



City of Westminster

# Committee Agenda

Title: **Licensing Committee**

Meeting Date: **Wednesday 20th March, 2019**

Time: **10.00 am**

Venue: **Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP**

Members: **Councillors:**

Angela Harvey (Chairman)	Louise Hyams
Heather Acton	Aicha Less
Rita Begum	Tim Mitchell
Susie Burbridge	Karen Scarborough
Melvyn Caplan	Shamim Talukder
Peter Freeman	Aziz Toki
Murad Gassanly	Jacqui Wilkinson
Jim Glen	

**Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda**

**Admission to the public gallery is by ticket, issued from the ground floor reception. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.**



**An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Kisi Smith-Charlemagne, Senior Committee and Governance Officer.**

**Email: [kscharlemagne@westminster.gov.uk](mailto:kscharlemagne@westminster.gov.uk) Tel: 020 7641 2783**

**Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

**Note for Members:** Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Committee and Governance Services in advance of the meeting please.

## **AGENDA**

### **PART 1 (IN PUBLIC)**

**1. MEMBERSHIP**

To report any changes to the membership

**2. DECLARATION OF INTEREST**

To receive declarations by Members and Officers of any personal or prejudicial interest in matters on this agenda.

**3. MINUTES**

To sign the minutes of the previous meeting held on Wednesday 28 November 2018

**(Pages 5 - 18)**

**4. MARKET STRATEGY UPDATE AND MARKET PITCH APPLICATION PROCESS REPORT**

Report of the Director of Public Protection and Licensing and the Director of Policy, Performance & Communications

**(Pages 19 - 80)**

**5. DEVELOPING AN EVENING AND NIGHT TIME VISION**

Report of the Director of Policy, Performance & Communications and the Director of Public Protection and Licensing.

**(Pages 81 - 86)**

**6. LICENSING POLICY DEVELOPMENT AND PROPOSED SYNERGY WITH THE CITY PLAN**

Report of the Director of Policy, Performance & Communications and the Director of Public Protection and Licensing.

**(Pages 87 - 94)**

**7. SOHO ANGELS AND NIGHT HUB UPDATE**

Report of the Director of Policy, Performance & Communications and the Director of Public Protection and Licensing.

**(Pages 95 - 116)**

**8. LICENSING APPEALS**

**(Pages 117 - 122)**

Report of the Director of Law.

**Stuart Love**  
**Chief Executive**  
**12 March 2019**

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CITY OF WESTMINSTER

## MINUTES

### Licensing Committee

#### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Licensing Committee** held on **Wednesday 28<sup>th</sup> November 2018**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

**Members Present:** Councillors Angela Harvey (Chair), Melvyn Caplan, Peter Freeman, Jim Glen, Aicha Less, Karen Scarborough, Aziz Toki, and Jacqui Wilkinson

Officers present: Sara Sutton, Director of Public Protection and Licensing, Greg Ward, Director of Economic Development, Annette Acik Head of Licensing, Heidi Titcombe Principal Solicitor, Horatio Chance, Senior Solicitor, Steve Rowe, Licensing Team Manager, Catherine Brice, Head of Westminster Markets and Jo Compton, Research Manager, Aaron Harding Policy and Scrutiny Manager, Kirsty Munro, Policy Officer, Ros Hick, Licensing Team Manager and Kisi Smith-Charlemagne, Senior Committee & Governance Officer

**Apologies for Absence:** Councillors Heather Acton, Rita Begum, Susie Burbridge, Louise Hyams, Murad Gassanly, Tim Mitchell and Shamim Talukder. Kerry Simpkin Licensing Policy & Strategy Manager and Barry Panto, Senior Solicitor

The Chair welcomed all to the second Licensing Committee meeting of the new Council.

#### **1 MEMBERSHIP**

There were no changes to the membership of the Licensing Committee.

#### **2 DECLARATIONS OF INTEREST**

- 2.1 Councillor Angela Harvey declared that she was married to Cllr David Harvey, Deputy Leader and Cabinet Member for Economic Development, Education and Community. Councillor Jacqui Wilkinson declared she was the Animal Welfare Champion. Councillor Wilkinson also added that Westminster City Council (WCC) had received an award for its Animal Licensing work and thanked the team for their good work.

#### **3 MINUTES**

- 3.1 **RESOLVED:** That the minutes of the Licensing Committee meeting held on Wednesday 4 July 2018 be signed by the Chair as a correct record of proceedings.

#### **4 MARKETS STRATEGY PUBLIC CONSULTATION RESULTS AND NEXT STEPS**

- 4.1 The Licensing Committee was given a presentation on Markets Strategy Public Consultation, by Jen Compton, Market Research Manager. The public consultation on the Street Markets Strategy ran from Monday 6th August until Monday 29th October 2018. The consultation programme covered online, print and face-to face surveys, as well as drop-ins to encourage a wide range of responses from different groups, and a broad range had been received from different audiences. Ms Compton advised that the consultation gave a basis of information for the Council to consider for the next stage of the Street Markets Strategy. She said the Council had received over 800 responses capturing issues which needed to be considered in relation to the Street Markets Strategy.
- 4.2 The survey consisted of mainly closed questions within several themes which included;
- Support with starting a market stall
  - increasing income,
  - how customers use our markets,
  - involvement with local markets,
  - goods for sale,
  - operational and regulatory issues (Traders survey only),
  - and ensuring our markets reduce their impact on the environment.
- Also, that respondents could also offer open comments on the themes at the drop-in sessions.
- 4.3 Ms Compton advised that there were 838 responses to the consultation survey, 339 via the online and paper survey, 499 on-street survey, 60 attendees at the drop-in sessions and 73 licensed traders responded to the survey, along with 35 market workers and casual traders. She said that of the non-trader responses, 210 had commented on Tachbrook Street, 173 on Church Street, 140 on Strutton Ground, 127 on Berwick Street, 108 on Maida Hill and 95 on Rupert Street. Ms Compton advised the Licensing Committee that the largest proportion of responses had come from residents (335), followed by workers (264), regular visitors to the area (126), business owners/representatives (22), five organisation /stakeholder groups and 25 other respondents.
- 4.4 Ms Compton informed the Licensing Committee that traders were asked several questions about the markets, some of which were also asked of non-traders. She explained that all fees and charges data had been excluded from those findings and could be found in the Licensing Committee Markets Fee Post Consultation Report. She said that there was strong support for the sustainability of the markets and that it was important to traders; with 84%

wanting to see reduced plastic and packaging, and 82% more recycling facilities. Ms Compton advised the Licensing Committee that 77% of the respondents would like to see more seating in the markets, the local community have more input into the markets and the markets playing a bigger role in the community (74%). She explained that there was also support for more opportunities for young people in Westminster to trade at markets (69%) and preference being given to first time traders and residents of Westminster (66%).

- 4.5 Ms Compton advised the Licensing Committee that post-consultation, the next phase would look for the approval of the changes to fees and charges and to deliver a Markets Strategy. She said that the strategy would be published in March 2019 and would include an overarching strategy to be implemented between 2019 and 2022, with projects delivered where there is both demand and funding. Ms Compton advised that the strategy would have common themes in place across all markets. She said the strategy would include local tailored plans for each market as a collection of projects and business-as-usual activities would be developed and explained that she intended to collect specific feedback on each market through drop-in sessions with residents, businesses, customers and traders.

The matters raised in relation to the report included the following:

- 4.6 The Chair and members of the Licensing Committee thanked Ms Compton for a comprehensive piece of work. The Chair made enquiries regarding the use of specific wording relating to more opportunities for young people and if other groups e.g. individuals who had 'a change of career' later in life. The Chair also sought further clarification on whether 'foods from certain regions' included hot foods. Ms Compton advised that the questions regarding opportunities did use words specific to young people and that 'foods from other region' did include hot foods. The Chair made a further enquiry about a performance management system for WCC markets. Mr Greg Ward, Director of Economic Development advised that he intended to address performance management in the second part of the item.
- 4.7 Councillor Scarborough thanked Ms Compton for her presentation and was encouraged that some useful conversations had taken place. Councillor Less also thanked Ms Compton for the presentation and sought further clarity on the number of residents who had attended the drop-in session at Church Street. Ms Compton explained the group had been made up entirely of residents and that officers had gone out into the market to engage directly with traders for a wider variety of responses. Ms Compton advised that officers had spoken with a broad range of respondents and if they were unable to come to the officers, then the officers went out to visit them.
- 4.8 Councillor Caplan also thanked Ms Compton and felt that robust data had been collected from several sources. However, he felt that there was a contradiction of data balance and that the WCC should support the existing traders and that there should be a balance between existing traders and young people and start-ups. Councillor Caplan felt that there were a few options regarding the allocation at Berwick Street and that the improvements

would also bring challenges. Councillor Caplan felt that answers were needed to address those challenges and he felt that a new policy was needed to achieve that.

- 4.9 Councillor Caplan raised a query regarding the part time economy not being mentioned in the report, and the balance between full time and part time traders and the difficulties facing full time traders during quiet periods. Councillor Caplan felt that officers should develop and carefully define what WCC means by young people and start-ups. He advised that when developing the policy, officers should think through all the different scenarios, and that people need to be informed to improve understanding. Councillor Caplan felt the Council needed to develop appropriate rules going forward with better definitions, specific to each market as each market is different.
- 4.10 The Chair stated that the data will vary as each market offered something different and noted that the website was unattractive and required updating. Councillor Freeman also felt that this was a good piece of comprehensive work, however he felt that it would need to be reviewed regularly, as he still had concerns about certain gaps. In response to the queries raised, Mr Greg Ward, advised the Licensing Committee that all their comments were helpful, and his officers were collecting further information on how the WCC markets work and are developing a performance framework. Mr Ward introduced his colleague Ms Catherine Brice who had recently been appointed as the new Head of Street Markets, a new post dedicated to the development of Westminster's markets.
- 4.11 Mr Ward advised the Licensing Committee that the goal within the Economic Development Team was to help the markets to adapt to new challenges facing the wider retail and hospitality sector while maintaining their very central role in Westminster, as community and cultural assets. He informed that each of the eight markets: Berwick Street, Church Street, Maida Vale, Rupert Street, Strutton Ground and Tachbrook, were quite different in terms of market offer and customer base; collectively across Westminster there are over 400 pitches.
- 4.12 Mr Ward advised that markets help build a strong sense of local identity and are also a source of fresh and healthy food, as well as important meeting places where people from different backgrounds come together. He felt that in embarking on this new programme, he wanted to work closely with the wider communities that surround and nurture each of the markets - residents, local workers and local businesses as well as of course the traders themselves. Mr Ward advised that consumer habits and tastes have changed radically even in the past decade. As economies of scale have created clones on every high street, markets can come into their own, offering unique cultural experiences.
- 4.13 Mr Ward advised that the longer-term strategy must recognise that each of the markets were different but with many of the same aims. To that end, Mr Ward proposed taking the findings of the extensive consultation and use it to create a new market strategy which officers would bring back to Committee in March. In addition, he advised officers would also work with the traders and wider

community on local plans for each of the markets – each one tailored to the distinct characteristics of each market.

- 4.14 Ms Brice advised that while she had seen many markets with potential, none have more potential than those in Westminster. She advised that although thriving social and economic assets, markets face new challenges as the internet erodes their traditional base as it was doing with all physical retail. She felt that the markets were the glue that holds many of the other parts of local economies together, serving to support tourism, low income families and other businesses. Ms Brice advised that perhaps market traders could adapt more quickly than other businesses to changing tastes, however there is an ever-growing emphasis on hot food. Ms Brice advised that the age profile of existing traders is a significant cause of declining numbers in certain types of stalls. She advised that it had resulted in a loss of accumulated knowledge about produce and ways to sell it. She felt this is particularly true among fresh produce traders, with family members not wanting to take on the business due to the early hours involved.
- 4.15 Ms Brice advised that perhaps, in the internet age, markets can contribute to ensuring local centres could be good customer experiences which encouraged people to visit and to experience. She said that there was a general culture of traders' apparent reluctance to adopt new technology, with a widespread preference for continuing with traditional business practices. Ms Brice advised that accepting non-cash transactions would widen their offering to new customers and enable more efficient business practises to take place. Ms Brice said that there was also a concern that many traders rely on older diesel-powered vehicles that would not meet new regulations on emissions. Mr Brice felt that the markets, in particular Church Street market, generate important social value in that they provide affordable food products but were also gathering points to prevent social isolation.
- 4.16 Ms Brice advised that Church Street market had the highest number of residents operating a market stall, but as a percentage Tachbrook Street had the highest proportion of residents. Ms Brice explained that the Council would like to provide opportunities for Westminster residents to be involved in the markets. Ms Brice advised that Westminster Kingsway College had expressed an interest in students selling their catering produce on the markets. Caxtons, a youth organisation would also like to have a presence at the market to help develop and provide an opportunity for young people with special needs.
- 4.17 Ms Brice explained that developments were planned to take place across all markets and her aspiration was for each market's identity to be supported. She advised that Westminster wanted Wi-Fi to be available across all markets as it would have numerous benefits to both market traders and customers, leading to an increase in turnover and sales as market traders will be able to more easily accept card payments.
- 4.18 Ms Brice explained about a trial at Berwick Street Market which was currently underway and where traders have been provided with festive lighting to illuminate each stall over the festive period. She said that this would provide additional lighting for the market alongside providing the market with more of

a festive feeling. Ms Brice advised that she was very keen to look at sustainability and reducing plastic consumption at the market, and had showed the Licensing Committee examples of plant-based disposables made from renewable, lower carbon or recycled materials and may be commercially composted with food waste.

- 4.19 Ms Brice concluded the presentation by discussing how to measure the success of the strategy. She commented on the average take for a trader and highlighted a central London street market and hot food market as key figures. Ms Brice highlighted how market traders could realise their earning potential and move towards a higher take and hoped it would be possible with the interventions discussed. Ms Brice explained that conversations with the London School of Economics had taken place regarding a market health check. She advised that the LSE was keen for students taking a Masters in Global Management to undertake a business project to develop a methodology for measuring the health of Westminster's markets. She said that this would help officers create a benchmark of the current health of WCC markets and then enable officers to measure how successful the changes to the market have been.
- 4.20 Councillor Scarborough commented on the ability of older traders to switch from taking cash payments to using technology to take payments. She suggested that some traders may require financial guidance and support. The Chair felt strongly that any equipment must work reliably so that the traders can trust it. Councillor Caplan commented on his visit to the Christmas markets in Manchester and the need for the WCC markets to be competitive. He suggested that officers should consider farmer's markets, hobbies and crafts and a variety of other markets types. Councillor Caplan felt that it was important for WCC markets to go electric and contactless, and he referred to the transition of taxi cabs drivers to electric payments.
- 4.21 Councillor Freeman commented on the social element of markets, they were places where people meet friends, and so the improvements should be more than technology. Councillor Less queried packaging and the zero-bag policy in Morocco. She said that shoppers brought their own bags and used Tupperware for meat and fish and was encouraged through a points and rewards system. Councillor Less also made enquiries into the master plan for Church Street market and how some traders will suffer with the new fees and regeneration. Councillor Glen was very interested in the last slide where it showed Tachbrook market trader's take, Councillor Glen queried the need to maintain a mix of traders. The Chair welcomed the report and looked forward to receiving an update at the next Licensing Committee meeting in March.
- 4.22 **RESOLVED:** That the report be noted by the Licensing Committee.

## **5 PROPOSALS FOR A NEW STREET TRADING FEE AND CHARGES STRUCTURE FOLLOWING PUBLIC CONSULTATION.**

- 5.1 The Licensing Committee received a report from Ms Annette Acik, Head of Licensing, setting out the results of the consultation into the fees and charges for street trading on a market, allowing the WCC to set a fee to recover its costs in relation to a licence application and services provided for administration, cleansing, waste disposal and enforcement. Ms Acik advised that Officers sought a decision to implement a revised set of fees for the application for a licence for street trading on a market pitch in Westminster, and the charges applied for each day that the licence is in force, following the consultation, approved by the Licensing Committee on 4th July 2018.
- 5.2 Ms Acik said that the consultation ran as part of a wider consultation into markets across Westminster, from 6th August 2018 until 29th October. She explained that as part of the consultation, there were proposals for a new application fee, which set out four options for the daily charge. Ms Acik advised that the proposals also included some concessions on the application fee for charitable or community events, for start-up businesses and for Westminster residents. She advised that licence holders affected by the proposal and representative trade bodies were notified of the changes proposed and given the opportunity to make representations.
- 5.3 Ms Acik advised many traders had responded to the consultation, summarised within the report, with a clear preference for Option 4 for a tapered rate over a two-year period. She explained that support was also given for the proposed revised application fees and associated concessions. Several general comments were also received from traders, across all markets. Ms Acik said that the traders were also been given the opportunity to meet officers in person and/or attend the Licensing Committee hearing to discuss the fee and charges proposed, and a chance to make further representation.
- 5.4 Ms Acik discussed with the Licensing Committee the financial implications and advised that fees and charges are based on cost recovery, as defined within section 22 of The Act. She explained that under the current fee and charging arrangements, the Council's deficit over the last three years was more than £1million. Ms Acik advised that with current occupancy rates, the tapered Option 4 would result in a deficit of £234,585 in year one, (2019/20). If the option was approved, the deficit would be funded through the Council's general fund and represents a £80k reduction in deficit compared to the previous year. Ms Acik felt that the deficit would be borne by the Council to ease pressure on traders as the Council moves into full cost recovery.
- 5.5 Ms Acik asked the Licensing Committee for their consideration and approval for:
1. The proposed application fees as set out in Appendix A
  2. The concessions on the application fee in relation to charitable or community stalls, start-up business and Westminster residents as shown in Appendix A
  3. Option 4 of the proposed daily charge for a pitch on a market in Westminster; a tapered rate over a two-year period, of £16 Monday – Thursday and £22 Friday and Saturday in year one, rising to £22 across all days in year two as shown in Appendix B. 55% of traders

responding to the consultation were in support of Option 4 which allows traders a one-year transitional period to full charging.

4. For all the above to be applied to all applications and all existing traders as of the 1st April 2019
  5. For all waivers to continue as per existing Street Trading policy 2013
  6. A further review on the fees and charges for street trading on a pitch at a market in Westminster to be brought to Licensing Committee in April 2020, in line with the provisions set out in the City of Westminster Act 1999 (The Act), and annual fee reviews thereafter.
- 5.6 The Chair welcomed the report and advised the Licensing Committee were very aware of the issues as traders had informed them that hardship continued on an individual basis. Councillor Scarborough queried if the Council would make traders aware of the changes in 2020 and if there would be a cap on the fees. The Chair advised that this was something that they would not be able to comment on at this stage. Councillor Caplan asked if Option 4 meant that the deficit would raise to £1.2 million, equating to an even bigger deficit. Councillor Wilkinson felt that the makeup of WCC markets would be different in 2-3 years' time. Councillor Less questioned how the hardship waiver would be explained to the traders. She queried the communication plan for the traders and plans for working with the regeneration team and the market inspectors. Ms Ros Hick, Licensing Team Manager advised that officers regularly communicate with the traders.
- 5.7 Councillor Glen again queried the deficit absorbed by the Council. Ms Acik advised that the Council has already accepted the 2019/20 deficit (£234,585) would be absorbed by the general fund. She advised that after that time the account will restart and in year 2, when the Council goes to full cost of recovery the Council will consider costs and other surplus deficits again. The Chair advised that from her understanding the Council was not seeking to recover money from past years and the deficit the Council will have next year.
- 5.8 The Members of the Licensing Committee thanked Ms Acik for the report and approved the recommendations to implement option 4 from 1st April 2019.
- 5.9 **RESOLVED:** That the following be approved:
1. The proposed application fees as set out in Appendix A
  2. The concessions on the application fee in relation to charitable or community stalls, start-up business and Westminster residents as shown in Appendix A
  3. Option 4 of the proposed daily charge for a pitch on a market in Westminster; a tapered rate over a two-year period, of £16 Monday – Thursday and £22 Friday and Saturday in year one, rising to £22 across all days in year two as shown in Appendix B. 55% of traders responding to the consultation were in support of Option 4 which allows traders a one-year transitional period to full charging.
  4. For all the above to be applied to all applications and all existing traders as of the 1st April 2019.
  5. For all waivers to continue as per existing Street Trading policy 2013

6. A further review on the fees and charges for street trading on a pitch at a market in Westminster to be brought to Licensing Committee in April 2020, in line with the provisions set out in the City of Westminster Act 1999 (The Act), and annual fee reviews thereafter.

## **6 STREET ENTERTAINMENT ENGAGEMENT AND CONSULTATION**

- 6.1 The Licensing Committee received a report on Street Entertainment Engagement and Consultation from Ms Sara Sutton, Director of Public Protection and Licensing. She advised that the Council valued the dynamic artistry, cultural contribution and diversity that street entertainment brings to our city. As with the use of all public space, there is the expectation that everyone will act reasonably and considerately in sharing space with residents, business, visitors and other performers. However, key challenges included unsuccessful resolutions in court with CPNs and the amount of resources required, due to the size and scale and the transient nature of the street entertainment.
- 6.2 Ms Sutton informed the Licensing Committee that an extensive number of expert witnesses from the business, street entertainment and music industry were invited to City Management and Public Protection, Policy and Scrutiny Committee to discuss their views and opinions. The members of the Licensing Committee welcomed and noted the report. The Chair raised concerns on behalf of Councillor Acton regarding noise nuisance in residential areas and if portrait artists were included within the context of the work.
- 6.3 Councillor Scarborough welcomed the report; she advised that the neighbourhood to the north of Oxford Street was mainly residential, although some of the streets behind Oxford Street had problems with rough sleepers and night clubbers. Councillor Scarborough queried plans for consulting ward councillors, and also queried the plans for informing residents, once the policy had been agreed.
- 6.4 Councillor Caplan advised that performers varied in quality, and others who gave bad value. He thought current tools for regulations were not successful, but did not feel that full licensing was the answer, although in, certain areas it may work. Councillor Wilkinson raised queries regarding animal welfare, including buskers with dogs and discussed self-regulation as opposed to full licensing.
- 6.5 Councillor Freeman agreed with Councillor Wilkinson and felt that there were competing musicians, as well as appalling loud music which needed to be managed. Councillor Less advised that she was able to empathise with both buskers and businesses and felt that the Council needed to protect against noise, crowds, and the pavements from becoming dangerous. However, she felt that busking gives singers and musicians a platform. Councillor Glen advised that there had been a massive drop in complaints. He wished to know how the Council would enforce. Councillor Glen agreed that over-licensing was not a good idea and that self-regulation was better.

6.6 **RESOLVED:** That the report be noted and of the overall direction of the policy.

## **7 ANIMAL WELFARE (LICENSING OF ANIMALS) REGULATIONS 2018 – UPDATE ON NEW LICENSING REGIME**

7.1 As the Council's Animal Welfare Champion, Councillor Wilkinson welcomed the next item, a report on Animal Welfare (Licensing of Animals). Mr Steve Rowe, Licensing Manager, presented the report and advised that on 1 October 2018, the Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 had come into force. He explained that the regulations replaced some of the existing legislation in relation to animal licensing regimes, which would be repealed at the end of 2018. Mr Rowe advised that the regulations would provide a single licensing regime for several animal related activities.

7.2 Mr Rowe advised that the Department for Environment, Food and Rural Affairs (DEFRA) had provided all local authorities with application forms and guidance documents relating to these new Regulations, to assist with their successful implementation over coming months. The Committee was informed that the Licensing Service was currently implementing new processes to ensure officers are adequately trained. Mr Rowe explained that the service was introducing an enforcement process in partnership with Animal Welfare Officers from the City of London Veterinary Service, the Animal Warden and the City Inspectors. Members welcomed and noted the report and thanked officers and Members for their hard work. Members raised enquiries regarding unlicensed pet boarding and the new star ratings.

7.3 Councillor Wilkinson thanked the Licensing Service, advising the Licensing Committee that the Licensing Service was leading the way for this type of licence. She very much welcomed the clarification of the regulations as they are much simpler. The Chair was concerned that new operators may be disadvantaged by the star rating system, as there was no category for new operators. Mr Rowe advised that the Star rating related to risk and was only available to view internally and added that the Licensing Service would not be publicising the risk rating. Ms Acik advised that communication regarding the licensing of animals was clear, however there would be more internal communication regarding new operators and how the star rating worked.

7.4 **RESOLVED:** That the report be noted

## **8 CITIZENS ADVICE BUREAU LICENSING ADVICE SERVICE – UPDATE ON PUBLICISING**

8.1 The Committee received a verbal report from Mr Rowe and given a brief update on the annual performance of the Citizens Advice Bureau (CAB) Licensing Project, heard at the last committee meeting. Members were informed that several actions had taken place to improve the promotion of the

CAB offer, this included: updated letter templates, recurring mention in the weekly Licencing News and a full page on the Council's website.

8.2 The Chair welcomed the update and thanked Officers for implementing the actions with speed

8.3 **RESOLVED:** That the update be noted

## **9 INCLUSION IN THE EVENING AND NIGHT TIME ECONOMY, POLICY & SCRUTINY TASK GROUP - UPDATE**

9.1 The Licencing Committee received a report on the Inclusion in the Evening and Night Time Economy Policy & Scrutiny Task Group, presented by Aaron Harding, Policy and Strategy Manager. He informed the Committee that at its meeting on 20th September the City Management & Public Protection Policy & Scrutiny Committee, it had been agreed to establish a task group to investigate inclusion in the evening and night time economy. Mr Harding advised the task group would be chaired by Councillor Iain Bott and the report presented the terms of reference of the task group to the Licencing Committee.

9.2 The Chair welcomed the report and advised that evidence had come through that there is a high level of support for the task group. She felt that the task group should cover all inclusion, such as LBTGQ+ issues, and a wider scope could be considered. Councillor Caplan felt that the Licencing Committee should be careful never to discuss specific cases as a general principle, as they may attend the Licencing Sub-Committee in the future. The Chair commented on the Council's duty under the Equality Act, and how the Council could make it easier for people who believed they had suffered discrimination to approach the Council and other relevant authorities. Mr Harding confirmed that Protected Characteristics are key to the Council; and that Westminster was the first council to examine this aspect for the Evening & Night Time Economy. He advised that the task force would be reporting back in April 2019.

9.3 **RESOLVED:** That the contents of the report and the terms of reference of the Inclusion in the Evening and Night Time Economy Task Group be noted.

## **10 NOTTING HILL CARNIVAL UPDATE**

10.1 The Committee received an update from Ms Sara Sutton, Director of Public Protection and Licencing on the licensing approach to the 2018 Notting Hill Carnival. She updated the Committee on the Council's wide and deep involvement with the Carnival planning meetings which included all of the key stakeholders who were involved in delivering a successful and safe event. Learning from the event included the need for more public toilets. Members queried the number of TEN applications for the event this year and noted the update. Ms Sutton also advised on the plans underway for the 2019 Carnival.

10.2 The members thanked Officers and Members for their hard work.

10.3 **RESOLVED:** That the report be noted

## **11 LICENCING APPEALS**

11.1 Heidi Titcombe, Principal Solicitor, Shared Legal Services, provided an update on licensing appeals since the July 2018 meeting of the Licensing Committee. She confirmed that Shared Legal Services had been handling seven appeals and the Hemmings case on the Council's behalf during this time. Ms Titcombe confirmed that Belgrave Square Gardens had withdrawn its appeal and the Council had recovered its costs.

11.2 The Committee noted the most recent information on appeals which had been submitted in relation to decisions taken by the Licensing Sub-Committees.

11.3 **RESOLVED:** That the contents of the report be noted

## **12 GAMBLING POLICY REVIEW AND ADOPTION UPDATE – COMPLETION OF PHASE 1**

12.1 Kirsty Munro, Policy Officer addressed the Licensing Committee and delivered an updated report on the Council's new Statement of Gambling Principles under the Gambling Act 2005. Ms Munro advised that the report set out the end of the first phase of the approach adopted and the re-adoption of the previous version of the Council's Statement of Licensing Principles for Gambling, in order to meet the statutory deadline for reviewing and publishing its policy document before 30th January 2019. Ms Munro advised that this meant that officers could move on to the second stage of delivering the City for All commitment, to generate a better policy that sets a higher standard and protects the most vulnerable. She advised that the consultation would start early in 2019 and an update would be brought back to the next Licensing Committee meeting.

12.2 The Licensing Committee noted the contents of the report and the direction of travel for the next phases. The Chair asked the Committee members how many had sat on gambling licensing applications. It was noted that the number was minimal. The Chair advised that it was sensible to ensure that Licensing Committee members received CPD at the relevant times to ensure that they are refreshed and are briefed and well supported for meeting on this subject area. The Chair requested that the experience of colleagues be captured to understand why the Licensing Committee makes such decisions. Ms Acik agreed to action the Chair's request.

12.3 **RESOLVED:** That the contents of the report be noted.

## **13 ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS URGENT**

13.1 Members discussed the timeliness of Licensing Sub-Committee decision reports. Ms Acik advised the Licensing Committee that due to staff turnover and sickness, there had been a backlog and members should see an improvement. She advised that the relevant services were meeting to tackle the back log and were working on alternative ways to produce licensing decisions with more speed.

**14 FUTURE LICENSING COMMITTEE MEETING DATES**

14.1 It was noted that the next meetings of the Licensing Committee would be held on Wednesday 20 March 2019, 3 July 2019 and 27 November 2019. All meetings are scheduled for 10.00am.

The Meeting ended at 12.33pm.

**CHAIRMAN:** \_\_\_\_\_

**DATE** \_\_\_\_\_

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City of Westminster

City  
for  
All

# A strategy for Westminster City Council's markets 2019-2022



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# Executive summary

In 2018 Westminster City Council ran a public consultation on our markets over 12 weeks (6 August to 29 October).

838 responses were received from residents, traders, workers and business owners. Wider views were provided by 60 people who attended drop-in sessions.

The results showed strong support for: the markets becoming **more sustainable** via reduced plastic use and increased recycling; **greater community involvement**; more **seating**; attracting **young people, local residents** and **start-ups** to trade at our markets; information and **promotion online** for all markets and a **wider range of products** being available.

Market traders (73 responded) were also consulted separately on changes to fees and charges. The proposals were approved by Westminster City Council's Licensing Committee on 28 November 2018 and the papers can be downloaded from the council's website [here](#). For this reason, the strategy does not discuss the agreed changes to fees and charges. Broadly, traders shared the same views as non-traders in terms of the areas we need to support for the future.

The strategy contains a three-year framework under which the key themes can be taken forward. It was important that, as an outcome of the consultation, five markets have their own local plan, focusing on their challenges locally and where they need support to achieve a prosperous future.



# 1. Introduction

Within the City of Westminster there are nine regular street markets with approximately 300 pitches located across three areas operating Monday to Saturday (except where indicated). These are:

West End	Victoria and Pimlico	Edgware Road and Maida Hill
Berwick Street	Strutton Ground	Church Street
Rupert Street*	Tachbrook Street	Maida Hill
Marylebone Farmers' Market (Sunday Only)**	Pimlico Road Farmers' Market (Saturday only)**	
	Cardinal Place Food Market (Thursdays only)***	

(\* ) Licenced to Street Food Union

(\*\* ) Privately run by London Farmers' Markets

(\*\*\* ) Privately run by Shepherds Markets

All street trading activity within seven metres of the highway that takes place in Westminster is governed by the City of Westminster 1999 Act.

The City of Westminster (CoW) Act gives traders rights in law, dictates that no profit is to be made by the council and makes it difficult to enforce regulations without a lengthy appeals process. Originally drafted to deal with licensed pitches, it also applies to markets although it has not been adapted to do so.

Markets set-up on non-council streets or on private land are not subject to the CoW Act and as such have much more flexibility in how they curate and manage their offer. This ranges from recruiting traders to raising standards via training, undertaking marketing and promotion and operating for profit.

Markets are facing unprecedented change on many fronts and in London at a faster pace than elsewhere. While the council has a robust set of procedures and policies in place for street trading, they do not provide enough clarity for traders operating at the council's markets.

The strategy has been created to provide a strong framework and an increased level of sophistication for the council's street trading operations and provide the team with the tools to apply it for the benefit of traders and customers alike; to provide a local plan for individual markets and to propose a series of activities (business as usual and long-term) to ensure that the markets thrive during the lifetime of the strategy and beyond.

## 2. About The City of Westminster

The City of Westminster is an inner London borough which holds city status. It is home to just under a quarter of a million people who make up highly diverse local communities.

Westminster and London as a whole are experiencing continuous change and at a faster pace than before. With the city covering a large part of central London, our neighbourhoods are amongst both the wealthiest in the UK and some of the most deprived.

### City of Westminster snapshot

- 96% of residents feel safe
- 87% of residents feel that they get on well together
- 18% are under 18 years old and 12% are aged 65 years+
- The city houses more than 700,000 jobs and 55,000 businesses
- After English, Arabic, Bengali and Kurdish are the most widely spoken non-European languages
- Church Street (Church Street market) and Harrow Road (Maida Hill market) wards are amongst the most deprived in the UK

*All data Westminster City Council Ward Profiles 2018*

As such our markets operate in vastly different communities from central locations with large numbers of tourists and office workers to local neighbourhoods with high unemployment, long-term regeneration programmes and a strong local customer base.

### Complementary council-wide strategies

#### City for All 2018 – 19

The markets' strategy aligns with the council's City for All approach which focuses on promoting a city of opportunity; one that offers excellent local services; a caring and sharing city; a healthier and greener city and a city that celebrates its communities.

#### City Plan 2019 – 2040

City Plan 2019-2040 sets out an ambitious strategy to make Westminster one of the best places to live, work and play. Based on three key themes it is also linked to the City for All aims (see previous). Consultation on the City Plan closed in December 2018. It references markets in connection with the Markets and Commerce Theme in the public realm stream and states that:

*Suitably located, well designed and managed markets can play a positive role in supporting the vitality and viability of nearby town centres and contribute to a sense of community. They can be a source of fresh and locally sourced food that supports a healthy diet, complement the local retail offer, and can further local interest by adding to the character and liveliness of a street or place. They can also play an important role in supporting the development of the local economy, particularly giving opportunities for new micro-businesses and enabling these to showcase the goods and services they provide.*

*Westminster's existing markets will be protected and enhanced in ways that complement the surrounding retail offer. Proposals for new markets will be directed to existing commercial areas in the Central Activities Zone (CAZ) and other town centres to support the existing retail offer and minimise disturbance to the amenity of residential neighbourhoods.*

#### Westminster Walking Strategy 2017 – 2027

The Walking Strategy provides a coherent vision for Westminster so its streets and public realm spaces can keep pace with change in the city over the next decade.

The strategy enables us to continue to provide better facilities to encourage and increase walking. Elements of the Walking Strategy which are relevant to markets and neighbourhoods include the introduction of Parklets and Play Streets (where feasible) and by encouraging more walking we can promote local markets and retail as an effective way to do this.

#### Westminster's Obesity Prevention Action Plan

This developing strategy aims to bring together public and environment health teams to create a diverse food offer across the city to increase access to healthy and affordable food options, including at markets.



### 3. The vision for our markets

Markets are the original business incubator spaces and also serve as a social space, a place to access goods and often provide a catalyst for change in neighbourhoods.

Now and in the future, we want our markets to:

- a. Have a distinctive character** which reinforces their history, independence and authenticity and celebrates what people love about their neighbourhoods; ensuring the markets have a part to play at the centre of neighbourhoods and in people's daily or weekly life
- b. Act as a social hub** offering an opportunity to meet people and build community spirit, a place to buy and sell goods, discover something new and complement the high street retail and hospitality offer, keeping town centres at the heart of neighbourhoods
- c. Expand their offer** in relation to the products sold, offering a wider selection of goods with regular new products and events to keep customers coming back. This will see the markets add more non-food stalls
- d. Further develop links with incubator spaces,** colleges (including but not limited to) [King's College London](#), [University of Westminster](#), [Westminster Kingsway College](#) and [Westminster Adult Education Service \(WAES\)](#) for training partnerships as well as looking at enterprise programmes such as [Young Enterprise](#) to give new businesses a test platform for trading
- e. Offer a space for local people to access in-season food** as part of their daily and/or weekly shop at an affordable price
- f. Build towards a sustainable existence** by addressing areas including biodegradable packaging, increased recycling, reduced plastic and reusable energy
- g. Operate a robust street trading licensing approach,** which aligns to a clear market strategy, and is compliant with the CoW Act
- h. Are resilient to change** where there are public realm projects and masterplans in place alongside private developments that may impact the markets' location



## 4. Consultation overview

The public consultation on street markets opened on 6 August and ran for 12 weeks until 29 October. Approval to run a statutory consultation on the proposals to change market fees and charges was given by Westminster City Council's Licensing Committee on 4 July 2018.

The consultation excluded isolated pitch sites (including kiosks) and farmers' markets in the borough although views were included in the consultation where they arose from these groups.

The aims of the public consultation were to understand:

- What is important to customers, from the opening hours to items sold
- How residents use the markets and how we can support more of them to become traders
- What additional facilities and support traders may need to improve their trading conditions and increase income
- Which of the fees and charges changes proposed were preferred by the traders
- Views across neighbourhoods based on a number of ideas under the themes of business enterprise, marketing and promotion, regulation, products sold, sustainability and stakeholder engagement (involving residents with their markets)

The consultation communications programme covered online, print and face-to-face channels to encourage maximum participation from different groups. Prior to this, a number of pre-consultation events took place with traders to ensure they were aware of the impending fees and charges review and how they could give their views.

Appendix 1 summarises the findings and the Consultation Response Report, Evaluation and Performance Team (19 November 2018) contains the full data on responses to the consultation and can be downloaded from the council's website [here](#).



# 5. The strategy

Aligned to the consultation feedback and changes taking place over the last 12 months, both within the council and at our markets, we have identified key themes to take forward under the strategy over the next three years running 2019–2022.

The themes pull together the feedback from drop-in sessions, survey responses and detailed responses from specific organisations. It is highly likely that events will happen which will change the priority order, for example funding applications or internal resources, but this will act as a framework for the next three years.

## 5.1 Challenges facing our markets

The challenges impacting our markets in 2019 and beyond include:

- a. The role of markets in everyday life.** Many visitors and traders yearn for the markets of the past, however there is little research to support how people use markets today
- b. Competition from privately operated markets.** Landowners and property companies are increasingly seeing the value in holding markets on their sites leading to a dramatic increase in privately operated markets. Markets set-up on non-council streets or on private land (or more than seven metres from the public highway) are not subject to the CoW Act and as such have more flexibility in how they curate and manage their offer. This ranges from recruiting traders to raising standards via training and undertaking marketing and promotion
- c. The continuing rise in street food.** Many residents have commented that they would like to see less street food and more diversity in the products available
- d. Recruiting the next generation of traders.** The street food category aside, many market traders are of an older generation and trading as they have always done without adapting to new approaches. We need to engage young people, both as traders and as current or future users of our markets and high streets
- e. The increase in online shopping.** This also offers an opportunity in that our markets have the advantage of customers being able to see, try and talk about their products. They can offer a personal service, an area where many high street retailers are failing

- f. Decline in high street footfall.** This is now a global issue as high streets and retail changes rapidly. We need to keep our high streets and markets interesting by thinking beyond traditional retail, offering personalised services, pop-up experiences, sharing platforms and incorporating leisure activities into our spaces
- g. Lack of training.** Training for our traders is patchy and not widely available. Many traders would benefit from training on topics such as customer service, product display, taking card payments and creating an online presence
- h. Lack of focused/expert support.** There is limited specialist support both internally and amongst start-up and training programmes
- i. The Ultra-Low Emission Zone (ULEZ).** This will lead to increased set-up and daily costs for traders

## 5.2 Strategy themes

The key themes for the strategy are:

- How customers use our markets
- Business and enterprise (including entrepreneurship, innovation and technology)
- Marketing and promotion (including branding)
- Sustainability and environment
- Stakeholders
- Trader facilities
- Regulatory

Each will be covered in turn.

## Theme: How customers use our markets

To help us understand how customers use our markets we asked them a number of questions from what they would like to see sold to when the market should be open and ideas they might have for involving the market more with the community.

What customers would like	<ol style="list-style-type: none"> <li>1. Residents (37%) would like to see more fresh produce and grocery stalls with a desire for plants and flowers and food from certain regions. There is a demand for more varied produce to be sold across all markets for example by butchers, fishmongers and antiques stalls</li> <li>2. The opportunity for the market to be adapted on different days for example Monday to Friday customers are often local workers whereas many areas contain only residents on a weekend</li> <li>3. Pop-up stalls and limited edition products. Residents have a stronger desire to see pop-up stalls (60%) than workers and visitors who perhaps visit the market for a specific reason</li> <li>4. Workers would like card payments to be available (61%) (more so than residents at 52% and visitors at 59%)</li> <li>5. Wi-Fi on market streets</li> <li>6. Community spaces in the form of kitchens or gardens</li> </ol>
Of least importance	There was little interest in loyalty cards being introduced or goods being ordered online and collected at the market ('click and collect')
Proposals – ways in which we can deliver these	<ol style="list-style-type: none"> <li>1. Encourage applications from new businesses, recruit new traders proactively and review applications with consideration (where possible) to the types of commodity requested</li> <li>2. Explore an approach (through local plans) whereby markets operate a commodity policy on different days of the week to adapt the markets to customer needs</li> <li>3. Revise the licensing process to make it easier to licence stalls for a limited time</li> <li>4. Review in tandem with Wi-Fi provision ways in which to increase card payments across all markets</li> <li>5. See business and enterprise theme for Wi-Fi</li> <li>6. Look at spaces available and the appetite for community kitchens or gardens (see local plans)</li> </ol>
Council departments	Licensing   Policy   Legal
Measures*	<ul style="list-style-type: none"> <li>• A change in commodity mix at identified markets</li> <li>• Limited edition stalls trading across markets where space allows</li> <li>• An enhanced Saturday market operation at Tachbrook and Berwick Street</li> <li>• A community garden or kitchen space identified</li> </ul>
Additional comments	Where markets are operating at full capacity, change will only be possible if traders leave

(\*) A performance framework is in development

## Theme: Business and Enterprise (including entrepreneurship, innovation and technology)

We asked residents, traders and visitors about support they would like or thought we should offer to encourage new traders and to help existing traders increase their income.

What customers would like	<ol style="list-style-type: none"> <li>1. Support for those looking to start trading who are first time traders/start-ups or Westminster residents (71%) and/or young people (80%)</li> <li>2. Training for traders</li> <li>3. Wi-Fi at the markets to increase connectivity for all and to make card payments easier for traders</li> </ol>
Proposals – ways in which we can deliver these	<ol style="list-style-type: none"> <li>1. <ol style="list-style-type: none"> <li>a) Engage with National Market Traders Federation (NMTF) to explore the <a href="#">Young Traders Market</a>. <a href="#">The Teenage Market</a> also run a similar programme which can be incorporated into an existing market</li> <li>b) Further develop links with incubator spaces, colleges (including but not limited to) <a href="#">King's College London</a>, <a href="#">University of Westminster</a>, <a href="#">Westminster Kingsway College</a> and <a href="#">Westminster Adult Education Service</a> (WAES) for training partnerships as well as look to enterprise programmes such as <a href="#">Young Enterprise</a> to give new businesses a test platform for trading</li> <li>c) Explore opportunities for 16 years old to become market traders (as apprentices or through work experience) whilst complying with CoW Act minimum age of 17 years</li> </ol> </li> <li>2. <ol style="list-style-type: none"> <li>a) Training programmes have been identified with partners and are pending confirmation. Training could include digital marketing, social media, customer services, taking payments and using apps</li> <li>b) Work with traders who are looking to expand to identify premises and support via our economy team</li> </ol> </li> <li>3. We are currently developing proposals for free Wi-Fi to be available at all our markets</li> </ol>
Council departments	Licensing   Economy   Markets   Communications
Measures*	<ul style="list-style-type: none"> <li>• Number of start-ups, young people and local residents that start trading</li> <li>• Number of traders (and high street businesses) attending training sessions</li> <li>• Increase in traders taking card payments</li> </ul>
Additional comments	Run a dedicated marketing campaign to recruit young people, start-ups and residents and specific commodities

(\*): A performance framework is in development

## Theme: Marketing and promotion (including branding)

People want to find out more about their markets online and for them to celebrate national and local events. Ideally, all markets should have distinct branding both online, on street and in marketing campaigns, taking in the offer across their street or neighbourhood (as a destination or place) and not just the market.

A detailed marketing plan will be developed, setting out how the council's communications activity will support the markets.

<p>What customers would like</p>	<ol style="list-style-type: none"> <li>1. To find out more about the markets online (75%)</li> <li>2. To see the markets promoted more at Christmas and other holidays (75%)</li> <li>3. The markets to take place in events throughout the year in the community (83%)</li> <li>4. Improved signage</li> </ol>
<p>Proposals – ways in which we can deliver these</p>	<ol style="list-style-type: none"> <li>1. Review online presence across all markets and look to improve social media activity and online presence of all markets (starting with WCC managed content). Identify local stakeholders who may be able to support or use existing platforms to promote our markets</li> <li>2. Agree outline messaging for each market so it is clear what each one offers and create an annual communications plans that runs across all markets celebrating national and religious holidays where relevant</li> <li>3. Ensure that the markets are taking place in national initiatives such as Love Your Local Market and Small Business Saturday as well as identifying a programme of local events</li> <li>4. Consider where signage can be placed or plan for new wayfinding to be introduced</li> </ol>
<p>Council departments</p>	<p>Communications   Markets   Place Shaping and Town Planning</p>
<p>Measures*</p>	<ul style="list-style-type: none"> <li>• Increased awareness of our markets leading to increased footfall and press and/or online features</li> <li>• Increased awareness and more passing trade (measured via footfall survey in year 4)</li> <li>• Up-to-date information for all markets on listing sites</li> <li>• Online platforms identified and agreed with a management structure in place</li> </ul>
<p>Further ideas</p>	<ul style="list-style-type: none"> <li>• Conduct an annual customer satisfaction survey and work with traders on tailored changes of offer</li> <li>• Showcase the markets internally to council employees and to local residents via the council's publications</li> <li>• Run a dedicated marketing campaign to recruit traders</li> </ul>

(\* ) A performance framework is in development

## Theme: Sustainability and Environment

To ensure our markets reduce their impact on the environment and operate in a more sustainable way in the future we asked for views on recycling, reducing plastic and greening the markets.

What customers would like	<ol style="list-style-type: none"> <li>1. More recycling with many customers (82%) saying they want to see this increased</li> <li>2. Reduced plastic and packaging (87%) with similar responses from traders too</li> <li>3. More seating at markets (73%)</li> <li>4. Reduced vans on the street</li> </ol>
Proposals – ways in which we can deliver these	<ol style="list-style-type: none"> <li>1. Introduce more recycle bins close to markets. Add recycle facilities onsite as part of traders' daily rubbish collection</li> <li>2. Work with traders to encourage customers to bring their own bags, cutlery and containers.             <ol style="list-style-type: none"> <li>a) Where this isn't possible, the council will investigate brown paper bags, wooden cutlery and other options to consider bulk ordering by market</li> <li>b) Encourage traders to reduce the number of carrier bags they hand out</li> <li>c) Research biodegradable cups and packaging</li> </ol> </li> <li>3. Identify locations where temporary seating could be used. Consider new locations for Parklets and Play Streets around markets in line with the council's Walking Strategy and not to the detriment of the markets.</li> <li>4.             <ol style="list-style-type: none"> <li>a) Work with parking to identify loading points and parking facilities that may work better than existing ones</li> <li>b) Install electric charging points were these are few in number</li> <li>c) Use local workforce, suppliers and traders where feasible to reduce van use</li> </ol> </li> </ol>
Council departments	Waste and Parks   Markets   Economy
Measures*	<ul style="list-style-type: none"> <li>• Reduced landfill waste and increased recycling</li> <li>• Reduced carrier bags distributed (collate numbers from traders)</li> <li>• Increased (dwell) time spent at markets (measured in year 4 via footfall survey)</li> <li>• New parking, loading and unloading locations identified</li> </ul>
Additional comments	<ul style="list-style-type: none"> <li>• Commission a specific environmental audit and strategy</li> <li>• Identify a location for a permanent tree at each market that can be used during the Christmas period</li> <li>• An award to be developed for traders operating sustainably (see Trader Facilities)</li> </ul>

(\* ) A performance framework is in development

## Theme: Stakeholders

We worked with local groups, residents and Ward Councillors to draw up a comprehensive list of stakeholders around our markets and how they can be more involved.

<p>What customers would like</p>	<ol style="list-style-type: none"> <li>1. To see the markets playing a bigger role in their community via for example, a community garden or kitchen (72%)</li> <li>2. More community input into markets (79%)</li> <li>3. Market traders responded that they would like to be more involved with the future of their market (74%)</li> </ol> <p><i>While there is a desire for community involvement this does not translate to personal involvement where only 27% would like to play an active part in their market</i></p>
<p>Proposals – ways in which we can deliver these</p>	<ol style="list-style-type: none"> <li>1. See local plans for where there is demand for kitchens and/or gardens</li> <li>2.             <ol style="list-style-type: none"> <li>a) Form resident and trader groups that can play an active part in shaping their market for the council. Ensure local workers (who are neither a resident or a trader) can also be involved where they want to be alongside shops too (where they surround a market)</li> <li>b) Engage with groups developing Neighbourhood Plans close to the markets. These include:                 <ul style="list-style-type: none"> <li>• Berwick Street – Plan for Soho</li> <li>• Church Street – Church Street Ward Neighbourhood Forum</li> <li>• Maida Hill – Maida Hill Forum</li> <li>• Strutton Ground – Victoria Neighbourhood Forum</li> <li>• Tachbrook Street – Pimlico Neighbourhood Forum</li> </ul> </li> </ol> </li> <li>3. See above. Also look into creating a Trader Group under the National Federation of Market Traders (NMFT)</li> </ol>
<p>Council departments</p>	<p>Communications   Economy   Place Shaping and Town Planning</p> <p>A stakeholder mapping exercise took place in preparation for the consultation and as such comprehensive lists are already in place.</p>
<p>Measures*</p>	<ul style="list-style-type: none"> <li>• Groups formed for each market</li> <li>• Meetings to take place with Neighbourhood Plan groups</li> </ul>
<p>Additional comments</p>	<ul style="list-style-type: none"> <li>• Create a walking tour with Westminster Guides that takes in the markets and connects residents more with it</li> <li>• Engage with local schools to include market visits as part of learning about neighbourhoods and enterprise (as some already visit Church Street)</li> </ul>

(\* ) A performance framework is in development

## Theme: Trader facilities

We want our traders to have the right facilities to help them be more successful. A separate consultation exercise was completed with traders to understand what they may need, what works and what doesn't and their ideas for improvements.

<p>What traders would like</p>	<ol style="list-style-type: none"> <li>1. Loading and unloading locations</li> <li>2. Parking</li> <li>3. Storage</li> <li>4. Better utilities – water, electricity, gas (varies by market)</li> <li>5. New stalls (kit) (varies by market)</li> <li>6. Permanent licences</li> <li>7. Toilets</li> <li>8. Training including a briefing on the introduction of the Ultra-Low Emission Zone</li> <li>9. Card payment machines and systems (with Wi-Fi on the street)</li> <li>10. Recognition for traders who are operating sustainably and/or achieve high standards of hygiene</li> </ol>
<p>Proposals – ways in which we can deliver these</p>	<ol style="list-style-type: none"> <li>1. Work with planning colleagues to identify if loading bays and restrictions can be adapted to allow for easier trader access to markets during set-up and breakdown</li> <li>2. Some arrangements are in place already for discounted parking for traders. Look at council owned building and land close to markets where parking could be allocated to traders</li> <li>3. Review storage at each market (within local plans) as some provision exists and in others it is non-existent</li> <li>4. Utilities are being upgraded and reviewed (see local plans)</li> <li>5. New stalls are being explored for Church Street as the first market where this may happen. Monitor progress as to whether stalls are needed at other markets</li> <li>6. Traders at all markets will receive notification of their right to apply for a permanent licence (subject to meeting requirements) during 2019</li> <li>7. Toilet provision varies and will be addressed by local plans</li> <li>8. Training programmes have been identified with partners and are pending confirmation (see business and enterprise theme)</li> <li>9. We are currently developing proposals for free Wi-Fi to be available at all our markets. Work with the economy team to explore partnerships with card payment machine providers</li> <li>10. The creation of an annual awards scheme for traders demonstrating sustainable practices and high standards of hygiene</li> </ol>
<p>Council departments</p>	<p>Planning   Parks and Waste   Economy   Parking Services</p>
<p>Measures*</p>	<ul style="list-style-type: none"> <li>• Improved hygiene standard with all traders reaching Level 5 on the Environmental Health Food Hygiene Rating Scheme</li> <li>• Cleaner pavement and streets</li> <li>• Improved trading facilities for traders</li> <li>• Increase in the number of traders holding a permanent licence</li> <li>• Increase in traders taking card payments</li> <li>• Traders attending a training session or briefing from each market</li> <li>• Annual awards introduced</li> </ul>
<p>Additional comments</p>	<ul style="list-style-type: none"> <li>• Berwick Street has access to water and electricity will be trialled during 2019</li> <li>• Church Street does not have any trader facilities (apart from limited storage)</li> <li>• Maida Hill has electricity</li> <li>• Strutton Ground will have new lighting in 2019</li> <li>• Tachbrook Street will have upgraded electricity facilities in 2019</li> </ul>

## Theme: Regulatory

Under the City of Westminster (CoW) Act there are defined terms and processes in place as to how traders are licenced, and commodities chosen. However, given the feedback from the consultation, it is clear we need to find ways in which to adapt these within the legal framework.

What would benefit traders and customers	<ol style="list-style-type: none"> <li>1. The opportunity to curate the commodity offer at each market to offer different or themed markets at weekends and/or on different days</li> <li>2. Introduce a more structured approach to licensing new traders</li> <li>3. Licence traders for a limited time (pop-up stalls), social enterprises and charities</li> <li>4. Pitch markings and policies for traders</li> <li>5. Christmas markets at each location</li> <li>6. Explore funding streams across all markets</li> <li>7. Review fees annually from 2021</li> </ol>
Of least importance	Changes in opening hours. There is little appetite for evening opening or weekends (where they are not open already) but this should be reviewed in line with changes in neighbourhoods and allowing for any nuisance factor to residents if trading times change
Proposals – ways in which we can deliver these	<ol style="list-style-type: none"> <li>1. Explore (through the local plans), the type of market and commodity mix that is wanted in each location and create a commodity policy that allows for the curation of markets, flexible licensing and specific policies to cover community and charity stalls, young people and start-ups</li> <li>2. <b>a)</b> An enhanced vetting process for new traders at licensing stage with a view to including local resident groups in the process. Strutton Ground and Tachbrook Street will be tested with this new approach as licences will be renewed from June 2019. We will look at both product fit and technical fit <b>b)</b> We also want to implement a new licence policy subject to approval that traders have to be a temporary licence holder for six months before being able to apply for a permanent licence</li> <li>3. Offer 5% of stalls at each market exclusively for community groups to use on rotation for them to fundraise to promote their project. The stall will be provided free of charge</li> <li>4. Pitch markings and policies <b>a)</b> Pitch marking to be in place across all markets and a pitch layout / market plan to be created for each market showing locations and commodities <b>b)</b> Double pitches will not be encouraged to preserve the opportunity to offer diversity around the product mix at out markets <b>c)</b> Policies to be created on congestion, queuing, access to shops and pavements, parking and vehicle access during set-up <b>d)</b> Development of a trader handbook and/or a guide to trading</li> <li>5. Work with planning to ensure there is a framework in place for Christmas lights and trees (see sustainability) where required</li> <li>6. Work with council colleagues and at a London (markets) level to identify further funding for market projects</li> <li>7. As agreed at licensing committee (November 2018)</li> </ol>
Council departments	Licensing   Legal   Policy   Planning
Measures*	<ul style="list-style-type: none"> <li>• More flexible licensing regime leading to an increase in different types of traders (eg. permanent, pop-up etc)</li> <li>• Regular community and/or charity stalls at each market</li> <li>• Improved ease of access for customers (and to shops) as a result of traders operating within their pitch space</li> <li>• Clearer guidance for traders about how they should trade via the creation of a trader handbook</li> <li>• Increased occupancy levels across markets with vacancies</li> </ul>

(\*) A performance framework is in development

## 6. Progress to date

Building on the consultation feedback, the council took the opportunity to implement changes where they would bring benefit to traders and/or customers yet minimise disruption to the markets. These include:

Berwick Street	An upgrade to electricity provision for traders. London School of Economics (LSE) students have been engaged to deliver a project on understanding how the market interacts with local businesses, residents, workers and visitors to be delivered by May 2019
Church Street	98 new gazebos have been ordered to provide traders with improved stalls. A Traffic Management Order has been submitted to ensure the market is traffic free on a Thursday and Friday
Maida Hill	We have met with the local organisations to progress the application to re-establish the Tuesday Community Market
Strutton Ground	Public Realm works are underway which will deliver improved lighting, security (bollards), pitch markings and more space for the market
Tachbrook Street	Five picnic benches are now at the market and available for customer seating and an electrical upgrade is scheduled

We are currently developing proposals for free Wi-Fi to be available at all our markets.

### Local Plans

In addition to the overarching strategy, local plans have been developed for five of Westminster's markets which can be found in appendix 2.

# 7. Evaluation

A performance framework is in development to ensure that the implementation of the strategy can be evaluated over its lifetime (2019–2022). This will include measurement on factors such as:

- Increased footfall
- Attracting and retaining traders (starters and leavers, responses to specific recruitment campaigns)
- Increased trader income
- Increased traders / reduced vacancies
- Reduced need for licensing enforcement
- Training opportunities for traders
- New traders including young people, residents and start-ups
- Diversifying the types of goods sold
- Awareness of the markets from marketing and promotional campaigns

The performance framework will be brought back to Licensing Committee at a date to be agreed.





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# Appendices



# Appendix 1: Consultation Response

A broad range of responses were received across different audiences and mainly via the consultation questionnaire – which was hosted online, as well as taking place on-street at the markets. Paper copies of the questionnaire were also available on request.

## 838 responses

- 335 residents
- 264 workers
- 126 business owners
- 73 market traders

## Responses received:

- 339 via an online and paper survey
- 499 via on-street surveys

In addition, responses were also received via email with 11 emails received during the consultation to the market's consultation inbox, from a mixture of residents, traders and stakeholders. 60 people attended drop-in sessions.

## Non-trader responses (via consultation questionnaire) by market:

Berwick Street	127
Church Street	173
Maida Hill	108
Strutton Ground	140
Tachbrook Street	210

The consultation was not designed to be a representative questionnaire of the local population. However, as the council received over 800 responses to the consultation questionnaire, we are confident we have captured all the major issues which need to be considered in relation to the Street Markets Strategy.

## Summary findings

Key findings from the consultation questionnaire are:

### Non-traders

Responses to the survey were generally fairly positive, with a majority of non-trader respondents agreeing with the various proposals and plans for markets.

There is strong support for:

- **Sustainability** - the vast majority of respondents want to see reduced plastic and packaging (87%) and more recycling facilities (82%)
- **Creating opportunities for young people** in Westminster to trade at markets - four in five (80%) agree that they would like to see this
- **Local community having more input** into the markets (79%)
- **Online and social media** for markets with three quarters (75%) keen to find out more about markets online or via social media
- **Promoting the markets more** at Christmas and during other national holiday periods (75%)
- **More seating** with around three quarters (73%) responding that they would like there to be more seating at the markets

### Traders

Traders were asked a number of questions about the markets – some of which were also asked of non-traders. All fees and charges data is excluded from these findings and can be downloaded from the council's website in the Licensing Committee Markets Fee Post Consultation Report [here](#).

There is strong support for:

- **Sustainability** of the markets is important to traders with the vast majority wanting to see reduced plastic and packaging (82%) and more recycling facilities (84%)
- **More seating** with around three quarters (77%) stating they would like there to be more seating at the markets
- **The local community having more input**

into the markets (77%) and the markets playing a bigger role in the community (74%)

- **More opportunities for young people** in Westminster to trade at markets (69%)
- **First time traders and Westminster residents** being given preference on trading (66%)

## Qualitative Feedback

Included in the survey and during the drop-in sessions, respondents were able to offer open comments about the markets. Below are some of the common themes which came up in the open comments.

- **Demand for varied produce and traders** – not just street food (e.g. butchers, fishmongers, antiques, specialist markets)
- **Issues with rubbish/litter in and around the markets** – including food left on the street to rot, slippery surfaces, smells and lack of cleaning up
- **Lack of facilities** – for both traders and customers such as toilets, storage and electricity
- **Poor quality of goods** – some felt that there are too many cheap/poor quality goods for sale, especially at Church Street
- **Lack of seating** – suggestions for covered and temporary seating were offered and also comments to make the markets more attractive to spend time at
- **Developing a sense of community** – suggestions included having community events and engaging local businesses and organisations in the markets
- **Keeping the markets affordable for traders** – mention of impact of works around the markets and supporting traders to keep their overheads down
- **Reducing anti-social behaviour** – especially around Maida Hill

The full results of the consultation survey can be found in the Consultation Response Report, Evaluation and Performance Team (19 November 2018) and can be downloaded from the council's website [here](#).





# Appendix 2: Local plans by market



# Berwick Street Market

## 1. Overview

Berwick Street has a long standing reputation for independent shops and is often called Soho's high street. The surrounding area has also been known as the home of fabric and record labels too.

Whilst the area is experiencing change and is perhaps better known now as home to the media, film and music industries, it continues to feel like a neighbourhood in its own right and this could help in positioning the street as an alternative to Oxford Street and Regent Street.

New retail units on Berwick Street including a hub by Premier Inn hotel are expected to be finished during 2019.

The market is one of London's oldest and has been formally recognised as a street market since the 1800s.

The market is known historically as a place to buy fruit and vegetables and often supplied local restaurants. While some of the longstanding traders remain (selling fruit and vegetables and flowers), the majority now offer street food to the local office population.

The market has experienced a turbulent time in recent years, due in part to large construction projects and highway works taking place around it.

A Christmas market took place on Saturday 1 December 2018 (organised by an external company) which was a success with several on-street activities for local residents and visitors.

### The Market

**Type of market:** Predominantly food

**Trading days:** Monday to Saturday

**Hours:** 8am to 6pm

**Busiest:** 12 to 2.30 pm Monday to Friday

**Traders:** Monday to Friday 26–27  
Saturday 11

**Goods:** Fruit and vegetables, flowers, street food

**Customers:** Local workers, tourists and residents

### Neighbourhood snapshot

- 83% of people get on well together
- 95% feel safe
- 56% of households are one person
- 72% have no dependent children
- Residents are older rather than younger with only 10% under 18 years old
- Three primary schools yet no secondary school locally and no youth provision
- Westminster Kingsway College is close to the market

*All data Westminster City Council Ward Profiles 2018*

## 2. Challenges

Whilst the market is almost full Monday to Friday, there remain some challenges including:

- **Dominance of hot food** – This can generate conflict with cafes facing the stalls. Research (Soho Society Survey 2016) has shown that residents, workers and property owners all want there to be a mix of commodities both on the market but to date (and for various reasons) this has not been achieved
- **Saturdays** – The dominance of hot food and the volume of Monday to Friday workers means that Saturdays are very quiet. Approximately 11 traders set-up. As they are in designated pitches they are spread out along the street making the market look even quieter. With no hot food and not enough other goods on sale, the market does not meet the needs of people in Soho on a Saturday
- **Residents** – There is a large resident population and few food shops around the market. The market as it stands does not serve local residents
- **Young people** – Westminster Kingsway College has a site close to the market however there are no secondary schools nearby (and only one primary school) or youth clubs making it difficult to reach younger residents who may have a part to play in the market both as traders and/or customers
- **Traffic** – For a small area of narrow streets, there is a lot of traffic, especially Monday to Friday with deliveries and taxis leading to poor air quality. This is made worse by there being no provision for market traders to load or unload

## 3. Consultation feedback

The consultation was carried out between 6 August and 29 October 2018 via on street surveying, an online survey and an email comment box. A drop-in session also took place on 16 October 2018 at Westminster Kingsway College which was open to all.

In addition, separate engagement took place with traders to discuss changes to fees and charges.

### The consultation for Berwick Street

#### Responses:

127 specifically on Berwick Street

#### Breakdown:

50% residents, 24% workers, 25% visitors

#### Frequency of visit:

70% at least once a month, 36% visit at least once a week

#### Getting involved:

37 people provided details

Residents' (and others) would like:	Traders' would like:
<ul style="list-style-type: none"> <li>• A wider variety of stalls - fresh produce (different from lunchtime food), plants and flowers, food from certain regions</li> <li>• Increased recycling and reduced plastic use</li> <li>• Engagement with young people</li> <li>• To find out more online about the market</li> <li>• The market to take part in events throughout the year</li> <li>• More community involvement with the market</li> <li>• An evening Christmas market</li> </ul>	<ul style="list-style-type: none"> <li>• Toilets</li> <li>• Storage</li> <li>• Digital marketing</li> <li>• Parking</li> <li>• Signage</li> <li>• Nappy changing facilities for customers</li> <li>• Electricity points</li> <li>• Distribution and/or drop points for loading and unloading</li> <li>• Awards - Pitch of the Year and gold standard hygiene</li> </ul>

## 4. Local organisations

There are many stakeholders with a part to play in Berwick Street's future and all are welcome to get involved. We have identified an initial group of organisations who are prominent in the community and will seek to engage with them once the strategy is approved.

## 5. Berwick Street market plan

What people would like to see change	How we can do this	Additional comments
<b>How customers use our markets</b>		
Widen interest to residents (77%). A Saturday market that is full and serves local residents	Engage with existing resident groups and others (see stakeholders) to understand what stalls they would like to be added on a Saturday  Consider entertainment and arts and crafts activities	On a Saturday there are also tourists and shoppers in the area
A wider selection of goods, not just street food (65% felt that Berwick Street market sells things they want to buy compared to 74% across all markets)	Draft a robust commodities policy that provides a framework for curating the market to meet customer needs as and when vacant pitches become available	The market acts primarily as a place to buy lunch and goods include fruit and vegetables and flowers but as the commodity mix changes careful consideration should be given to how the market will be known longer term
The opportunity to pay by card at all stalls (66%)	Install Wi-Fi on the street to deliver fast connectivity for card payments and to encourage extended dwell time by customers. Partner with a card payment operator for those traders who do not have one in place	We are currently developing proposals for free Wi-Fi to be available at all our markets. Work with the economy team to explore partnerships with card payment machine providers
Develop a wider understanding of the environment around Berwick Street market to ensure its local plan delivers an improved market for customers, residents and traders	Undertake a study to: <ul style="list-style-type: none"> <li>Understand how the market interacts with local businesses, residents, workers and visitors</li> <li>Develop an evaluation tool for measuring the impact of the market long-term</li> <li>Review how the market performs in comparison to other London markets</li> </ul>	London School of Economics (LSE) students studying for a Global Masters in Management have been engaged on this project to be delivered by May 2019
<b>Business and Enterprise (including innovation and technology)</b>		
Support young people with trading (77%)	Engage with National Market Traders Federation (NMTF) to explore the <a href="#">Young Traders Market</a> . The <a href="#">Teenage Market</a> also run a similar programme which can be incorporated into an existing market  Further develop links with incubator spaces, colleges (including but not limited to) <a href="#">King's College London</a> , <a href="#">University of Westminster</a> , <a href="#">Westminster Kingsway College</a> and <a href="#">Westminster Adult Education Service (WAES)</a> for training partnerships as well as look to enterprise programmes such as <a href="#">Young Enterprise</a> to give new businesses a test platform for trading	

What people would like to see change	How we can do this	Additional comments
<b>Marketing and Promotion (including branding)</b>		
Find out more online (72%)	Identify owners of the existing websites and social media channels and create a management structure for operation	
Wider promotion (72%)	<p>Link with theatres, cinemas and other entertainment venues locally to see if their scheduling fits with theatregoers visiting the market beforehand</p> <p>Ensure the market is (where feasible) part of the event programme for long established local events, for example the Soho Society Summer Fete (July) and Soho Jazz Jam (September)</p> <p>Build an events list for local events that coincide with market trading times (including an evening Christmas market)</p> <p>Maximise opportunities with the changes coming to Oxford Street, Tottenham Court Road and the Elizabeth Line (Crossrail) alongside increases in the population of Soho</p>	
<b>Sustainability and Environment</b>		
Reduce plastic (88%)	Work with traders to reduce carrier bags and to encourage customers to bring their own containers. Look into biodegradable packaging and paper bags (across all markets)	
Increase recycling (84%)	<p>Introduce more recycling bins close to the market</p> <p>Add recycling facilities onsite as part of traders' daily rubbish collection</p>	
A community kitchen	Explore options for creating a community kitchen linked to young people in particular	Feedback identified that this could include local restaurants and market traders
Add a permanent tree to the market	Explore where a permanent tree could be sited to be used during the Christmas period	
<b>Stakeholders</b>		
Closer involvement between the market and the community (69%)	<p>Create a traders and residents' group to input into how the market might change over time</p> <p>Offer 5% of stalls to local community groups and charities to fundraise or promote their projects</p>	<p>Encourage customers who are local workers to be involved</p> <p>A market stall to be provided free of charge</p>
Build better relationships between shops, markets and cafes	See above on creating a traders and residents' group and engaging with local organisations	

What people would like to see change	How we can do this	Additional comments
<b>Trader Facilities</b>		
Toilets, storage, nappy changing and electricity charging points	Explore spaces available for these facilities or identify where a sharing / usage arrangement could exist	Traders have access to water. Electricity provision will be tested in 2019
Parking and loading facilities	Parking is currently available at Q Park in Chinatown and Poland Street	It would also be useful to understand the impact of works at Broadwick Street and Ingestre Court
Digital marketing and signage	See marketing and promotion Signage options to be explored across all markets in conjunction with placeshaping and planning	There was also a suggestion of awards for traders which could include Pitch of the Year and gold standard hygiene
<b>Regulatory</b>		
Look at options for the market on Saturday that complement existing traders but increase footfall	Use the current licensing regime to allow for licensing different traders for specialist events, certain days and explore sharing of pitches	
Make it easier to navigate the market and access shops	Produce a market layout plan so pitch spaces are clearer and enforce pitch usage	

# Church Street Market

## 1. Overview

Church Street is in the final stages of planning for a regeneration masterplan that will see it rebuilt over the next 15-20 years. A key component of the plan is to ensure that the market continues to operate and that the traders have access to facilities and training to protect their income during these large scale changes.

The masterplan aside the area is already under pressure as a large residential site is taking shape at one end of the street. At the other end, the well-known Alfies Antiques Centre and smaller specialist shops established since the 1960's, sit side-by-side with the market.

The street is home to one of the highest concentrations of social housing in the borough and is an ethnically diverse ward.

The market operates six days a week with stalls running between Edgware Road and Lisson Grove. It is within a five minute walk of Edgware Road tube station and several housing estates surround the market providing it with a large customer base. The market is an important source of produce for local people, particularly those from disadvantaged backgrounds.

Saturday is the busiest day with more than 170 stalls, with 70-80 stalls on weekdays. There is branded signage at each end of the street. Part of the street is a designated market street and a Traffic Management Order has been submitted to introduce a road closure Monday to Thursday.

The (regeneration) masterplan will look to create a more robust market with 220 stalls, increased parking and storage for traders. The first phase (impacting the market) is expected to take place in 2024 and plans are underway to ensure all traders can continue trading during the works. In preparation, new storage was put in place in 2018 and other minor changes implemented.

The antique shops including Alfies Antique Centre and supported by the council's regeneration team have, in the past few years, organised a specialist Sunday antiques market. The 2019 event is planned for May and this will be its third year after a successful trial. Discussions are underway as to how this can continue during the masterplan phase and complement the main market.

### The Market

**Type of market:** General

**Trading days:** Monday to Saturday

**Hours:** 9am to 6pm

**Busiest:** Saturday

**Traders:** Monday to Friday 70-80  
Saturday 170

**Goods:** Fruit and vegetables, fish, luggage and bags and clothing

**Customers:** Local residents

### Neighbourhood snapshot

- 87% of people get on well together
- 98% feel safe although this drops to 90% after dark
- Within the 10% most deprived wards in England
- Fewest jobs in the borough and 20% of households have never worked or are long-term unemployed
- Low level of qualifications with 26% degree level or higher but 28% have none
- An older population with 12% over 65 years and 2% aged 85 and older
- 21% of households are overcrowded
- Arabic, Bengali and Kurdish are the most spoken languages after English

*All data Westminster City Council Ward Profiles 2018*

## 2. Challenges

Whilst the market is very busy (with traders and customers) on a Saturday, weekdays vary from day-to-day and present room for improvement. There is also a disconnect between the market end of the street and the antiques quarter. Some of the challenges are:

- **Rundown stalls** – Many stalls are metal framed with sheets and in some cases there is no cover making the market look run down and untidy
- **Little hot food on offer** – There is an unexplored visitor market of lunchtime office workers but there is not currently enough food on offer to attract them
- **Duplication of commodities** – There are multiple stalls selling fruit and vegetables, fish and luggage and/or bags

- **Market pitch plan** – Pitch markings have faded and many stalls are oversized leading to access issues around shops and pavement. In some places there is fresh fish and cooking next to clothing stalls
- **Parking** – There is a lack of parking, primarily for traders, which leads to several vans being parked on the surrounding streets. There are also no electric charging points near Church Street
- **Litter and anti-social behaviour a problem** – Many people locally are impacted by litter and in the evenings there is increasing anti-social behaviour
- **Trader facilities** – There are currently no toilets and a lack of power with electricity available to only a few traders

## 3. Consultation feedback

The consultation was carried out between 6 August and 29 October 2018 via on street surveying, an online survey and an email comment box. A drop-in session also took place on 2 September 2018 at Church Street Library which was open to all.

In addition, separate engagement took place with traders to discuss changes to fees and charges.

### The consultation for Church Street

**Responses:**

173 specifically on Church Street

**Breakdown:**

67% residents, 22% workers, 21% visitors

**Frequency of visit:**

75% visit it at least once a month, 41% visit the market at least once a week.

**Getting involved:**

44 people provided details

Residents' (and others) would like:	Traders' would like:
<ul style="list-style-type: none"> <li>• Toilets</li> <li>• Entertainment</li> <li>• Seating</li> <li>• More bins including recycling and better cleaning</li> <li>• Ice cream stall</li> <li>• Branded Church Street bags</li> <li>• History walk</li> <li>• Community kitchen</li> <li>• Activities for the elderly</li> <li>• Community and charity stall once a month</li> <li>• Pop-up stalls</li> <li>• Late night Christmas market</li> <li>• Start-up and back to work support</li> <li>• Educational day on how to start trading</li> </ul>	<ul style="list-style-type: none"> <li>• New stalls (set-up and/or hire facility for gazebos)</li> <li>• Managed toilets</li> <li>• Better lighting</li> <li>• Parking</li> <li>• More storage</li> <li>• Hardship fund</li> <li>• Empty pitches filled</li> <li>• Trader training - quality/hygiene/trading standards</li> <li>• Water</li> <li>• Electricity</li> </ul>

## 4. Stakeholders

The market strategy connects to the [masterplan for Church Street](#) and considers the following aspects:

The masterplan includes:

- Commercial Strategy
- Cultural Quarter
- New housing
- Improved green spaces, pedestrian and cycling routes (via the Green Spine project)
- Storage and van parking for market traders

Related projects:

- The Triangle – affordable work and community space and reopen public toilets
- Market Incubator Programme
- Small Improvements Grants
- Lisson Arches Enterprise Hub
- Digital Market
- The Showroom

Stakeholder engagement will focus primarily on the established groups who are already involved with the masterplan, widening their reach where needed. We will engage with them once the strategy is approved.

## 5. Church Street market plan

What people would like to see change	How we can do this	Additional comments
<b>How customers use our markets</b>		
A wider selection of goods	<p>Draft a robust commodities policy that provides a framework for curating the market to meet customer needs as and when vacant pitches become available</p> <p>Increase the street food offer Monday to Friday to attract new customers such as lunchtime office workers</p>	<p>Diversify the commodity mix to include (for example) fresh produce and grocery, plants and flowers, food from regions (Arab, Kurdish, Bengali plus Moroccan, Asian and African) and street food (Monday to Friday)</p> <p>Capitalise on the ethnic diversity of the local food offer to make the market stand out amongst other street food offers (and link to marketing and promotion)</p>
The opportunity to pay by card at all stalls (74%)	Install Wi-Fi on the street to deliver fast connectivity for card payments. Partner with a card payment operator for those traders who do not have one in place	We are currently developing proposals for free Wi-Fi to be available at all our markets. Work with the economy team to explore partnerships with card payment machine providers
Build a Sunday or monthly market into a regular event	The Commercial Strategy is exploring how the antique or other themed markets can take place more regularly	Trialled in 2017, Antiques Anonymous returns for a third time in 2019. In 2018 there were 94 stalls including approximately 10 food traders

What people would like to see change	How we can do this	Additional comments
<b>Business and Enterprise (including innovation and technology)</b>		
Encourage start-ups, residents and young people to trade (72–78%) alongside creating new jobs via resident start-up programmes	<a href="#">Tree Shepherd</a> have been appointed to engage with residents under the Market Incubator programme working alongside WAES. 10 residents will be identified to receive training as well as stall kit to help them develop their business	Engage with National Market Traders Federation (NMTF) to explore the <a href="#">Young Traders Market</a> concept
<b>Marketing and Promotion (including branding)</b>		
Find out more online (76%) and take part in events throughout the year (86%)	2019 will see a branding development exercise take place to create a destination marketing approach for Church Street (to include market, shops, antiques) and to build it into a visitor and resident attraction. A wider brand strategy is expected in 2020  Specifically, there was mention of branded Church Street shopping bags and entertainment amongst the things people would like to see	Include the Cultural Quarter, <a href="#">The Showroom</a> and <a href="#">Cockpit Theatre</a> longer term  Suggestions included an open art gallery event, culture days with a global food offer, Eid day time event, Christmas market with antiques, a history walk and an ice cream stall were some of the suggestions
<b>Sustainability and Environment</b>		
More recycling (89%) and reducing plastic (85%)	Work with traders to reduce carrier bags used and to encourage customers to bring their own containers. Look into biodegradable packaging and paper bags (across all markets)	
A cleaner and tidier street	Increase rubbish collections and/or on street cleaning. Work with traders to enforce cleanliness standards	
More seating (70%)	With the road closed on weekdays there is the opportunity to explore how seating can be added to the market	
Community kitchen	Explore where there may be space for a community kitchen, particularly related to Masterplan sites A, B and C. This could also be used for food prep by market traders	A desire for chef demonstrations and to teach adults how to grow fruit and vegetables. There is also a desire to involve the elderly population with activities
Add a permanent tree to the market	Explore where a permanent tree could be sited to be used during the Christmas period	
<b>Stakeholders</b>		
More community involvement (83%)	Working with existing local groups – Neighbourhood and Business Forums – widen their agenda to include issues affecting traders and residents and how the market might change over time  Offer 5% of stalls to local community groups and charities to fundraise or promote their projects	The Business Forum includes market traders and local businesses while there are currently several resident groups.  A market stall will be provided free of charge

What people would like to see change	How we can do this	Additional comments
<b>Trader Facilities</b>		
Toilets	Under The Triangle project toilets will be provided via repurposed or new facilities. These are expected by 2021	
Electricity and water	Options will be explored in line with the development phases as to how this can be introduced	
New stalls (set-up and hire of gazebos)	New gazebos are being sourced during 2019 based on trader demand	
Training and support programme to increase trader turnover	Tree Shepherd have been engaged to support this programme (see business and innovation)	
Hardship Fund	Following the increase in fees and charges and the extent of work taking place on the street over the next 15 years a hardship fund is being considered	
More storage and van parking	This is addressed under the masterplan, however options may need to be explored in the short-term. Estate parking is being investigated as are storage options	
<b>Regulatory</b>		
Pitch markings	Pitch marking have worn away. It is proposed these are repainted in time to be enforced from January 2020	
New market layout	There is a proposal to change the market layout to back-to-back stalls by mid-2020	
Licensing regime	Review licensing regime in place to allow for new commodities and enforcement post pitch marking renewal	
Improving the management regime	Review resource on site daily and look to allocate additional resource in conjunction with the licensing team	

# Maida Hill Market

## 1. Overview

Maida Hill is located in west London on Harrow Road. It is bordered by Maida Vale and Queen's Park and is a busy neighbourhood centre with a diverse community. It is primarily residential but low income with a high volume of social housing.

Harrow Road consists of several convenience shops, particularly those selling fruit and vegetables.

The road is undergoing large scale change over the coming years. To support this a Place Plan has been developed following extensive community engagement. It aims to make the area more accessible by opening up canal access, improving routes into the area from Westbourne Park tube station and creating a walking strategy.

The Plan will ensure that the market is part of a united programme of work along Harrow Road that will encourage positive investment, vitality and change while sustaining and strengthening the area's existing community in the long-term.

A Neighbourhood Plan is also in development by Maida Hill Forum as well as two other nearby plans in the areas of Westbourne and Queen's Park.

Maida Hill market takes place in a pedestrianised square created approximately 10 years ago.

The market is regulated under planning consent (with related storage) to operate six days a week.

There is good footfall on the Harrow Road and a cafe on the square provides space to sit outside alongside fixed seating in the square.

### The Market

**Type of market:** Food

**Trading days:** Monday to Saturday (mostly Monday to Friday only)

**Hours:** 9am to 6pm

**Busiest:** No clear busy day or time

**Traders:** 4

**Goods:** Falafel and fruit and vegetables

**Customers:** Local residents

### Neighbourhood snapshot

- 91% of people get on well together
- A younger rather than older population with 22% being under 18 years old
- 96% feel safe but there has been an increase in anti-social behaviour taking place in the market square, particularly in the evening
- Within the 10-20% most deprived wards in England
- The average property price is 44% lower than the borough average leading to a changing area as new residents move in
- 39% of households are one person, lower than any other part of the borough with 45% being families
- Arabic is the most widely spoken language at home after English
- 40% hold degree-level qualifications whilst 18% have none

*All data Westminster City Council Ward Profiles 2018*

## 2. Challenges

Despite a number of initiatives by the council and the involvement of market operators it has been difficult to maintain a regular market at Maida Hill. The challenges include:

- **Attracting traders** – With a large number of convenience stores selling fruit and vegetables and a fishmonger it has been difficult to attract traders who are selling other commodities. There is also a perception that it is expensive to trade at Maida Hill (this is not the case)
- **Increasing footfall** – Without a strong group of traders, there is little interest in the space as a market and without footfall it impacts keeping the traders

- **Community market** – A community market has previously taken place in the square on a Tuesday adding some life to the space. However, this has been closed for several months
- **Licensing** – The square is licensed for a market for six days a week, but this is not sustainable and prevents using the space for other purposes
- **Anti-social behaviour** – As the square is not being used for a market, it is attracting anti-social behaviour and having a negative affect on the area where a market would be

## 3. Consultation feedback

The consultation was carried out between 6 August and 29 October 2018 via on street surveying, an online survey and an email comment box. A drop-in session also took place on 19 September 2018 at Yaa Centre which was open to all.

In addition, separate engagement took place with traders to discuss changes to fees and charges.

### The consultation for Maida Hill

**Responses:**

108 specifically on Maida Hill

**Breakdown:**

50% residents, 20% workers, 7% visitors

**Frequency of visit:**

80% visit it at least once a month, 51% visit the market at least once a week

**Getting involved:**

29 people provided details

Residents' (and others) would like:	Traders' would like:
<ul style="list-style-type: none"> <li>• Event programme throughout the year and more promotion at Christmas</li> <li>• Stronger community engagement</li> <li>• Return of the community market</li> <li>• Support for new traders, particularly residents (getting them into employment) and young people</li> <li>• Add diversity to the existing offer from shops on Harrow Road</li> <li>• To find out more online</li> <li>• More recycling and reduced plastic use</li> </ul>	<ul style="list-style-type: none"> <li>• Water</li> </ul>

## 4. Local organisations

There are many stakeholders with a part to play in Maida Hill's future and all are welcome to get involved. We have identified an initial group of organisations who are prominent in the community and will seek to engage with them once the strategy is approved.

## 5. Maida Hill's plan

Maida Hill's market plan is different to others, in that there is not currently a market operating in the space (based on a market being defined as five stalls).

The Harrow Road Place Plan will create synergies with the market to support the space being revitalised. An existing community kitchen and cafe will be reinforced, public realm and shop front enhancements will take place and measures introduced to make it environmentally and financially sustainable; all of which we hope will lead to increased footfall and use of the square.

The market plan focuses on:

- placing the square at the heart of the community
- reclaiming the space (from anti-social behaviour)
- creating an event and community programme that can take place in the space
- engaging community, particularly via engaging with schools and other groups to use the space and get involved
- creating a new market

What people would like to see change	How we can do this	Additional comments
<b>How customers use our markets</b>		
For the commodity mix to reflect the area (and be low price)	Fresh produce and grocery, plants and flowers, food from certain regions, clothes and shoe stalls (children's and teenagers too) were all suggested	There are several shops on Harrow Road selling fruit and vegetables and a fishmonger therefore the market needs to offer something different
Reclaim the square for community use  The Harrow Road Place Plan explicitly discusses widening the diversity of the public realm and how it is used around the Harrow Road	Develop relationships with local organisations to create an event programme in the square  Explore the potential to create a community food growing programme on an underused space  Look at the opportunity for the square to be used as a Play Street	Events could include outdoor cinema, food days for example largest retailer of Filipino food nearby and a large Portuguese supermarket, Give/Take Day combined with Dr Bike and Repair Cafe
Reintroduce the Tuesday Community Market	Engage with the organisers and community groups to develop a way in which the market can return	We have worked with the organisers to complete a new application to re-establish the Community Market and are hoping this will start again soon
Trading hours	Look at times when the area is busy to run events and mini markets. Work with the community to establish when a market might work. Suggestions may include running one or two market days per week or one weekend a month while trader numbers are increased	Example times could be 12–6 pm, Saturday evening 6–9 pm and/ or a night market once a month between April and September (5–8 pm)
More seating (79%)	Via the Harrow Road Place Plan consider options on reconfiguring the seating or covering areas of the square to allow for increased use and to reduce antisocial behaviour	
A community kitchen	Find out more about the existing facilities and how these can be accessed by the community	

What people would like to see change	How we can do this	Additional comments
<b>Business and Enterprise (including innovation and technology)</b>		
Support first time traders and residents into employment (76%)	Organise drop-in sessions in the square and/or library to help residents to apply for a stall	
Support for young people (87%)	<p>Engage with National Market Traders Federation (NMTF) to explore the <a href="#">Young Traders Market</a>. The <a href="#">The Teenage Market</a> also run a similar programme which can be incorporated into an existing market</p> <p>Further develop links with incubator spaces, colleges (including but not limited to <a href="#">King's College London</a>, <a href="#">University of Westminster</a>, <a href="#">Westminster Kingsway College</a> and <a href="#">Westminster Adult Education Service</a> (WAES) for training partnerships as well as look to enterprise programmes such as <a href="#">Young Enterprise</a> to give new businesses a test platform for trading</p> <p>There are also several schools close to Harrow Road</p>	
<b>Marketing and Promotion (including branding)</b>		
Find out more online (81%)	Create and manage a web page and social media for all markets	
Promote the market more at Christmas and other national holiday periods (83%)	Include all markets in the annual communications plan	Explore early evening trading for Christmas market
Take part in community events throughout the year (91%)	Identify key events and celebration and include in communications plan for the year	Suggestions included: Harvest festival (with homegrown food), May Day, international days, entertainment and displays, school choirs, fire brigade demonstrations
More traders	Run a dedicated trader recruitment campaign (once the market model of operation is agreed) and speak to local shops to see if they would like to trade	
<b>Sustainability and Environment</b>		
More recycling, reducing plastic and packaging (90%)	Work with traders to reduce carrier bags handed out and to encourage customers to bring their own containers. Look into biodegradable packaging and paper bags	
Add a permanent tree to the market	Explore where a permanent tree could be sited to be used during the Christmas period	
Reduce vans and power usage	Install electric charging points close to the square	There are currently none, the only place in the borough without them

What people would like to see change	How we can do this	Additional comments
<b>Stakeholders</b>		
Greater local community input into the market (90%)	<p>Create a traders and residents' group to input into how the market might develop over time</p> <p>Offer 5% of stalls to local community groups and charities to fundraise or promote their projects</p>	<p>The Harrow Road Place Plan will create a number of working groups which should incorporate the market space</p> <p>A market stall will be provided free of charge</p>
Widen the use of the square and engage community more	Work with Ward Councillors to build relationships to reactivate the square	Schools, youth projects, activities such as boxing and yoga, bike repair, arts (including community theatre), religious groups and charities
<b>Trader Facilities</b>		
Utilities	Electricity is available, water is not	
<b>Regulatory</b>		
Enable the cafe to trade outside in summer	Review licensing requirements for pavement seating	
Market days and times	Review existing licensing structure to ensure the council can adapt to changing frequency and style of markets	

Additionally, we are currently developing proposals for free Wi-Fi to be available at all our markets.

# Strutton Ground Market

## 1. Overview

Strutton Ground is located off Victoria Street and halfway between the Palace of Westminster and Victoria station. It is surrounded by office developments, theatres and tourist attractions.

There is a large residential population in the surrounding streets and on Strutton Ground itself.

Located on a pedestrianised street, the market operates at lunchtimes only Monday to Friday. The market is almost full and its main customer base is office workers due to the offer being mostly street food. This creates occasional conflict with long established non-food sellers.

A programme of public realm works is underway running to September 2019. The works will see the street upgraded with improved paving and lighting.

### The Market

**Type of market:** Predominantly food

**Trading days:** Monday to Friday

**Hours:** 12 to 2.30 pm

**Busiest:** Lunchtimes Monday to Friday

**Traders:** 22-23

**Goods:** Street food, clothing, coffee, watch repairs, children books

**Customers:** Local workers, tourists and residents

### Neighbourhood snapshot

- 75% of people get on well together
- 95% feel safe
- 52% of households are one person
- More older people (14% above 65 years) and less young people (12% below 18 years) than other parts of the borough
- 29% of households have dependent children
- 50% of households hold a degree-level qualification whilst 11% have none

*All data Westminster City Council Ward Profiles 2018*

## 2. Challenges

Whilst the market is almost full Monday to Friday, there remain challenges including:

- **Dominance of hot food** – The street is populated with mostly convenience food shops of both independent and well-known names; therefore, the market does not offer any new commodities to visitors to the area (than what is already there)
- **Opening hours** – The market operates 12 to 2.30pm and there is no market on a weekend despite the street being located close to Victoria Station, theatres and Westminster tourist attractions and the area lacking local food shops for residents. There has not been any exploration of whether the hours could be changed to capture passing tourists
- **Disruption to residents** – While work has taken place to reduce historic issues, those living above the market complain of smells and smoke from cooking
- **Loading and unloading** – Vans remain on the street until 10.30 am (and pack-up from 2.30 pm) often making it difficult to access the shops during these times

### 3. Consultation feedback

The consultation was carried out between 6 August and 29 October 2018 via on street surveying, an online survey and an email comment box. A drop-in session also took place on 12 September 2018 at The Abbey Centre which was open to all.

In addition, separate engagement took place with traders to discuss changes to fees and charges.

#### The consultation for Strutton Ground

**Responses:**

140 specifically on Strutton Ground

**Breakdown:**

43% residents, 48% workers, 9% visitors

**Frequency of visit:**

90% visit it at least once a month, 64% visit the market at least once a week

**Getting involved:**

36 people provided details

Residents' (and others) would like:	Traders' would like:
<ul style="list-style-type: none"> <li>• Recycling to increase and plastic use to be reduced</li> <li>• Support for young people, first time traders and residents to trade</li> <li>• For the market to take part in events throughout the year</li> <li>• More diversity in stalls - fresh produce and grocery and plants and flower stalls</li> <li>• All traders to take card payments</li> <li>• To find out more about the market online</li> <li>• More community involvement</li> <li>• Seating and/or places to rest</li> </ul>	<ul style="list-style-type: none"> <li>• Toilets</li> <li>• Improved lighting</li> </ul>

## 4. Local organisations

There are many stakeholders with a part to play in Strutton Ground's future and all are welcome to get involved. We have identified an initial group of organisations who are prominent in the community and will seek to engage with them once the strategy is approved.

## 5. Strutton Ground market plan

What people would like to see change	How we can do this	Additional comments
<b>How customers use our markets</b>		
A wider selection of goods, not just street food. For the commodity mix to reflect the multiculturalism of the area	Draft a robust commodities policy that provides a framework for curating the market to meet customer needs as and when vacant pitches become available	Diversify the commodity mix. Suggestions included: jewellery, niche clothing, fresh produce, vintage/ one-off stalls, halal food, plants and flowers, low cost clothing and shoe stalls
The opportunity to pay by card at all stalls (67%)	Install Wi-Fi on the street to deliver fast connectivity for card payments. Partner with a card payment operator for those traders who do not have one in place	We are currently developing proposals for free Wi-Fi to be available at all our markets. Work with the economy team to explore partnerships with card payment machine providers
Places to sit and/or rest (64%)	Utilise nearby space such as Christchurch Gardens to encourage people to stay in the area (as opposed to seating for which there is low demand compared to other markets)  Consider space nearby for Parklets to be introduced	Victoria BID are undertaking work in Christchurch Gardens during 2019
<b>Business and Enterprise (including innovation and technology)</b>		
Encourage start-ups, residents and young people to trade (76-78%)	Engage with National Market Traders Federation (NMTF) to explore the <a href="#">Young Traders Market</a> . The <a href="#">The Teenage Market</a> also run a similar programme which can be incorporated into an existing market  Further develop links with incubator spaces, colleges (including but not limited to) <a href="#">King's College London</a> , <a href="#">University of Westminster</a> , <a href="#">Westminster Kingsway College</a> and <a href="#">Westminster Adult Education Service</a> (WAES) for training partnerships as well as look to enterprise programmes such as <a href="#">Young Enterprise</a> to give new businesses a test platform for trading  Run information sessions for residents to help them apply for a stall	
<b>Marketing and Promotion (including branding)</b>		
Find out more online (79%)	Create and manage a web page and social media for all markets	
Promote the market more at Christmas and throughout the year (71%)	Include all markets in the annual communications plan	Explore early evening trading for Christmas market
Link marketing to local attractions such as theatre and cinema	Engage with theatres to understand when matinees take place (days) to promote the market as well as the cinema on Victoria Street	

What people would like to see change	How we can do this	Additional comments
<b>Sustainability and Environment</b>		
Remove and reduce plastic (77%)	Work with traders to reduce carrier bags handed out and to encourage customers to bring their own containers. Look into biodegradable packaging and paper bags	
A cleaner and tidier street	Increase rubbish collections and/or on street cleaning. Work with traders to enforce cleanliness standards	
Reduce smell and smoke (to flats above)	Work with traders to check cooking equipment and positioning of stalls	
Reduce the number of vans on the street during loading and unloading	Encourage the use of electric vehicles and enforce loading and unloading times	
Add a permanent tree to the market	A space has been identified where a permanent tree can be sited during the public realm works. This will then be used during the Christmas period every year	
<b>Stakeholders</b>		
More local community input into market (77%)	Create a traders and residents' group to input into how the market might change over time  Incorporate a suggestion box function into the group  Offer 5% of stalls to local community groups and charities to fundraise or promote their projects	Encourage customers who are local workers to be involved too  A market stall will be provided free of charge
What people would like to see change	How we can do this	Additional comments
<b>Trader Facilities</b>		
Toilets	Explore where these are located and if a sharing arrangement can be put in place	
Lighting	New lighting will be installed during public realm works in 2019	
Pitch markings	Pitch markings have worn away. It is proposed these are repainted in time to be enforced from January 2020	

# Tachbrook Street Market

## 1. Overview

In a pedestrianised area off Vauxhall Bridge Road, Tachbrook Street offers a good location in the midst of a high street environment, with a good mix of independent shops and multiples surrounding the market.

Whilst the area around the market is largely residential, it is within walking distance of Victoria station, Pimlico tube and the many offices and theatres around Victoria Street and Vauxhall Bridge Road. There is also a Santander bike dock located nearby.

The market is home to approximately 20 stalls with a focus on street food and serving local workers.

On weekdays the area is busy with traffic and footfall due to nearby retail, offices and good transport connections. However, the market remains somewhat hidden from view and has potential to expand.

At weekends the area is more residential in nature with a relaxed atmosphere with people sitting outside cafes and families with young children visiting shops.

### The Market

**Type of market:** Predominantly food with a mix of street food and produce

**Trading days:** Monday to Saturday

**Hours:** 8am to 6pm

**Busiest:** 12 to 2.30pm Monday to Friday

**Traders:** Monday to Friday 19–24, Saturday 17

**Goods:** Fruit and vegetables, flowers, street food, butcher and fishmonger

**Customers:** Local workers, tourists and residents

### Neighbourhood snapshot

- 88% of people get on well together
- 94% feel safe
- 53% of households are one person
- More older people (15% above 65 years) and less young people (13% below 17 years) than other parts of the borough
- 32% of households have dependent children
- 55% of households hold a degree-level qualification or higher while 12% have none

*All data Westminster City Council Ward Profiles 2018*

## 2. Challenges

Despite being in a busy location with good footfall, the market is not operating at capacity and challenges include:

- **Dominance of hot food** – The market currently offers little of interest to local residents Monday to Friday
- **Saturdays** – The dominance of hot food and the volume of Monday to Friday workers means that Saturdays are very quiet. Whilst there are 17 licensed traders (on Saturdays) approximately eight set-up selling fruit and vegetables, fish and meat that serve local residents well.
- **Branding and signage** – There is branding in place at the market but this has not been extended across all areas. There is no signage from nearby roads and/or routes to the market and it is easily missed

- **Layout and seating** – There is no customer seating (leading to customers sitting in non-public areas) and the layout of pitches does not lend itself to walking around the market easily
- **Lack of awareness amongst local organisations** – There are several hotels and leisure amenities nearby and relationships should be explored with them to widen the customer base of the market

## 3. Consultation feedback

The consultation was carried out between 6 August and 29 October 2018 via on street surveying, an online survey and an email comment box. A drop-in session also took place on 9 October 2018 at St James the Less Church and was open to all.

In addition, separate engagement took place with traders to discuss changes to fees and charges.

### The consultation for Tachbrook Street

**Responses:**

211 specifically on Tachbrook Street

**Breakdown:**

48% residents, 47% workers, 10% visitors

**Frequency of visit:**

92% visit at least once a month, 46% at least once a week

**Getting involved:**

42 people provided details

Residents' (and others) would like:	Traders' would like:
<ul style="list-style-type: none"> <li>• A wider variety of stalls – more fresh produce and less street food</li> <li>• Wi-Fi</li> <li>• Seating – tables and chairs</li> <li>• Community garden</li> <li>• Support for young traders</li> <li>• A better stall layout to make it easier to walk around the market</li> <li>• To find out more about the market online</li> <li>• Car charging points</li> <li>• Recycling bins</li> <li>• Improved parking facilities and hygiene (for traders)</li> </ul>	<ul style="list-style-type: none"> <li>• Improved electricity</li> <li>• Parking and loading access</li> <li>• Access to water</li> <li>• Wi-Fi to support card payments</li> <li>• Training to support increasing their income and on health and safety</li> <li>• Regular cleaning and more bins at the market</li> <li>• A programme of events, branding and signage</li> <li>• Sustainable packaging and a drive to reduce plastic for all traders</li> <li>• Public toilets</li> <li>• Permanent licencing</li> </ul>

## 4. Local organisations

There are many stakeholders with a part to play in Tachbrook Street's future and all are welcome to get involved. We will be working closely with the Pimlico Retail Group which consists of traders, businesses and residents representing the community and will seek to engage with them.

## 5. Tachbrook Street's plan

What people would like to see change	How we can do this	Additional comments
<b>How customers use our markets</b>		
A wider selection of goods, not just street food	Draft a robust commodities policy that provides a framework for curating the market to meet customer needs as and when vacant pitches become available	Commodities requested include fresh produce and grocery, plants and flowers, food from certain regions
Add seating for customers (70%)	Add bench seating where there are vacant pitches	Five benches have been ordered (at February 2019) to be placed in vacant pitch spaces
Interest in pop-up stalls and themed markets (59%)	Explore (as part of the marketing plan) what themed events can take place at Tachbrook Street. Also consider pop-up experiences and services not just retail	
A Saturday market that is full and serves local residents	Engage with existing resident groups and the new group (see stakeholders) to understand what stalls they would like to be added on a Saturday	There is the potential to attract tourists on a Saturday too
<b>Business and Enterprise (including innovation and technology)</b>		
Support young people with trading (75%)	<p>Engage with National Market Traders Federation (NMTF) to explore the <a href="#">Young Traders Market</a>. <a href="#">The Teenage Market</a> also run a similar programme which can be incorporated into an existing market</p> <p>Further develop links with incubator spaces, colleges (including but not limited to) <a href="#">King's College London</a>, <a href="#">University of Westminster</a>, <a href="#">Westminster Kingsway College</a> and <a href="#">Westminster Adult Education Service</a> (WAES) for training partnerships as well as look to enterprise programmes such as <a href="#">Young Enterprise</a> to give new businesses a test platform for trading</p>	

What people would like to see change	How we can do this	Additional comments
<b>Marketing and Promotion (including branding)</b>		
Find out more online (70%)	Identify owners of the existing website and social media channels and create a management structure for operation	
Signage	Discuss with placeshaping and town planning the need for signage and how this can be implemented	The market is easily missed. Signage is needed from Vauxhall Bridge Road and the Rampayne exit of Pimlico tube station (and possibly Victoria station)
Develop a series of events (77%)	Identify events and occasions that the market can take part in and build these into a communications plan	Christmas, Eid, Easter, mid-summer, harvest in a programme of quarterly events were some of the suggestions
Branding	Build on the brand created for Tachbrook Street and extend it across all areas	Partners have been identified (at February 2019) to implement this
Marketing should include local facilities	There is the potential to promote the area to local hotels given there are a number in the area who will have guests looking for someone to go nearby, particularly on a Saturday. Speak to theatres and understand when matinees take place (days) to promote the market	
<b>Sustainability and Environment</b>		
Reduce packaging and plastic (84%)	Work with traders to reduce carrier bags handed out and to encourage customers to bring their own containers. Look into biodegradable packaging and paper bags	
A community garden	Explore links with Lillington Allotments to develop gardening skills. Consider creating a window display for flowers and a growing competition	Feedback suggested this could bring community together
Add a permanent tree to the market	Explore where a permanent tree could be sited to be used during the Christmas period	
Encourage the use of electric vehicles	Add electric charging points	There are only two in the ward, the second lowest number in the borough
<b>Stakeholders</b>		
More local community input into the market (68%)	Create a traders and residents' group to input into how the market might change over time  Offer 5% of stalls to local community groups and charities to fundraise or promote their projects	A market stall to be provided free of charge
Engage with local shops	There are a number of charity shops in the surrounding streets that have high quality goods on display or are niche charities. Gauge interest as to whether they can play a part in the market. Can the shops offer a pop-up skill or demonstration?	

What people would like to see change	How we can do this	Additional comments
<b>Trader Facilities</b>		
Electricity	Upgraded electricity is being repaired and is expected to be operational by autumn 2019	
Parking and loading access	Review existing arrangements and explore other locations	
Wi-Fi to support card payments	There was little appetite for card payments (51%) compared to other markets	We are currently developing proposals for free Wi-Fi to be available at all our markets. Work with the economy team to explore partnerships with card payment machine providers
Training	Training providers have been identified to offer training to all market traders across the borough	
Cleaning and bins	Introduce lockable bins for traders' use only	
Sustainable packaging	See Sustainability and Environment	
Public toilets	These are in place at the market for traders. Work with colleagues to understand how they are used and any issues	
Branding, signage and a programme of events	See marketing and promotion	
<b>Regulatory</b>		
Permanent licences	Qualifying traders will be offered permanent licenses	
Review the layout	Consider pitch markings and a revised layout to make it easier for traders to set-up and customers to walk around the market	







# Licensing Committee Report

Date	<b>27 March 2019</b>
Classification	<b>For General Release</b>
Title or report	<b>Application Process for a Street Trading Licence for a Pitch on a Market</b>
Report of	<b>Director of Public Protection &amp; Licensing</b>
Decision maker	<b>Licensing Committee</b>
Wards involved	<b>All</b>
Financial summary	<b>There are no direct financial implications as a result of this report.</b>
Report author and telephone	<b>Mrs Rosalind Hick, Interim Head of Central 0207 641 1775</b>

## 1. Executive Summary

- 1.1 This report sets out the proposed approach to determine a licence application for a street trading pitch on a market in Westminster and the selection criteria to be adopted.
- 1.2 The approach is designed to provide an effective way of managing available street trading pitches on markets, in line with statutory / policy requirements. It also ensures the choices we make broaden our market offer in line with agreed local market plans, placing markets at the heart of our communities. Our approach aims to encourage start-up businesses, and support market improvement and sustainability.
- 1.3 This note provides detail on the rationale used for selection criteria, shows the range of criteria to be used and sets out options for weighting. The criteria themselves have been devised using the City of Westminster Act 1999, the Street Trading Policy 2013 and the emerging market strategy.
- 1.4 The criteria themselves have been devised using the City of Westminster Act 1999, the Street Trading Policy 2013 and the emerging market strategy.
- 1.5 The Committee is requested to consider the proposals and provide any feedback or comments that may assist officers.

## 2. Background

- 2.1 In early April 2017 a decision was taken to end the process to procure an operator to run Berwick Street market. Following this, an application process was run for all vacant pitches on Berwick Street market and the criteria to be used for determining applications for street trading licences for Berwick Street were finalised. The criteria were derived from the City of Westminster Act 1999, the Council's Street Trading policy and vision for Berwick Street and were approved by the Director of Public Protection and Licensing under delegated powers.
- 2.2 The criteria used to determine applications on Berwick Street market included whether an existing licence was held, the range and quality of commodities to be sold, the number of days trading and whether the applicant was a start up business. During the advertisement period, 47 applications were received and following a sub committee hearing in late September, 21 applications were approved.
- 2.3 All the vacancies on Berwick Street market were filled through the process that was followed in 2017.
- 2.4 The proposal for a consultation on the development of a market strategy was approved by Licensing Committee in July 2018. The aim of the consultation was to explore the opportunity to develop a market strategy that would help shape the future of our markets and to make sure they continue to thrive and serve their neighbourhoods. The consultation was broad and sought the views of residents, shoppers, traders and local businesses.
- 2.5 The consultation looked at a number of themes including how to:
- Keep markets at the heart of their communities, providing a fantastic offer to local residents.
  - Encourage more non-street food traders to open market stalls, bringing more diversity to Westminster's markets.
  - Attract more tourists where this would have a positive impact on the revenue of the market traders.
  - Recruit the next generation of traders and boost training on topics such as customer service, display, taking card payments and creating an online presence.
  - Provide a wider selection of goods, regular new products and events.
  - Become more sustainable by increasing recycling, reducing plastic, offering in-season food, and increasing biodegradable packaging and reusable energy
- 2.6 The results of the consultation were presented to Licensing Committee in November 2018. The Committee welcomed the comprehensive nature of the consultation. It was agreed that the work on developing a strategy would continue, including the

development of local plans for each market. This would be presented to Licensing Committee in March 2019.

- 2.7 In July 2018 a number of applications were also received for street trading licences for pitches on Strutton Ground and Tachbrook Street. These applications were all submitted by traders who were currently trading on the market, under a temporary licence.
- 2.8 All applicants were advised that as the market strategy is currently under development, their application would be held and not determined until such time as the local plans for each market had been developed and clear criteria for determining applications had been set. They were further advised that as in the case of Berwick Street the criteria would be favourable towards those already trading on the market.
- 2.9 In designing the application selection criteria set out in this note, learning from the application process from Berwick Street Market, was considered. The application criteria have been made more specific than the criteria used in assessing Berwick Street applications. The application criteria have also taken account of the developing local plans for each market. The aim is to ensure that each application can be fairly and accurately assessed against the criteria and that those applicants who are selected are those that truly offer the best fit for that market in line with the local plans.
- 2.10 The application process set out in this note also takes learning from the process to fill vacancies at Berwick Street Market. The information that is requested in the application form will support the scoring against the criteria. The interview with the applicant also gives further opportunity to gather detailed information and develop a full picture of the applicant and their business.
- 2.11 The criteria and process set out in this note will be applied to each market in Westminster in turn. It will start with Strutton Ground and Tachbrook Street ensuring that the applications that have already been submitted are dealt with. Currently 19 applications have been received. 11 for Strutton Ground and for 8 Tachbrook Street. The application process will align with timeframes for market plans.
- 2.12 When all the markets have been 'filled', the annual process will begin that will manage any vacancies that result from trader cancellations or revocations.
- 2.13 The process for filling any vacancies for pitches with a street trading licence is proposed to take place 3 times each year. It is recognised that there may be times that individuals wish to test their product or business on a market. This may be through the use of short term pop-up stalls. In addition there may be individuals or organisations, such as community groups or charitable organisations that would not want to operate under a street trading licence. In these instances a temporary licence may be applied for and issued. The process for obtaining a temporary licence is set out in Appendix 1

### **3. Application Process for a licence for a pitch on a market in Westminster**

- 3.1 All vacant pitches on markets within Westminster will be advertised according to the requirements set out in the City of Westminster Act 1999 and the Statement of Street Trading Policy.
- 3.2 The process has been designed to be transparent, clear and timebound and to maximise the opportunity to support all new traders through the process and in their first weeks of trading on the market. It will involve officers in Licensing and Environmental Health with support from colleagues in Economic Development.
- 3.3 It is proposed that there are 3 advertisement periods throughout the year. This allows a number of applications to be received at one time and scored against the set criteria and the best of these applications will then be granted a street trading licence. The timeline for the whole application process is set out in Appendix 1

Advertised	Shortlist, interview and LSC	Start date
December / January	February / March	1st April
February / March	April / May	1st June
June/July	August / September	1st October

- 3.4 When applications are received, they will initially be validated against the following criteria:
  - i. That the application form has been completed in full and is legible
  - ii. That the licence fee is paid
  - iii. That the applicant is an individual who is over 17 years of age
  - iv. That the pitch or market that has been applied for is vacant
  - v. That the application has been received within the advertisement period
- 3.5 Once applications are validated, they will be assessed against the application criteria, giving them a score. Information will be taken from the application form regarding their business and commodity to be sold. The scores will be given by officers in Licensing, in consultation with officers from Environmental Health. The Market Strategy will also be referenced to assist with decision making.
- 3.6 Each applicant will then be sent their initial score and be invited to an interview where officers from Licensing, Economic Development and Environmental Health (where the application is for food) will meet them to talk about their product and business. The purpose of this interview is to give the applicant the opportunity to explain more about their business and product.
- 3.7 Following the interview the scores for the application may be amended or confirmed and a final score issued
- 3.8 The final scores for all applications will be taken to a Licensing Sub Committee hearing with an officer recommendation about those which should be granted. All applicants will be invited to attend Licensing Sub Committee and given an opportunity to address the panel.

- 3.9 Following the decision of the Licensing Committee the licence with any conditions attached will be issued to traders with a confirmed start date.
- 3.10 This proposed process is an enhanced process from the one that is currently followed. The process is currently led by Licensing with support from Environmental Health. The proposed process gives more opportunity to assess the quality of the product that will be sold, assess whether the applicant would require support for their start up business and will enable assessment of the approach the applicant has to sustainability and environmental impact.

#### **4 Application Selection criteria and scoring**

- 4.1 In designing the application selection criteria, feedback from the Licensing Sub Committee who heard the applications for Berwick Street Market, was considered. The application criteria have been made more specific than the criteria used in assessing Berwick Street applications. This will ensure that each application can be fairly and accurately assessed against the criteria and that those applicants who are selected are those that truly offer the best fit for that market in line with the local plans.
- 4.2 The application scoring criteria is set out in Appendix 2. It is divided into the following sections; Business and Operation, Commodity, Food Business Information and Applicant. A score is provided for each part of the criteria.
- 4.3 At each application period, a minimum score requirement should be set. This effectively gives a pass mark so that any applications that do not meet this score would be recommended for refusal.
- 4.4 In addition, the criteria may be weighted in accordance with the local plan for each market. In delivering the local plan, some criteria may be less important, particularly if a market is looking to move away from the sale of one commodity, such as hot food, towards an offer that includes a variety of commodities on different days. Two such criteria may be;
- How many days will the business operate on the market (maximum points awarded for a full week application)
  - The application for a commodity which more than a third of the pitches on the market sell?
- 4.5 The selection criteria and any weighting that is applied will be made available to all applicants throughout the process. Their score after the initial assessment will be shared before their interview and their final score and officer recommendation on all applications received will be provided to them before the Licensing Sub Committee hearing where the final decision on all applications is made.
- 4.6 This criteria and approach to scoring gives an opportunity to assess product, quality and business approach of the applicant in a way that is not possible with the current process.

4.7 The detailed assessments of each application for a market will be taken in one report to Licensing Sub Committee. This ensures the process is fully in line with the City of Westminster Act. Committee Members will have a detailed report from which to make their decision and the applicant will have an opportunity to address the committee in line with their application.

**5. Next Steps and timeline**

5.1 Once comments have been received from Licensing Committee, the criteria will be published, the website updated and a new traders handbook created to incorporate all the information applicants will need to know

5.2 The application form will be updated to reflect the criteria to ensure that applicants are able to provide information to enable a score to be made on their application.

5.3 Those who have currently made applications for Strutton Ground and Tachbrook Street will be contacted to inform them of the criteria and the local plan. They will be given support to provide any further information that may be needed to assess their application in line with the criteria.

**6. Staffing Implications**

6.1 There are no staffing implications as a result of this report

**If you have any queries about this report, please contact:**

Mr Andrew Ralph, Head of Licensing and Regulatory Services or Mrs Rosalind Hick, Interim Head of Service Central.

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**Appendix 1 – Application process for temporary licence**

Application made for a temporary licence for a vacant pitch on a market	
Applications validated	2 weeks
Consultation with EH (food application) and City Inspector	4 weeks
Application determined & licence issued	1 week
Start date agreed for market	12 weeks

## **Appendix 2 – Street Trading Licence Application process**

Vacant pitches advertised	8 weeks
Applications validated, assessed and scored	4 weeks
Interviews held with applicants / notification of LSC hearing	4 weeks
LSC hearing and licences issued	2 weeks
Total	12 weeks

## **Appendix 3 – Application criteria**

If an applicant does not meet the minimum score, recommendation to the Licensing Sub Committee will be for refusal of the application.

### **Business & Operation - Maximum available points – 70**

<b>Criteria Detail</b>	<b>Points</b>
Is this a start-up businesses (a business which has been registered at Companies House, HMRC or registered self-employed for less than 24 months before an application is made). (10 points for less than 12 months, 5 points for 13-24 months, 0 points for more than 24 months)	10
Is this part of an established Westminster based enterprise scheme? (10 points for part of the scheme, 0 points if not)	10
How many days will the business operate on the market (maximum points awarded for a full week application) (1-2 days 2 point, 3-4 days 6 points, 5-6 days 10 points)	10
Is the business demonstrating a plan for the use of sustainable packaging or any other environmentally friendly initiative. (20 points if using sustainable packaging and initiatives, 10 points for evidence of some sustainable initiatives, 0 for none)	20
Does the business currently have a web presence through social media. (10 points if social media is used, 0 points if not)	10
Does the business propose to operate from a receptacle of an approved size and design? (10 points for yes, 0 points for no)	10

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### Food Businesses – Maximum available points – 45

Criteria Detail	Points
Is the application from a registered food business? (10 points if so, 0 points otherwise)	10
Does the applicant have a level 2 food safety training or above? (20 points if they have above level 2, 10 points if they have level 2, 0 points otherwise)	20
Does the application or applicant provide evidence that the equipment to be used is safe and within the standard conditions? (yes all, 15 points, some 10 points, no 0 points)	15

### Commodity - Maximum available points – 60

Criteria Detail	Points
For non food, is the product being sold unique, bespoke in nature or crafted by the business owner? (20 points if this is unique, bespoke in nature or crafted by the business owner, 0 otherwise)	20
Is the application for a commodity that is not currently sold on the market? (Yes 20 points, no 0 points)	20
Is the application for a commodity which more than a third of the pitches on the market sell? (Based on cuisine regions not just hot food, if yes -10, no 0)	-10
Whether the applicant demonstrates, through their proposed commodity and stall a close match to the way in which the market currently operates? (20 points for awareness of the current area and market location, 0 points if no)	20

### Applicant- Maximum available points – 40

Criteria Detail	Points
Whether the applicant has, within the last two years held, or currently holds, a licence to trade on the market in Westminster for which they have applied. (20 points if two years or longer, 10 points for a year – two years, 5 points for less than a year)	20
Whether the applicant has, within the last two years held, or currently holds, a licence to trade on any market in Westminster (10 points if two years or longer, 5 points for two years or less)	10
Whether the applicant has demonstrated commitment and loyalty to the market on which they have traded, through attendance of 90% or above. (10 points if yes, 0 points if no)	10

Whether the applicant is subject to pending or historic enforcement action within the last two years? Multiple i.e 3 or more written warnings within two years. (-20 for three or more written warnings within the last two years, 0 otherwise)	-20
Evidence of current or historical arrears on a street trading account for a licence held within the last two years. (-20 points for financial arrears within the last two years, 0 points if no arrears)	-20
Evidence of repeated breaches of a street trading licence condition for a licence held on a market in Westminster within the last two years. A repeated breach is three times or more. (-20 points for repeated breaches, 0 points otherwise)	-20
Evidence of persistent failure to make full personal use of a licence held on a market in Westminster within the last two years. (-20 points for attendance of less than 90% within the last two years, 0 points otherwise)	-20

Maximum points for food traders is 195, maximum points for non food traders is 170. The minimum requirement is 50%.

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# Licensing Committee Report

Date	<b>20 March 2019</b>
Classification	<b>For General Release</b>
Title or report	<b>Developing an Evening and Night Time Vision</b>
Report of	<b>Director of Policy, Performance and Communication</b>
Decision maker	<b>Licensing Committee</b>
Wards involved	<b>All</b>
Financial summary	<b>There are no direct financial implications as a result of this report. All costs associated with the development of the Evening and Night Time Vision will be met through existing budgets.</b>
Report author and telephone	<b>Mr Kerry Simpkin, Interim Licensing Policy and Strategy Manager. Tel: 020 7641 1840</b>

## 1. Executive Summary

- 1.1 This report sets out the approach to the development of the councils Evening and Night Time Vision. The vision will enable the council to set out how it wants to see the evening and night time economy develop over the next 20 years. The proposed vision would become a pro-active tool which will focus future policy and strategy development and guide operational and service delivery.
- 1.2 The Committee is requested to consider the proposals for the councils Evening and Night Time Vision and provide any feedback or comments to assist officers in its development.

## 2. Background

- 2.1 City for All commits the council to introduce a new Licensing Policy by 2021 to ensure that Westminster remains a major night time destination, balancing the needs of residents, visitors and businesses. A key enabler of this is articulating the council's vision of the evening and night time. The council has defined the evening as the hours between 6pm and 11pm and night time between the hours of 11pm and 6am.

### 3. Rationale and Purpose

- 3.1 Our City is one of the most popular evening and night time (ENT)<sup>1</sup> destinations in the world and through our planning, licensing, culture, regeneration, community safety and economic powers, our role has been vital in shaping our city at night. However, the council does not have a clearly articulated vision or strategy that directly provides a framework for an aspirational ENT environment.
- 3.2 Growing visitor volumes, recent changes to transport availability and capacity, the diversity of leisure options available at night and ongoing pressure to better balance economic growth against residential amenity to ensure Westminster continues to be a place where people can live and visit, as well as do business - has afforded us the opportunity to rethink what type of City we want to be at night.
- 3.3 We want to design an ambitious 'Evening and Night Time Vision' that clearly articulates what we want our City to be able to offer by 2040. This vision will:
- 3.3.1 **Allow us to focus on what is most important to us and our community.** There is a number of ongoing and established international and national Night Time visions (most recently the GLA), strategies and academic research that cover a vast breadth of knowledge and recommended actions for improving cities at night. Therefore, by creating a locally focused set of priorities this will enable us to focus on what we want for our city and community and dismiss other recommendations which do not contribute to our ambition.
  - 3.3.2 **Act as the basis for all decision-making about our City at night between now and 2040.** This will ensure that every significant change or action we seek to do whether it be future Policy and Strategy Development (such as the Licensing Policy Review), our Public Realm Design and Projects, as well as Operational and Service Responses are contributing together towards achieving an agreed long-term goal.
  - 3.3.3 **Create a memorable, inspirational and succinct statement about what the council and our community is trying to achieve.** This will help third parties such as business investors or the media better understand the rationale for the decisions we take.
  - 3.3.4 **Provide the framework for an Evening and Night Time Strategy.** Following the vision, the council can then begin to focus on what evidence we need to gather to support the development of a shorter-term strategy and action plan to begin working towards our goals.

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<sup>1</sup> Evening and Night Time (ENT) reflects the hours between 6pm and 6am.

#### 4. Proposed goals to include within our vision statement

- 4.1 Based on officer research, as well as previous engagement with the Cabinet Member for Public Protection and Licensing and the Chair of the Licenisng Committee, officers propose that any vision should include the following five themes, which are reflective of our City for All aims:

*By 2040 we want our city at night to offer:*

- 4.1.1 **A diverse & inclusive array of entertainment and opportunity:** where more experiential activities attract families and older people; where new venues and activities emerge in underused spaces, and where traditional spaces by day take on new uses at night; where cultural offers are extended later into the evening and night, and where welcoming public spaces encourage strolling and exploring; a place where workers can access basic services and later into the night and venues are inclusive to all regardless of age, race, disability, gender, and sexual orientation.
- 4.1.2 **A safe and welcoming place to live, visit and work:** where public spaces are safe and free of anti-social behaviour and violence; where streets are free from clutter and way finding in the city is easier; where travelling into and around our city attracts older people and families; where public spaces and lighting design out opportunities for crime and anti-social behaviour; where night workers, women and vulnerable people feel as safe at night as they should during the day; where businesses, authorities, our community and the public work together to protect those most vulnerable at night; where there is respect between visitors and residents; where finding information and signposting is easily accessible at all times of the night.
- 4.1.3 **Business growth is balanced with residential amenity and good regulation:** where planning and licensing supports innovation and creativity for opening businesses later or where running an event late at night is easier; where there is effective enforcement and monitoring and poorly managed venues are held accountable; where compliance information is easily accessible and the complaint-making process is clear and simple; where residents are guaranteed peace and respite from disturbance late at night.
- 4.1.4 **Local solutions that reflect local character:** where problems are solved in proactive partnership at a local level; where services are tailored to support our neighbourhoods; where our community has more say in the decisions we take.

4.1.5 **A greener and more sustainable environment:** where more consumers and late-trading businesses, especially pubs, clubs and restaurants improve environmental outcomes through the use reduction of one use plastics, where businesses and public spaces ensure more efficient and energy-saving lights are used; where the majority of commercial waste is recyclable or compostable; where the streets are kept free of litter and waste.

## 5. Next Steps and timeline

- 5.1 Officers will begin consulting with all council directorates and Members to help shape the vision into a usable document.
- 5.2 The Mayors Night Time Commission report, “Think Night: London’s Neighbourhoods from 6pm to 6am” has now been published and the development of this vision will be considered in light of the recommendations from that report. However, some of the recommendations from this report may not support the council’s local vision for its ENT. Where that is the case, the reasons for not adopting the recommendations will be highlighted. A copy of the Night Time Commissions report can be found via [www.london.gov.uk/what-we-do/arts-and-culture/mayors-cultural-vision/london-night-time-commission](http://www.london.gov.uk/what-we-do/arts-and-culture/mayors-cultural-vision/london-night-time-commission).
- 5.3 Officers intend to undertake a public consultation exercise on the draft vision before formally publishing the council’s Evening and Night Time Vision in Summer 2019.

<b>March</b>	<ul style="list-style-type: none"> <li>• Update to all directorates and get their early input through ELT</li> <li>• Invitation to Members to input through informal cabinet (25<sup>th</sup> March)</li> </ul>
<b>April</b>	<ul style="list-style-type: none"> <li>• Draft vision and design</li> </ul>
<b>May – June</b>	<ul style="list-style-type: none"> <li>• Public consultation (6 weeks)</li> </ul>
<b>July</b>	<ul style="list-style-type: none"> <li>• Adoption by full Cabinet</li> <li>• Publication</li> </ul>

- 5.4 Once the Evening and Night Time Vision is published it will be one of the main documents used to drive the revision of the councils Licensing Policy for Alcohol, Regulated Entertainment and Late-Night Refreshment. It is planned that the revision to the councils Licensing Policy will be focused on delivering this vision. The revised Licensing Policy must be published by January 2021 to meet the statutory 5-year revision period.

## 6. Staffing Implications

- 6.1 There are no staffing implications as a result of this decision.

**If you have any queries about this report or wish to inspect any of the background papers, please contact:**

Miss Kirsty Munro, Principal Policy Officer or Mr Kerry Simpkin, Interim Licensing Policy and Strategy Manager - Policy, Performance and Communications

**Background Papers**

Cabinet Member Briefing Note “Developing an Evening and Night Time Vision - 14<sup>th</sup> January 2019

Night Time Commission Think Night: London’s Neighbourhoods from 6pm to 6am report – 31<sup>st</sup> January 2019

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Westminster City Council  
westminster.gov.uk

# Licensing Committee Report

Date	<b>20 March 2019</b>
Classification	<b>For General Release</b>
Title or report	<b>Development of the Licenising Policy and Synergy with the City Plan 2019 - 2040</b>
Report of	<b>Director of Policy, Performance and Communication</b>
Decision maker	<b>Licensing Committee</b>
Wards involved	<b>All</b>
Financial summary	<b>There are no direct financial implications as a result of this report.</b>
Report author and telephone	<b>Mr Kerry Simpkin, Interim Licensing Policy and Strategy Manager. Tel: 020 7641 1840</b>

## 1. Executive Summary

- 1.1 In preparation of the review of the councils Licensing Policy under the Licenising Act 2003 officers are seeking the views of the Licensing Committee on the proposal to synergise the Licensing Policy with the councils new City Plan 2019 – 2014.

## 2. Background

- 2.1 The council is required under the Licenising Act 2003 (the Act) to produce a statement of Licenising Policy that sets out its approach to considering and determining licensing applications. The council is required to keep the Licensing Policy statement under review and where necessary make changes to it. In any event the council must revise its Licensing Policy every five years.
- 2.2 The council has undertaken five revisions of its Licensing Policy since it came into force in 2005. Although the policy has been revised over this period the structure and approach has remained the same. The Licensing Policy has been very effective in preventing the activities that will add to cumulative impact or will not promote the licensing objectives. However, the Licensing Policy is drafted in a way that predominantly sets out what the council would not permit rather than what it would. It also doesn't provide a specific vision of how the Licensing Policy can promote the

development of the city, especially the Evening and Night Time Economy (ENTE). Although effective in preventing certain activities the current policy may not encourage or appear as a barrier to small start-up businesses, innovation and growth.

- 2.3 The council is also required to produce a local development plan for the management of development within Westminster under the Planning and Compulsory Purchase Act 2004. The council's local plan is made up of the City Plan (2016) and saved policies in the Unitary Development Plan (2006).
- 2.4 The council's current local development plan covers common themes to the Licensing Policy such as references to specific licensing policies and policy areas, e.g. Stress Area/Cumulative Impact Areas. However, planning and Licensing are very distinct regimes and in determining applications each decision maker must determine the applications based on the requirements under the relevant regulatory regime. This can result in premises being granted planning permission, for example for a live music venue, but the licence was refused. There can also be conditions imposed on one permission that conflict with the other, e.g. hours, deliveries, tables and chairs. There are some instances where the City Plan promotes certain uses or activities which would require a licence but the Licensing Policy would have a presumption to refuse those types of activities. Although there are often good reasons for this it can cause some confusion with premises owners/businesses and residents as decision by the council can seem conflicting.
- 2.5 The council's new draft City Plan 2019 – 2040 is a plan for the development in Westminster over the next 20 years. The adopted City Plan (2016) and remaining saved Unitary Development Plan (UDP) policies (2007) are undergoing a complete review to produce a new, single local plan, which will contribute towards the corporate City for All objectives. The City Plan 2019-2040 is very different from previous plans. It sets out the council's objectives for developing the city and is more positive, focusing on what the council want to promote rather than what it will not.
- 2.6 The City Plan has been developed on three key City for All themes. These are homes and communities, a healthier and greener city and opportunities for growth. These themes underpin the objectives of the City Plan and ensure the policy approach achieves the wider aspirations of the council in the development of the city.

### **3. Opportunities to synergise the Licensing Policy with the City Plan**

- 3.1 In considering the approach to revising the councils Licensing Policy there is an opportunity to review the current policy framework and synergise any revision with the councils City Plan. Officers are in the early planning stage for the revision of the Licensing Policy work.
- 3.2 Synergy between the City Plan and Licensing Policy at its most basic will ensure that both documents support each other, but it will also actively promote the development

of the city over the next 20 years and contribute more effectively to the delivery of City for All.

3.3 The elements of the City Plan that the Licensing Policy could be synergised with are:

- 3.3.1 A Licensing Policy for the next 20 years - Establishing a Licensing Policy that supports the development of the city up to 2040 built upon the City for All themes.
- 3.3.2 Supportive policies - Policies where possible could be developed to support the City Plan in key areas where it is unlikely that the operation would create a risk to the licensing objectives.
- 3.3.3 Neighbourhood approach to Licensing Policies - The City Plan refers to Neighbourhoods and specific policies and plans associated with them. The Licensing Policy could mirror these neighbourhoods and develop specific policies that are relevant to the needs of the local community and development of the area (in collaboration with Neighbourhood Forums).
- 3.3.4 Supporting wider council initiatives - The Licensing Policy should support the wider initiatives such as public realm and place shaping, economic development areas, etc.
- 3.3.5 Culture and community use - The Licensing Policy could actively promote cultural and community use of premises and permit certain activities that support those uses.
- 3.3.6 Supplementary guidance - Development of Licensing Policy supplementary guidance that would contain additional interpretation of the relevant policies or technical standards.

A Licensing Policy for the next 20 years

3.4 The Licensing Policy could be revised to promote the themes and development of the city over the next 20 years. The Licensing Policy could mirror the City Plan using the same City for All themes. Some examples of how the themes for the City Plan could be incorporated into the Licensing Policy are set out in the table below:

<b>City for All Theme</b>	<b>Licensing Policy Objectives or Best Practice</b>
<b>Homes and communities</b>	Reducing noise nuisance Reduction in crime Promoting community uses Inclusive and Diverse offer Protecting children and the vulnerable from harm
<b>Healthier and greener city</b>	Alcohol consumption Medical cover in clubs Noise inside venues

	Underage sales Super strength alcohol Deliveries – electric vehicles* Single use plastic* Reducing A&E admissions due to assaults or alcohol related harm Ensuring children sleeping are not disturbed
<b>Opportunities for growth</b>	Supporting our high streets to thrive Promoting start-ups and local small businesses Job creation Expanding the opportunity to access cultural venues or events

\* Best practice rather than specific requirement on operators.

3.5 Although the City Plan is a document looking to the future (2040) it also will be regularly reviewed and revised during its 20-year period – in fact there is a requirement to review local plans every five years. The Licensing Policy can take a similar approach to the City Plan. The review and revision every 5 years would enable changes to be made to the policies within the document to ensure that it is still effective in driving forward the 20-year vision.

#### Supportive policies

3.6 There are a number of supportive policy approaches that can be developed as part of the synergy between both policy documents. One of the major policy approaches within the City Plan is the promotion of maintaining our world class retail offer and health high streets. The aim of the City Plan is to diversify the offer on the high street to encourage longer dwell time, more consumer spend and ultimately commercial growth. To do this the City Plan proposes to permit other ancillary uses within retail premises. A number of retail premises have looked to provide food and drink within their premises, often requiring a limited alcohol offer. The Licensing Policy could specifically look to support this by permitting, subject to the level of alcohol on offer and the operation of the venue the grant of licences for this purpose.

3.7 The City Plan also promotes different uses of properties on a temporary basis to reduce the number of empty premises in the high street where they are between occupiers. This approach will support ‘pop up’ temporary businesses that wish test their business model or are trying to establish themselves before committing to a longer lease or purchase in the area. The Licensing Policy could actively support temporary uses of premises for activities that require a licence. This could support smaller independent

operators or start-up businesses as well as create additional opportunities for local job creation.

### Neighbourhood approach to Licensing Policies

- 3.8 The City of Westminster is extremely diverse and a common policy approach across the city may not be effective or beneficial for some areas. The City Plan identifies special policy areas where specific planning policies apply to manage issues particular to that area. For example, Soho has been defined as a special policy area due to its unique historical significance. The City Plan aims to maintain the mix of uses in the area but also ensures that unit sizes remain reasonably small. This is intended to promote the use of these units by independent operators, small businesses or start-ups. The City Plan policy for Soho also promotes live music venues in this area. The Licensing Policy could be more supportive of smaller independent operators as well as promoting venues that provide live (amplified) music as the prominent part of the offer.
- 3.9 Designated Neighbourhood Forums have the power to create a Neighbourhood Plan (NP) to manage development in their local area. NPs become part of the local development plan once they have been through independent examination, referendum and are 'made' by the council. A number of emerging NPs have been drafted to include elements that relate to licensing rather than planning. Licensing Policies could be developed to align with existing and emerging Neighbourhood Plans and Neighbourhood Forum areas to respond to the issues the Forums have identified. These policies could look specifically at what the make-up of the area is and how licensing can support the offer to that community.
- 3.10 There may be areas of the city where certain activities could be further restricted. For example, if there is an area which has a specific issue with street drinking, a tougher approach could be taken to off licence applications in that area compared to areas where there are little to no issues with street drinking. This approach would specifically look at the local issues and circumstances which is supported by the councils Effective Neighbourhood Working.

### Supporting wider council initiatives

- 3.11 The Licensing Policy, in addition to synergising with the City Plan could also support wider initiatives for place shaping and public realm improvements. It could also support wider economic initiatives such as the North West Economic Development Area, Oxford Street District and Strand/Aldwych. The policy can also be a key delivery vehicle for the councils Evening and Night Time Vision which is due to be published later this year.

### Supplementary guidance

- 3.12 Applicants often rely on officers to provide them with advice and guidance during the application phase. If pre-application advice has not been provided this can take a considerable amount of officer time depending on the type of application or query raised. Although the support assists with the process, the demand on officer time could be reduced significantly by providing documents that contain relevant and concise information or guidance. The City Plan is currently supported by a suite of supplementary guidance to provide more specific detail on the interpretation of the relevant policies or the technical standards required to meet those policies.
- 3.13 The Licensing Policy could start to utilise supplementary guidance documents in support of specific licensing policies. The licensing policies could refer to these guidance documents without the need provide the specific level of detail within the Licensing Policy document. Therefore, these guidance documents can be updated without any impact on the Licensing Policy. It would also prevent the Licensing Policy from becoming outdated as and when technical standards or council approach changes. The provision of supplementary guidance would support applicants and residents understand the council requirements to support the Licensing Policy and Licensing Objectives. It will also enable businesses, who cannot necessarily afford to employ solicitors or agents to better understand what they are required to do to increase the likelihood of being granted a licence.
- 3.14 As part of the review of the City Plan the current planning supplementary guidance documents are being reviewed and will be consolidated and updated. As part of this process, there is an opportunity to develop these documents to apply to both the City Plan and Licensing Policy going forward. These dual use guidance documents would ensure that both regimes utilise the same technical information on, for example noise, extraction, emissions.
- 3.15 There are a number of opportunities to synergise the two policy documents so that they work together to achieve the council's aims for the development of the city. Officers intend to work up more detailed proposals on the plans for developing the councils Licensing Policy following receiving views from the Licensing Committee and Cabinet Member for Public Protection and Licensing.

#### **4. Next Steps and timeline**

- 4.1 Following receiving some initial views from the Licensing Committee and Cabinet Member officers will look to produce a more detailed view on the approach to the revision of the Licensing Policy. This will then be reviewed by the Chair of the Licensing Committee and the Cabinet Member. If the approach is agreed officers will start engaging with relevant departments, stakeholders and residents on their views on what should be considered as part of any revision.

4.2 The councils Licensing Policy must be reviewed and published before the 7<sup>th</sup> January 2021 to meet the statutory 5-year deadline under the Act. A more detailed timeline for the revision, consultation and publication of the Licensing Policy will be provided at a later date following the steer from this Committee. However, it is aimed to identify our approach, proposed policy revisions and gather evidence this year. In 2020 consultation and further evidential analysis will be conducted. It is planned that the final draft of the revised Licensing Policy will go before Full Council for adoption in November 2020 with an implementation date of the 3<sup>rd</sup> January 2021.

4.3 The City Plan has just completed its informal public consultation phase. Officers are now reviewing the responses from that consultation before they start the statutory formal Regulation 19 consultation in June. Following formal consultation the draft City Plan will be submitted to the Secretary of State for an examination in public in autumn 2019, with a view to adopting the new plan in early 2020 .

## **5. Staffing Implications**

5.1 There are no staffing implications as a result of this report.

## **6. Legal Implications**

6.1 There are no legal implications as a result of this report.

**If you have any queries about this report or wish to inspect any of the background papers, please contact:**

Mr Kerry Simpkin, Interim Licensing Policy and Strategy Manager - Policy, Performance and Communications

## **Background Papers**

Westminster City Councils Draft City Plan

Westminster City Councils Current Statement of Licensing Policy

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# Licensing Committee Report

Date	<b>20 March 2019</b>
Classification	<b>For General Release</b>
Title or report	<b>Soho Angels and Night Hub Update</b>
Report of	<b>Director of Policy, Performance and Communication</b>
Decision maker	<b>Licensing Committee</b>
Wards involved	<b>All</b>
Financial summary	<b>There are no direct financial implications as a result of this report.</b>
Report author and telephone	<b>Mr Kerry Simpkin, Interim Licensing Policy and Strategy Manager. Tel: 020 7641 1840</b>

## 1. Executive Summary

- 1.1 This report provides and update on the Soho Angels and Night Hub initiative and its results to date.
- 1.2 The Soho Angels and Night Hub are now operating every Friday night in Soho. The report also provides and update on the potential to work with partners and businesses to deliver similar services in other areas of the City.

## 2.0 Background

- 2.1 The council has developed a safe space (Night Hub) and volunteer network (Soho Angels) as part of its Nightsafe project. The Nightsafe project aims to develop initiatives that will:
  - 2.1.1 Improve the safety and amenity of the public domain;
  - 2.1.2 Provide a harm reduction service where vulnerable people can access support and a safe space;
  - 2.1.3 Reduce the risk of crime, specifically to prevent intoxicated people from becoming a victim or perpetrator of crime;
  - 2.1.4 Collaborate with key stakeholders to establish a governance model that is sustainable and enhances the evening and night time economy;

- 2.1.5 Support organisations that operate in the City at night (e.g. venue security staff, Police and Ambulance)
- 2.2 The council became aware that the LGBT Foundation were looking to expand their Village Angels service to other areas of the country with a thriving LGBT+ community. This expansion would be funded by their long-time supporter, Smirnoff.
- 2.3 The Village Angels operate in Manchester's Gay Village and provide an on street volunteer network to assist those in need. They also provide a safe space within the Village for people to recover, receive support and generally discuss their issues with someone who will listen and not judge. This support is provided to all visitors of the Village no matter their gender or sexual orientation.
- 2.4 One of the priority areas being considered by LGBT Foundation was Soho. Due to the similarities in the proposed services the council and LGBT Foundation developed a partnership to deliver the Soho Angels and Night Hub. The council would provide the formal structure and partnership management to support service delivery. LGBT Foundation would support the operational running of the scheme. A member of LGBT Foundation staff is located within our offices to support the partnership and delivery of this scheme. The funding provided by both partners (match funding) would enable this service to run for up to two years. The area covered by the Soho Angels is shown in the Map attached to this report as Appendix 1.
- 2.5 LGBT Foundations experience in running a similar scheme has enabled the service to be developed from a tried and tested model. The council also looked at similar schemes from around the country and internationally. When developing the service for officers engaged with the Take Kare organisation in Sydney, Australia. Take Kare provide safe spaces and a network of Take Kare Ambassadors in Sydney's primary evening and night-time economy area. Take Kare provided a large amount of information and support to assist with the development and running of this scheme in a Capital City.
- 2.6 To deliver the objectives of the Soho Angels and Night Hub initiatives the council has engaged with a number of key partners who are now actively supporting this project. The partners are:
- 2.6.1 St John Ambulance, who provide volunteers to work in the Hub and as a response team providing medical support to those who need it.
- 2.6.2 Drinkaware, who provide initial days training for the volunteers based on their successful Drinkaware Crew, promote the service and collaborate on behavioural change initiatives.
- 2.6.3 Metropolitan Police Service, who provide support during the operation of the scheme as well as provide statistical information and publicity.

- 2.6.4 London Ambulance Service, who provide statistical information, promote the service and support St John Ambulance with the clinical management of the scheme.
- 2.6.5 Safer West End Partnership, who provide the radio communication devices for the Angels, support the partnership with business engagement and promote the service.

### **3. Soho Angels and Night Hub Pilot**

- 3.1 To test the Soho Angels and Night Hub service before full implementation of the service a pilot was undertaken on the run up to Christmas 2018. The pilot ran on each Friday night from the 30<sup>th</sup> November to the 21<sup>st</sup> December 2018. The Night Hub was operated from St Anne's Church Hall in Dean Street between 10pm to 5am.
- 3.2 A volunteer recruitment campaign was run between September and December 2018. Volunteers have been recruited from all over London and the South East to work as Soho Angels. These volunteers work in a wide variety of professions, which includes paramedics, police officers, lawyers, barristers, students, city bankers and retail workers. A number of the volunteers are also residents of Westminster and Soho.
- 3.3 The Night Hub provided a recovery centre for those who required it as well as a safe space for people to reunite with their friends or family, charge their phones, have a chat or get further support information. St John Ambulance volunteers worked out of the Night Hub providing advanced first aid support to those in need including monitoring people as they recover from the effects of alcohol or drugs. St John Ambulance also provided a response team that supported the Soho Angels with any on street medical intervention and transporting intoxicated people from where they were found back to the Hub.
- 3.4 The Soho Angels work in teams of three or more and are easily identifiable by their bright pink reflective tabards. Each Soho Angel carried a pack to assist them support those in need. The packs contain water, foil blankets, ponchos, vomit bags, lolly pops, flip flops and gloves. They also carried a radio which linked them to each other, the Hub, Police and licensed premises in the area. A selection of photos of the Soho Angels from the pilot are provided at Appendix 2 to this report.
- 3.5 During the pilot an average of 14 Soho Angels worked each Friday night. A core group of volunteers from the first cohort of recruits worked every night of the pilot. The Soho Angel volunteers were also supported by a number of council staff who volunteered during the pilot.
- 3.6 St John Ambulance received a very high level of interest in volunteering for this project. This enabled them to provide an average of 10 volunteers, with a wide range of clinical

expertise per night. St John Ambulance were able to provide a minimum of a paramedic, Emergency Department Nurse Practitioner or Doctor during the pilot operation. This enabled a higher level of medical treatment available in the Hub than originally anticipated.

- 3.7 As part of the overall objective to reduce the demand on the ambulance service and A&E departments it was important to get the support of the London Ambulance Service (LAS). As a key partner in this project LAS were able to drop off patients at the Night Hub who were deemed to be vulnerable due to their level of intoxication but were not in need of emergency medical attention. The willingness and ability for LAS to drop off patients indicated the potential longer term benefits of this service in enabling LAS crews to attend other emergency calls and reduce the demand on the NHS.
- 3.8 The Soho Police Dedicated Ward Officers worked with the Soho Angels during the pilot. They supported the Soho Angels and St John Ambulance volunteers on the street and responded to incidents that were identified by the Angels.
- 3.9 Officers engaged with NHS England as part of the evaluation proposals for this project. These discussions were based on whether the evidence that the project produced could support research that was being undertaken at the time by NHS England on these initiatives. NHS England were looking to identify whether there was sufficient evidence that such services could be funded by them as alternative pathways to A&E. NHS England agreed to provide funding to support the pilot project during the festive period.

#### **4. Results from the Pilot**

- 4.1 The pilot was seen to be a great success by local businesses, partners and other key stakeholders. A full breakdown of the statistics recorded as part of the pilot are provided at Appendix 3. The main results from the pilot were:
  - 4.1.1 22 Soho Angels volunteers worked during the pilot.
  - 4.1.2 A total of 408 volunteering hours were committed
  - 4.1.3 Recruited more than 70 volunteers during the recruitment campaign
  - 4.1.4 Helped over 160 people to enable them to get home safely.
  - 4.1.5 Over 60 people visited/were brought to the Night Hub for support, of which 31 received medical support to recover.
  - 4.1.6 Prevented at least 16 ambulance call outs

#### **5. Full operation of the service**

- 5.1 Following the successful pilot it has been possible to start the operation of the service, initially on Friday nights only from the 22<sup>nd</sup> February. The full operation of the service

has continued the great work from the pilot. It is aimed to move to operating the service on both Friday and Saturday nights from April for up to 2 years.

- 5.2 The recruitment of volunteers will continue throughout the year with regular training for new recruits. In addition to the initial training a full monthly training package has been developed to equip and develop our volunteers with the skills necessary to do their role. Additional training will include mental health awareness, safeguarding, making every contact count, counter terrorism, drugs and alcohol.
- 5.3 The council has developed a campaign around educating and supporting people to get home safely. This has been developed into the “End the night right” messaging that is a key element of the Soho Angels initiative. A communications campaign based this messaging will run throughout the operation of the service and include the wider nudge campaign associated with safe alcohol consumption.

## **6. Next steps and future expansions**

- 6.1 As part of the planning phase for the pilot officers met with representatives from TFL who were interested in placing volunteers within Piccadilly Underground Station entrance hall to work alongside their staff. To test this approach a team of Soho Angels were placed at the Station on the 14<sup>th</sup> December working from 11pm to 3am. TFL found this initial pilot to be extremely successful and the feedback from TFL staff was very positive.
- 6.2 Officers are now in discussions with TFL on the possibility of placing volunteers within Piccadilly Station on Friday and Saturday nights later this year. The volunteers would come from our existing pool of trained volunteers and work with TFL staff to identify and support those who are vulnerable and unable to travel.
- 6.3 Following the initial success of the pilot there has also been significant interest in expanding the scheme to include other areas, such as Piccadilly and Leicester Square and the Strand, Charing Cross and Villiers Street. At present the council is focusing on delivering the Soho Angels and Night Hub service within Soho. Work will be undertaken on developing a scheme within key TFL Tube Stations in the next phase of the Nightsafe project. However, officers will discuss the possibility of expanding this service beyond Soho with partners and local businesses later this year.
- 6.4 One of the main aims of the service will be to reduce the demand on NHS services such as the ambulance service and local A&E Departments. Officers have agreed a protocol with LAS for patient transfer to the Night Hub if they are intoxicated but do not require emergency medical intervention. This has now been widely circulated within LAS so that crews are aware of this as an option for those who meet the relevant criteria for patient transfer.

## **7. Staffing Implications**

7.1 There are no staffing implications as a result of this decision.

### **Appendices**

Appendix 1 – Map of the area covered by the Soho Angels

Appendix 2 – Soho Angels Photos

Appendix 3 – Breakdown of statistics from pilot

**If you have any queries about this report or wish to inspect any of the background papers, please contact:**

Mr Kerry Simpkin, Interim Licensing Policy and Strategy Manager - Policy, Performance and Communications

### **Background Papers**

None

## Soho Angels Evaluation

7th December	
Individuals Interacted with	37
Individuals Taken to the Hub	10
Males	20
Females	17
Reason to be in Soho	
Not Specified	22
Night Out	6
Birthday Party	3
Delivery Services	1
Work party	4
Theatre	1
Locations:	
Archer Street (Archer Club)	1
Rupert Street	1
Not Specified	3
Frith Street	3
Greek Street	3
Shaftesbury Avenue	5
Dean Street	5
Old Compton Street	13
Wardour Street	3
<b>Total</b>	<b>37</b>

Individuals between the hours of 22:00 - 00:00	8
Individuals between the hours of 00:00 - 05:00	29

Individuals with injuries	3
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Individuals Reporting Crime	3
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Age between 18 -24	12
Age between 25 - 29	6
Age Between 30 - 39	11
Age Between 40 - 49	6
Age Between 50 - 60	2
Age Not Specified	0

14th December	
Individuals Interacted with on the street:	34
Individuals Taken to the Hub	9
Males	25
Females	13
Reason to be in Soho	
Not Specified	21
Night Out	4
Birthday Party	1
Work party	7
Tourist	1

Locations:	
Not Specified	3
Bateman Street	1
Green Street	1
Frith Street	1
Shaftesbury Avenue	2
Old Compton Street	2
Dean Street	2
Piccadilly Station Area	20
Wardour Street	2
<b>Total</b>	<b>34</b>

Individuals between the hours of 22:00 - 00:00	5
Individuals between the hours of 00:00 - 05:00	29

Individuals with injuries	4
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Individuals Reporting Crime	1
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Age between 18 -24	7
Age between 25 - 29	10
Age Between 30 - 39	8
Age Between 40 - 49	5
Age Between 50 - 60	1
Age Not Specified	3

21st December	
Individuals Interacted with on the street:	21
Individuals Taken to the Hub	10
Males	15
Females	5
Reason to be in Soho	
Not Specified	6
Night Out	10
Resident	1
Work party	3
Homeless	1

Locations:	
Romley Street	1
Duch Lane	1
Meard Street	1
Oxford Circus	1
Oxford Street	1
Frith Street	1
Greek Street	3
Wardour Street	3
Shaftesbury Avenue	1
Dean Street	2
Old Compton Street	6
<b>Total</b>	<b>21</b>

Individuals between the hours of 22:00 - 00:00	5
Individuals between the hours of 00:00 - 05:00	16

Individuals with injuries	1
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Individuals Reporting Crime	0
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Age between 18 -24	5
Age between 25 - 29	5
Age Between 30 - 39	2
Age Between 40 - 49	3
Age Between 50 - 60	1
Age Not Specified	5

Total for the 3 nights	
Individuals Interacted with	92
Individuals Taken to the Hub	29
Males	60
Females	35

Reason to be in Soho	
Not Specified	49
Night Out	20
Birthday Party	4
Work party	14
Other	5

Locations:	
Not Specified	6
Greek Street	6
Old Compton Street	21
Green Street	1
Piccadilly Station Area	20
Frith Street	5
Dean Street	9
Shaftesbury Avenue	8
Wardour Street	8
Oxford Street	1
Oxford Circus	1
Archer Street	1
Romley Street	1
Duch Lane	1
Meard Street	1
Bateman Street	1
Rupert Street	1

Individuals between the hours of 22:00 - 00:00	18
Individuals between the hours of 00:00 - 05:00	74

Individuals with injuries	8
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Individuals Reporting Crime	4
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Age between 18 -24	24
Age between 25 - 29	21
Age Between 30 - 39	21
Age Between 40 - 49	14
Age Between 50 - 60	4
Age Not Specified	8

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City of Westminster

# Licensing Committee

<b>Item No:</b>	
<b>Date:</b>	<b>20 March 2019</b>
<b>Classification:</b>	<b>For General Release</b>
<b>Title of Report:</b>	<b>Licensing Appeals</b>
<b>Report of:</b>	<b>Bi-Borough Director of Law</b>
<b>Wards involved:</b>	<b>Not applicable</b>
<b>Policy context:</b>	<b>A business like approach</b>
<b>Financial summary:</b>	<b>None</b>
<b>Report Author:</b>	<b>Heidi Titcombe Principal Solicitor for the Bi-Borough Director of Law</b>
<b>Contact details</b>	<b>Tel: 020 7361 2617 Email: <a href="mailto:heidi.titcombe@rbkc.gov.uk">heidi.titcombe@rbkc.gov.uk</a></b>

## **1. Summary**

1.1 This report provides a summary of recent appeal results.

## **2. Recommendations**

2.1 That the report be noted.

## **3. Background**

3.1 Since November 2018 Legal Services has been dealing with one Licensing appeal, as specified in section 4 of this report. All previous licensing appeals have been completed as specified in the 28 November 2018 report. Legal Services are also dealing with the Hemmings case as specified in section 5 of this report.

## **4. Licensing Appeals**

### **4.1 The Windmill 17-19 Great Windmill Street, London W1D 7LQ – dismissed but appealed to the Crown Court**

4.1.1 Members will recall that the Licensing Sub-Committee refused an application from Big Country Ltd to renew the sexual entertainment venue ("SEV") premises licence on 11 January 2018 on the ground that the Applicant was not a suitable person to hold the SEV licence.

4.1.2 Big Country Ltd appealed this decision to Westminster Magistrates' Court and after a three day hearing Chief Magistrate Arbuthnot dismissed the appeal on 22 October 2018. The Council is seeking its costs from the Appellant in relation to the dismissed appeal and has requested a hearing to determine the costs payable.

4.1.3 The Appellant has appealed the decision to Blackfriars Crown Court and the hearing is scheduled to take place over three days, commencing on 9 July 2019. Directions have been given as to the service of evidence and the Appellant is required to serve its evidence by 24 March 2019 and the Council by 7 April 2019. The outcome of the appeal will be confirmed once the outcome has been determined.

## **5. JUDICIAL REVIEWS**

### **5.1 Hemming and others v Westminster City Council**

5.2 Members will be aware that Hemming and a number of other proprietors of sex establishments in Soho have challenged the fees charged by Westminster for sex shop licences. They have alleged that the Council was only entitled to recover the administrative costs of processing the application when assessing the licence fee, and not the costs of monitoring and enforcing the whole licensing regime against unlicensed and licensed operators. The Operators claimed that charging monitoring and enforcement costs would be unlawful as

this would be contrary to the Service Provision Regulations which came into force in 2009 and the European Union Services Directive.

- 5.3 The High Court and the Court of Appeal both held that the European Directive prevented Westminster from recovering the fees for monitoring and enforcing the licensing regime, against licensed and unlicensed operators. Westminster were therefore ordered to repay the element of the fees which related to monitoring and enforcement costs.
- 5.4 Westminster appealed to the Supreme Court who decided in 2015 that local authorities were entitled to charge a fee towards the monitoring and enforcement of the licensing regime. However, the question arose as to whether that licence fee could be payable in one go, when the application was made or whether it could only be recovered if the fees were charged in two tranches. The first fee, payable at the time when the application was made, to cover the costs of processing the application and if the application was successful, a second fee charged to cover the costs of monitoring and enforcing the whole licensing regime against licensed and unlicensed operators. This scheme is commonly called a Type A scheme. At the time of the claim, Westminster was charging just over £29,000 for the annual licence fee, which was payable in full, at the time the application was made (commonly called a Type B scheme). This was on the basis that the licensing regime should be self-financing.
- 5.5 The Supreme Court sought clarification from the Court of Justice of the European Union ("CJEU"), as to whether it was lawful under European law to charge Operators under a Type B scheme (one off fee) at time the application was made. On 16 November 2016 the CJEU held that Type B scheme was unlawful as a matter of European Union law.
- 5.6 However, on 19 July 2017 the Supreme Court decided decisively in favour of Westminster that the Council could recover a reasonable fee for the monitoring and enforcement of the sex licensing regime in Westminster (including the costs of enforcement against unlicensed operators).
- 5.7 The case has now returned to the Supreme Court for final decisions to be made following the earlier decisions in the Supreme Court and the CJEU.
- 5.8 There were two issues outstanding, namely (1) obtaining an assessment as to what costs should be paid to Westminster by Hemmings and the other Operators to cover the costs of monitoring and enforcement and (2) seeking an order for costs against the Claimants in relation to the hearing before the Supreme Court and the CJEU.

5.9 In relation to the first issue, the Supreme Court has now remitted the question of the quantum of the enforcement fees to the Administrative Court for determination.

5.10 In terms of Costs, the Supreme Court has ordered that Hemming and others shall pay the Council's costs in relation to the Supreme Court and Court of Appeal hearings. The Council is required to pay Hemming's costs in relation to the High Court case. These costs will be assessed if not agreed. No order for costs was made in relation to the hearing before the European Court of Justice.

## **6 RECORD OF APPEALS**

**6.1** To date, 475 appeals have been received since the Council took over the licensing functions from the Magistrates' Court in February 2005. 474 of these appeals have been heard / settled / withdrawn etc. as shown below:

- 1 pending
- 59 dismissed
- 16 allowed
- 13 allowed only in part
- 166 settled
- 220 withdrawn.

## **7. Legal implications**

7.1 There are no legal implications for the City Council arising directly from this report.

## **8. Staffing implications**

8.1 There are no staffing implications for the City Council arising directly from this report.

## **9. Equalities Implications**

9.1 There are no direct equalities implications arising from this report.

## **10. Business plan implications**

10.1 There are no business plan implications arising from this report.

## **11. Ward member comments**

11.1. As this report covers all wards, comments were not sought.

## **10. Reason for decision**

10.1 The report is for noting.

If you have any queries about this report or wish to inspect any of the background papers please contact Heidi Titcombe, Principal Solicitor and Licensing and Highways Team Manager on 020 7361 2617;  
email: [heidi.titcombe@rbkc.gov.uk](mailto:heidi.titcombe@rbkc.gov.uk)

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