attached document at Appendix C.
- 4.2.10 The same document also details the proposed new fees for such sites, the single occupancy is the same as those detailed in paragraph 12.5. The multi occupancy sites based on 2–6 traders (small event) and 7-12 traders (large event), these fees are broken down into several periods of trading (day, week, month etc.).
- 4.2.11 We have been in discussion with several core street food providers over the last six months and have had some very positive discussions. It is expected that we will receive at least one application for a small event market licence which will bring in £10,361 if an application for an annual licence is granted.
- 4.2.12 In summary we are expecting to achieve an income of approximately £15,000 before the end of the financial year. This could increase if discussions with other providers continue in a positive manner.

### **4.3. LEGAL IMPLICATIONS**

- 4.3.1 Full Council passed a resolution on 29 January 2002 that all streets within the Sheffield City boundary shall be designated consent streets. As such, a street trading consent is required to trade on any street. While the resolution remains in force, the Council is required to grant an application for a street trading licence, or the renewal of a street trading licence, unless one or more of the grounds described in Part III, Schedule IV of the Local Government (Miscellaneous Provisions) Act 1982 apply.

#### **4.4 EQUALITY IMPLICATIONS**

- 4.4.1 An equality impact assessment will be undertaken as part of the wider street trading project.

#### **4.5 CLIMATE IMPLICATIONS**

- 4.5.1 A climate impact assessment will be undertaken as part of the wider street trading project.

### **5. ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 The Council could maintain the status quo. However, in order to secure the benefits outlined in the Report this option is not recommended.

### **6. RECOMMENDATIONS**

- 6.1 Moving forward with the proposals outlined in this Report will improve the on-street food trading offer across the city centre, providing more opportunities for local street food businesses (especially start-ups) and the creation of mini street food markets.