



SUMMONS AND AGENDA

LICENSING SUPPLEMENTARY COMMITTEE

Date: THURSDAY, 14 MARCH 2024 at 7.00 pm

**Committee Room 3
Civic Suite
Catford Road
London SE6 4RU**

**Enquiries to: Clare Weaser
Telephone: 0208 314 7369 (direct line)
Email: clare.weaser@lewisham.gov.uk**

MEMBERS

Councillors:

Councillor Susan Wise (Chair)
Councillor Yemisi Anifowose (Vice Chair)
Councillor Dawn Atkinson
Councillor Bill Brown
Councillor Coral Howard
Councillor Edison Huynh
Councillor Mark Jackson
Councillor Eva Kestner
Councillor Liam Shrivastava
Councillor Luke Warner

Members are summoned to attend this meeting

A handwritten signature in black ink, appearing to read "Jeremy Chambers".

**Jeremy Chambers
Monitoring Officer
Civic Suite
Catford
London SE6 4RU
Date: 6 March 2024**

ORDER OF BUSINESS – PART 1 AGENDA

Item No		Page No.s
1.	Minutes	1 - 3
2.	Declarations of Interests	4 - 7
3.	Street Trading (Markets) Charges 2023/24	8 - 21



Licensing Supplementary Committee

Minutes

Date: 14 March 2024

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Head of Governance and Committee Services

Outline and recommendations

Members are asked to consider the Minutes of the meeting of the Licensing Committee, held on 11 August 2020

Recommendation

That the Minutes of the meeting of the Licensing Supplementary Committee, held on 11 August 2020 be confirmed and signed.

LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the LICENSING SUPPLEMENTARY COMMITTEE, which was open to the press and public held on TUESDAY 11 AUGUST 2020 and held remotely at 7.30pm

Present

Councillor Stamirowski (Chair) Councillor Powell (Vice Chair) Councillors Campbell, Kalu, and Wise.

Apologies for absence were received from Councillors Elliott, Hall, Hordijkenko and Howard.

Also Present

Petra Der Man – Lawyer
Fenella Beckman - Director of Housing Services
Sabu Samarnath – Service and Improvement and Change Manager - Housing Services
Sean Longley and Nick Stabeler– Licensing and Housing Enforcement Managers

1. Minutes

RESOLVED that the minutes of the meeting of the Licensing Supplementary Committee held on 22 July 2020 be confirmed and signed as a correct record. .

2. Declaration of interests

None were made.

3. Borough-wide Licensing: Fee proposals to introduce new licensing schemes

- 3.1 The Director of Housing Services introduced the report. She said that on 11 March 2020, Mayor and Cabinet agreed the additional licensing scheme. Implementation of this scheme had been paused due to the covid pandemic. The application to the Secretary of state for the selective scheme had also been paused and it was expected that it would be submitted next year.
- 3.2 There was then a summary of the proposed additional and selective licensing schemes.
- 3.3 The Chair asked about HMOs and the number of units that are subject to licensing. She was advised that 5 units and above are subject to mandatory licensing and there is also an additional scheme which deals with properties above commercial premises where there are three residents living in two or more households.

- 3.4 Councillor Campbell asked for clarification regarding the difference between 'lettable units' and 'each bedroom' as referred to in paragraph 5.9 of the report. She was advised that a lettable unit can be let to a single family and is one tenancy. A room must be of a minimum size before it can be defined as a bedroom within an HMO.
- 3.5 Following a question from Councillor Campbell, the discount to be applied to selective licences including a discount for eligible portfolio landlords was explained.
- 3.6 Councillor Wise said that the additional scheme for HMOs is very good and thanked officers for their hard work. She asked about the current situation regarding the proposed selective licensing scheme and whether officers thought the scheme would be successful when an application is made to the Secretary of State. The Director of Housing Services said that her team is committed to submitting the application because it is considered to be of benefit to this borough. Central government had asked for applications to be paused during this pandemic, so now was not the right time for an application to be made. It was her understanding that if an authority puts forward a convincing argument to the Secretary of State regarding the need for a borough wide selective licensing scheme, then the application would be approved. Officers were currently focussing on residents who are struggling during this pandemic. They also intend to work with landlords, encouraging them to retain their tenants when the moratorium for evictions has been lifted.
- 3.7 Councillor Wise reminded officers that the ward boundaries were changing and that any future application to Secretary of State would need to reflect the new ward boundaries.

RESOLVED that

- (i) the proposed Additional Licensing Scheme fee for HMOs as outlined in paragraph 5 of the report be approved: and
- (ii) the proposed Selective Licensing Scheme fee, which will be part of the application to the Secretary of State, as outlined in paragraph 6 of the report be approved.

The meeting ended at 7.55pm.

Chair

Agenda Item 2



Licensing Supplementary Committee

Declaration of Interest

Date: 14 March 2024

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Head of Governance and Committee Services

Outline and recommendations

Members are asked to declare any personal interest they have in any item of the agenda

1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.

- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
 - (a) that body to the member’s knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes , or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members’ Interests (for example a matter concerning the closure of a school at which a Member’s child attends).

(5) Declaration and Impact of interest on members' participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

Agenda Item 3



Licensing Supplementary Committee

Report title: Street Trading [Markets] Charges 2023/24

Date: 14 March 2024

Key decision: No.

Class: Part 1.

Ward(s) affected: All

Contributors: Interim Commercial Services Manager, Head of Commercial Operations and Development (Reviewer), Strategic Business Partner – HRPR, Principal Lawyer (Place), Head of Service Finance (Reviewer), Director of Public Realm (Reviewer)

Outline and Recommendations

This report presents a proposal to the Supplementary Licencing Committee seeking approval for a 10% increase in all fees and charges for all street trading licences – markets and forecourts. It is important to note there have been no adjustments to fees and charges since 2020 and the proposed changes aim to address rising operational costs attributed to inflation. It is crucial to emphasise our commitment to minimising the impact on traders by keeping the increase below the Consumer Price Index (CPI) rate which we have done. Additionally, the report highlights the market's lower occupancy post-COVID, impacting revenue. Despite this, a legal obligation exists to ensure fees align with the requirement that the service operates without generating profit or loss. This proposal aims to strike a balance between economic responsibility and sustaining service quality.

The purpose of this report is to seek approval for proposed changes to street trading charges and fees recommended from the agreed fees and charges 2023/2024.

Timeline of engagement and decision-making

1. Public meetings with Lewisham Market Traders where information about a proposed price increase was shared. These meetings took place from November 2023 to January 2024.
2. The proposals have been advertised as public notices in the local press, from 19 January to 23 February prior to committee hearing.

3. The proposals have been sent by post to all traders on the 19 January 2024, providing a consultation period of 5-weeks
4. Consultation period closed on 23 February 2024
5. Report prepared and submitted by 6 March 2024
6. Committee decision on 14 March 2024
7. Implementation subject to committee decision from 1 April 2024

Summary

1. To seek formal approval for the determination of the street trading charges for the borough's markets, calculated in accordance with the provisions of the London Local Authorities Act 1990 (as amended). This report proposes an increase of 10% for Street Trading (markets and forecourt) fees and charges for the financial year 2024/ 2025. These charges are intended to come into effect on 1 April 2024.

Recommendations

1. Consider any representations received about the proposed changes.
2. Approve an increase of 10% for all street trading / markets fees
3. Approve an increase of 10% for all forecourt licences
4. Approve an increase of 10% for all administrative charges including registration, licences, and proposals to revoke licences on ground of charges arrears, replacement stall cards, licence variation and duplicate licences.
5. As above approve fees proposed in Appendix A for the budget year 2024/25, taking effect from 1st April 2024

1. Policy Context

- 1.1 The legislation referred to above allows the Council to charge fees in respect of street trading licences to recover '...reasonable administrative or other costs...' in connection with their street trading functions. As well as administrative and enforcement costs, this includes the costs of street cleansing and refuse removal and disposal, as far as they are attributable to such trading.
- 1.2 The legislation requires the Council to advertise its proposals to set or change its streets trading charges and must allow 28 days from the date of publication of the proposals to enable receipt of written representations concerning the intended charges prior to a decision being made on the proposed charges.
- 1.3 The licence supplementary meetings have been cancelled since 2021 due to the lack of business as the officers did not have any reports to be submitted to the Committee.
- 1.4 The Environmental Crime Enforcement Team have been coordinating the Forecourt Licensing scheme since 2007. Prior to August 2021 the Council did not have the extra resources to enforce contraventions of the London Local Authorities Act 1990

for unlicensed forecourts and breaches of held licences. Since, the Council have been able to provide an enforcement service for our forecourt scheme.

- 1.5 The proposed charges have been calculated in accordance with the provisions of the Act and include operational costs.
- 1.6 Counsel previously advised that any argument made that proposed increases in charges are more than inflation cannot provide a proper basis for limiting charges that would otherwise be payable to ensure the market account is not run at a deficit. The new proposed charges are an increase of 10%, in line with current inflation rates.
- 1.7 The fees and charges have not been reviewed since 2020.

2. Background

- 2.1 Street market trading charges are set each year to recoup the Council's reasonable costs which are not otherwise recovered, for the running of the Borough's Street trading using the legislation outlined above.
- 2.2 Fees and charges increase for previous financial years as follows;
 - a) 2020/21 - 2.5% [inflationary CPI index] rounded up to the nearest fifty pence, this was done for the ease of administration. ***This was not implemented due to covid***
 - b) 2019/20 – 2.3% [inflationary CPI index] increase applied to all fees and charges
 - c) 2018/19- 2.5% [inflationary CPI index] increase applied to all fees and charges
 - d) 2017/18- 1% increase applied to all fees and charges.
 - e) 2016/17- Increase of 2% to traders in Deptford markets. No increase to Catford, Lewisham or any other sites. No increase in admin fees.
- 2.3 The licence fees are (discretionary) set by the licensing supplementary committee and the law requires us to charge fees as per what the committee has agreed. The same fees must be charged in all licence streets without discrimination.
- 2.4 Cross subsidy – Counsel advice confirmed that the longstanding approach in Lewisham of 'cross subsidy' not being applied should continue. To depart from this would expose the Council to a significant risk of successful legal challenge as to reasonableness. The only exception being that any surplus income generated by Lewisham Sunday market could be applied. This is because one of its stated objectives when established in 2003, was that any such surpluses would be made available for the benefit of the borough's markets in general. It should be noted that whatever the legal position, 'cross subsidy' would only be an option if sufficient surplus income were available.
- 2.5 Spreading operating costs to the wider beneficiaries of the markets – this is not legally possible. Counsel advice stated that there is no legal basis for levying charges on (for example) adjacent shop owners as the operational costs of the markets can only be recovered from licence holders. Any such charge would be an attempt to pass on "market" costs to those who do not trade from the market and who do not receive the benefit of the specific services charged for. Such premises already pay for services such as cleansing and waste removal via business rates and trade waste agreements.

- 2.6 Cleansing cost – The Council has chosen to provide cleansing using in-house resources and under current legislation it is not required to market test these services. Any change would require a strategic decision from the Mayor to carry out a procurement process which would not guarantee any reduction in costs.
- 2.7 Charge Comparisons with other authorities - There are numerous differences between London borough markets in terms of number of trading days, types of licence, types of commodities sold, cleaning set up, size and location of market, viability, and footfall etc. It is recognised that simple price comparison of 'price lists' does not give a representative comparison of charges.

3 Structure and Effect of Proposed Charges

- 3.1 The proposed 2024/5 charges are attached to this report as Appendix A. Charges for all markets for permanent licences are based on a 10% rise, in line with inflation. The service needs to maintain charges levied on it due to inflationary rate rises for services it uses to facilitate street trading such as cleansing, waste disposal and utilities.
- 3.2 It is proposed to increase the cost of administrative charges by 10%.
- 3.3 Fees and charges the service receives for managing forecourts is approx. £135,000 per annum. The coordination and enforcement for operating the service should be able to justify the revenue.
- 3.4 The licence fees are (discretionary) set by the licencing supplementary committee and the law requires us to charge fees as per what the committee has agreed. The same fees must be charged in all licence streets without discrimination.
- 3.5 Licence fees vary depending on the size of the forecourt. We currently charge £6.05 per square metre per week in addition to a £33 application fee. Our fees were not increased for a few years due to lack of human resources to operate the service. This has resulted in us being one of the cheapest licensing authorities for forecourt charges in Southeast London.

4. Market Pitch Occupancy

- 4.1 The table below shows occupancy in the years since the last price increase / the pandemic.

Occupancy	Catford	Deptford	Douglas Way	Lewisham	Sunday
2019-2020 % Total Usage	35%	55%	69%	100%	78%
2020-2021 % Total Usage	29%	47%	64%	96%	64%
2021-2022 % Total Usage	23%	47%	64%	94%	61%

2022-2023 % Total Usage	25%	48%	63%	92%	65%
-------------------------	-----	-----	-----	-----	-----

- 4.2 Whilst this shows overall reduction there are indication of a plateau or slight increase in the last year that we have complete figures for.
- 4.3 Desktop research suggests several factors that have contributed to traders / businesses in general struggling to recover or return to markets since the pandemic. These include;
- Supply chain disruption – leading to shortages in stock or increased costs to businesses
 - Changing consumer behaviour – shifts in behaviour, including reliance on ecommerce and digital services have left some traditional businesses / high streets getting less customers
 - Financial strain - Some businesses incurred significant financial challenges with the pandemic and could not survive.
 - Labour storages – workforce disruptions, retirements, and a reluctance to return to some industries
- 4.4 Whilst this is the experience in the years following the pandemic there are exciting opportunities going forward and work in progress to see a brighter future for the markets across the borough of Lewisham. The markets team are very committed to the continued improvement of a thriving market community with successful businesses.

5. Consultation and Representation

5.1 Public Notice

As required by law, the proposed charge increases will be advertised in a local newspaper and representations from interested advertised in a local newspaper and representations from stakeholders are invited before approval. See copy in Appendix A

5.2 Letters to all impacted by the proposed changes

Both letters enclosing details and emails were sent to all trading licence holders and forecourt licence holders showing the basis upon which proposed charge increases are decided and inviting their further comment. Details on how to submit observations and representations were provided on the 19 January. All traders impacted were provided with details on how they could participate in the consultation. They were invited to submit their representations via the following means;

- In writing - send your written representation to the following address:
Lewisham Markets Team, Laurence House, 1 Catford Road, SE6 9SE
- Online survey - complete the online consultation survey by visiting citizenspace portal and selecting 'Markets and Forecourt Licence Fees and Charges 2024-25'.

- Email - send your written representation to email address markets@lewisham.gov.uk with the subject line: 'Fees and Charges consultation'

5.3 Representations

A duty is placed on the Council to consider representations received before new charges are implemented. Any such representations will be put before the committee at the earliest opportunity. Traders have been advised of the date of the committee meeting and asked to submit any written views in order that they can be given advance consideration by Members. Any further representations received will verbally reported to the Committee and traders may choose to attend the meeting in person to also put their views.

5.4 Representation Analysis

Traders were invited to send representations as per 8.2 above. The period for this was between 19 January and 23 February 2024.

In total we received 6 representations. One representation was made via email – this was a representation on behalf of all traders that trade from Lewisham Market. Five representations were made via the online consultation portal.

The details of the responses are available in full in appendix

Summary analysis is as follows;

- All responses received were from permanent traders
- Those making representations traded Fruit and Vegetables (40%), Clothing, New (20%), Used (20%) and Luggage (20%)
- 80% of those making representations had traded on Lewisham's markets for 20 or more years, 20% has traded between 6-10 years
- 80% of those making representations traded on Lewisham market, the other representation was from Deptford Markets.
- 60% of those making representations understood the reason for the need of the price increase
- 100% of the traders that responded felt that the price increase was unfair
- 100% of the traders that responded felt it would adversely impact their businesses

As part of the consultation, we asked what traders would like to be prioritised regarding budget and they responded;

- Improved cleanliness – 80% agreed
- Improved market environment and layout – 40% agreed
- Attract more traders – 40% agreed
- Greater diversity in products & services – 20% agreed
- Increased footfall and customers – 80% agreed
- Better promotion of the market and stronger branding – 60% agreed

5.5 Representation Response

Whilst it is recognised that these are challenging times and an increase will have impact on the businesses that trade across our markets, it is important to note that the service has delayed the price increase as long as is possible and limited the impact passed onto the traders. However, with year after year losses we must implement some price increase, and this is in line with the increases those businesses had experience year on year prior to the pandemic.

6. Determining the value of the increase

- 6.1 The running of the markets is a self-financing function of the Council. The proposed increase in charges for 2024/2025 will act to help prevent deficit and fund the inflationary increases of costs to the service e.g., cleansing, waste collection and disposal, utilities etc.
- 6.2 As previously stated, the proposal attempts to minimise the impact to the trader and as such whilst the service has seen increase in costs in line with CPI it has been a conscious consideration not to pass this on as much as is possible.
- 6.3 The table below outlines CPI index since the last proposed increase in fees and charges to market traders

Year	Consumer Price Index (%)	Proposed Fee Increase
2020-2021	0.9	2%
2021-2022	2.6	2%
2022-2023	9.1	2%
2023-2024	7.1	2%
2024-2025	5.1 projected	2%

Source - ONS, Online, 05/03/2024

- 6.4 Given that an increase has not been implemented for 4 years we recognise the adverse impact it would have on the market businesses to attempt to charge in line with CPI year on year and as such we are proposing an increase broadly in line with the increases in previous increases implemented before the pandemic, outlined in the background section in line with this report.
- 6.5 Under the London Local Authorities Act, we are required to ensure that our market trading operations do not operate at a profit or a loss. The proposed 10% supports our aim and legal obligation

7. Financial Implications

- 7.1 This report is seeking approval for an increase of 10% for all street trading / markets fees, forecourt licences and relevant administrative charges with effect from 1st April 2024. The service is proposing an increase in fees that reflect the non-increase since 2020.
- 7.2 As stated above, the running of the markets is a self-financing function of the Council. Over the past four years, the Market trading account balance has reduced by over £60k.
- 7.3 The proposed increase in charges for 2024/2025 will act to help prevent the trading account balance from falling into a deficit and will also fund the inflationary increases of costs to the service e.g., cleansing, waste collection and disposal, utilities etc. Forecourt licencing and administrative charges are administered as part of the general fund.

8. Legal Implications

- 8.1 Street trading fees are governed by section 32 of the London Local Authorities Act 1990, as amended (the "Act"). The Council may recover from licence holders such charges as may be sufficient in the aggregate taking one year with another to cover the reasonable costs, not otherwise recovered, of (a) the collection, removal and disposal of refuse or other services rendered by them to such holders; (b) the cleansing of streets in which street trading takes place in so far as that cleansing is attributable to such trading; (c) any reasonable administrative or other costs incurred in connection with the administration of this Part of the Act; and (d) the cost of enforcing the provisions of Part 3 of the Act. The proposed fees must recover the Council's costs and cannot be used to raise funds. The outcome must be that the costs of providing the service fall on traders and not on the general account.
- 8.2 Before determining the charges to be set, the Council must (a) give notice of the proposed charges to licence holders or to a body or bodies representing them; and (b) publish notice of the proposed charges in a local newspaper circulating in the area in which the licensed street or where licence holders would be affected by the proposed charges. The Council is required to consider any such representations which are made to them within the period specified in the notice. Compliance with these requirements is detailed within the body of this report.
- 8.3 When the Council have determined fees or charges (whether originally or by way of variation of fees or charges previously determined) the Council must give notice of the fees or charges so determined and of the date on which those fees or charges are to be brought into effect.
- 8.4 An aggrieved party is entitled to challenge the level of charges which the Council sets, by appealing to the Magistrates Court under section 30A of the Act within a period of three months from the date the new charges and fees are notified to the licence holders or a body or bodies representative of them.

9. Equalities Implications

- 9.1 The Equality Act 2010 introduced a new public sector equality duty which covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion, sex, or sexual orientation. In summary the Council must, in the exercise of its functions, have due regard to the need to:
- advance equality of opportunity between people who share a protected characteristic and those who do not
 - foster good relations between people who share a protected characteristic and those who do not
 - eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- 9.2 Consideration has been given to the public sector equality duty under the Equalities Act 2010. Although this report has no specific equalities implications, street markets are viewed as an important source of affordable good quality food and other goods and thus their sustained success is of particular importance to those on low incomes. Markets also have wide economic, social, and cultural benefits and can also provide

opportunities for new business to begin operation at low cost. Trader statistics indicate that 35% of the traders in our markets are of BME origin.

10. Climate Change and Environmental Implications

- 10.1 Markets should be valued because of their potential positive effects on the character and community of the surrounding area and can play a key role in the vibrancy and attractiveness of town centres. Their locations may also contribute to reduced carbon footprints and less waste in the packaging often associated with food retail.

11. Prevention of Crime and Disorder Implications

- 11.1 There are no specific implications arising from the report although the contribution made by street markets to the vibrancy of town centres may assist in reducing the fear of crime.

12. Health and Wellbeing implications

- 12.1 There are no specific health and wellbeing implications, however the continued presence of markets in the borough encourages residents to purchase low-cost fruit and vegetables. Further, markets are accessible on foot in the local area encouraging walking, which is beneficial for the environment and people's health.

13. Moving Forward: Cost Minimisation and Sustainability Initiatives

- 13.1 As we move forward, our commitment to financial prudence and sustainability is exemplified through strategic initiatives aimed at minimising costs and enhancing environmental responsibility. A notable project in this area is the Waste Recycling Project, which not only focuses on collaborating with traders to streamline operational costs but also aims to secure rebates associated with responsible waste disposal.
- 13.2 A significant milestone was achieved in December 2022, with the introduction of recycling initiatives at Lewisham Market for the first time in its history. In the financial year 2023-2024, our recycling efforts yielded an impressive 75% recycling rate, with notable achievements in rebates for food waste and cardboard disposal.
- 13.3 Looking ahead, our dedication to cost reduction remains unwavering. Future initiatives will continue to explore innovative ways to enhance operational efficiency and sustainability. The ongoing commitment to improving both traders' experiences and market customer satisfaction underscores our approach to ensuring the long-term viability and success of Lewisham's market services. These initiatives stand as

cornerstones in ensuring a resilient and environmentally conscious market environment.

APPENDIX A – PROPOSED FEES

LEWISHAM MARKETS AND FORECOURT LICENCE 2024/2025

Fees and charges are changing Notice is hereby given that pursuant to Section 32 of the London Local Authorities Act 1990 (as amended), the Council of the London Borough of Lewisham, on 17th January 2024 proposes the following Street Trading fees and charges in respect of the street trading areas as set out below.

Market Trading Licence		Current charge (£)	Proposed charge (£)				
Lewisham High Street				Douglas Way - Sat	Per Month	110.85	121.94
Lewisham High Street Market - Mon to Sat	Per Day	20.46	22.51	Douglas Way - Sat	Per Week	25.58	28.14
Lewisham High Street Market - Mon to Sat	Per Week	121.74	133.91	Douglas Way - Weekly	Per Annum	2845.96	3130.56
Lewisham High Street Market - Mon to Sat	Per Month	527.54	580.29	Douglas Way - Weekly	Per Month	237.16	260.88
Lewisham High Street Market - Mon to Sat	Per Annum	6330.48	6963.53	Douglas Way - Weekly	Per Week	54.73	60.20
Lewisham High Street Market - Sunday	Per Day	24.99	27.49	Douglas Way - Stall Storage		45.44	49.98
Lewisham High Street Market - Sunday	Per Month	108.33	119.16	Casual Trader Fees			
Lewisham High Street Market - Sunday	Per Annum	1299.96	1429.96	Catford Broadway Mon, Tues, Wed		20.50	22.55
Burtons Yard - Daily Parking	Per Day	19.77	21.75	Catford Broadway Thurs, Fri		21.00	23.10
Burtons Yard - Overnight Storage	Per Day	3.78	4.16	Catford Broadway Saturday		20.50	22.55
Clarendon rise - Daily Parking	Per Day	18.08	19.89	Catford Broadway Sunday		23.00	25.30
				DHS and GS Wednesday		27.50	30.25
Lewisham ODDS				DHS and GS Mon, Tues, Thurs, Fri		20.00	22.00
Lewisham Sunday Only (Odds)	Per Day	16.00	17.60	DHS and GS Saturday		31.00	34.10
Lewisham Sunday Only (Odds)	Per Month	69.33	76.26	DHS and GS Sunday		32.00	35.20
Lewisham Sunday Only (Odds)	Per Annum	832.00	915.20	Lewisham High St Mon to Sat		27.00	29.70
Seven Day Traders - Odd Sites	Per Week	88.00	96.80	Lewisham High St Weekly Mon to Sat		145.00	159.50
Seven Day Traders - Odd Sites	Per Month	381.33	419.46	Lewisham Sunday Only		31.00	34.10
Seven Day Traders - Odd Sites	Per Annum	4576.00	5033.60	Lewisham Odds Weekly		97.00	106.70
Lewisham Sunday Market	Per Day	24.99	27.49	Lewisham Table and Chairs (1 & 4 any site)	per date	6.65	7.32
Lewisham Sunday Market	Per Month	108.33	119.16	Lewisham Focal Area - Demos / FFT per day		80.00	88.00
Lewisham Sunday Market	Per Annum	1299.96	1429.96	Lewisham Focal Area - Event Areas per day		145.00	159.50
				6 days - 1 day discount		725.00	797.50
Catford Broadway Market				Sydenham - Monthly Saturday Market (without stall)		23.00	25.30
Catford - Mon, Tues, Wed, Sun	Per Day	15.35	16.89	Sydenham - Monthly Saturday Market (with stall)		38.00	41.80
Catford - Mon, Tues, Wed, Sun	Per Month	66.52	73.17	Miscellaneous Trading Sites - Cemeteries			Lewisham High Street Casual Charge
Catford - Mon, Tues, Wed, Sun	Per Annum	798.20	878.02	Lewisham Daily Rate		12.50	13.75
Catford - Thurs and Fri	Per Day	16.88	18.57	Christmas - Up to 14 pitches (per pitch)		18.00	19.80
Catford - Thurs and Fri	Per Month	73.15	80.47	Christmas - 15 pitches and over (per pitch)		15.35	16.89
Catford - Thurs and Fri	Per Annum	877.76	965.54	Licence Fee		12.50	13.75
Catford - Sat	Per Day	14.83	16.31	Casual Trader Registration		25.58	28.14
Catford - Sat	Per Month	64.26	70.69	Licence Variation		5.63	6.19
Catford - Sat	Per Annum	771.16	848.28	Duplicate Licence		5.63	6.19
				Replacement Stall Card		115.60	127.16
				Adminstration Charge - Proposal to Revoke			
Deptford High St and Giffin Square				Forecourt Licences			
DHS and GS - Wed	Per Day	23.53	25.88	Forecourt Licence Charges per Square Metre		6.05	6.66
DHS and GS - Wed	Per Month	101.96	112.16	Forecourt Licence/ Renewal Fee		33.00	36.30
DHS and GS - Wed	Per Annum	1223.56	1345.92	Forecourt Licence Alteration Fee		33.00	36.30
DHS and GS - Fri	Per Day	14.83	16.31	Forecourt Licence Replacement Fee		6.00	6.60
DHS and GS - Fri	Per Month	64.26	70.69	Fast Track Forecourt Licence (48 HOURS)		60.00	66.00
DHS and GS - Fri	Per Annum	771.16	848.28	Arrears Letter		5.00	5.50
DHS and GS - Sat	Per Day	25.58	28.14	Revocation Letter		10.00	11.00
DHS and GS - Sat	Per Month	110.85	121.94				
DHS and GS - Sat	Per Annum	1330.16	1463.18				
DHS and GS - Weekly	Per Week	56.78	62.46				
DHS and GS - Weekly	Per Month	246.05	270.66				
DHS and GS - Weekly	Per Annum	2952.56	3247.82				
DHS and GS - Stall Storage		45.44	49.98				
Douglas Way							
Douglas Way - Mon to Wed	Per Annum	1090.44	1199.48				
Douglas Way - Mon to Wed	Per Month	90.87	99.96				
Douglas Way - Mon to Wed	Per Week	20.97	23.07				
Douglas Way - Thurs and Fri	Per Annum	771.16	848.28				
Douglas Way - Thurs and Fri	Per Month	64.26	70.69				
Douglas Way - Thurs and Fri	Per Week	14.83	16.31				
Douglas Way - Sat	Per Annum	1330.16	1463.18				

Written representation regarding the above proposed fees may be made to; Lewisham Markets Service, Laurence House, 1 Catford Road, London, SE6 9SE
Markets@lewisham.gov.uk with the subject heading Fees and Charges
 Or via the consultation portal: <https://consultation.lewisham.gov.uk/policy-strategy-and-executive-support/cbceb465/>
 All written representations must be received by 21st February 2024
 The proposed licence fees shall not become operative until all written representations received by the Council have been considered and further notice published setting out the amount of the fees and the date on which the same are to be brought into effect.

APPENDIX B – CONSULTATION RESPONSES

EMAIL RESPONSE (1/1)

Lewisham Market Team

Laurence House

1 Catford Road

SE6 9SE

Dear Mr Adams,

This email is on behalf of all 35 licensed casual and permanent Lewisham High Street Market Traders.

We are writing in regard to the 10% increase of stall rent that has been proposed by the council, all traders agree that with the struggle from the fall in sales since Coronavirus the steep increase in rent will affect their businesses even further.

Lewisham Market traders now face redevelopment with the construction being planned for a 3 year period, this is also another factor that will make it impossible for us to meet the high rent increase.

With the huge change coming to Lewisham Market all traders are very worried on the impact this will have on their businesses financially for now and the future.

Stall rent has always been made affordable for traders so the market is sustainable and continues in the popularity to compete against the ever changing prices of the supermarkets and retailers.

By not having such a large rise for the traders ensures we can continue to bring great value to benefit all of the community by keeping a products and produce cheaper, especially in the worrying times of the cost of living crisis.

Many thanks,

L.A.S.T (Lewisham Association of Street Traders)

ONLINE CONSULTATION RESPONSES (1/5)

Trading Arrangements: Permanent Trader, Deptford

Do you understand why the increase has been proposed:

I understand why but I do not agree with it, there are no facilities for the traders in Deptford Market to use the bathroom. Trade has never returned to pre-Covid levels and increasing the rents will not help any of us to bring the footfall back up. We need to encourage as many people into the area as possible and make the market somewhere customers want to visit and shop.

Suggested improvements:

I would like to see washroom facilities so traders can use the bathroom and wash their hands.

There is no parking for the customers to encourage them to visit the market.

No incentives for customers to shop in the market.

More control over how the stalls are laid out, where pitches overspill onto the next pitch.

Market Inspectors that support traders and the market itself.

Other comments

The square in Douglas Way has become a free for all, where traders spread out over more pitches than they pay for and are never sanctioned by the inspectors.

What actually is the role of the inspectors, to help and assist or spend their day sitting in the market office?

ONLINE CONSULTATION RESPONSES (2/5)

Trading Arrangements: Permanent Trader, Lewisham

Do you understand why the increase has been proposed:

Yes BUT !! They seem to be paying Architects ,waste Management and senior members of Lewisham Council Thousands of pounds each week ,they have plans to make Lewisham look Pretty ,but not one of the so called management team realises Lewisham market Supplies all the Surrounding areas ,tons and tons of fruit and veg sold every day they have know I dear where the stalls are going to go when the work starts god help the people that come to Lewisham when this Charades starts I feel that 50 good Businesses will be in Peril and the people and children will go hungry to make Lewisham pretty to please a mayor. GOD help Lewisham

Suggested improvements:

Lewisham is Probably one of the Busiest market's in London it's about to be destroyed ;;god help the people who rely on us to feed their children god help every nurse we serve from Lewisham and Greenwich hospital that Live on low wages. Pretty flowers and trees don't feed hungry children

Other comments

Leave the best market in London alone

ONLINE CONSULTATION RESPONSES (3/5)

Trading Arrangements: Permanent Trader, Lewisham

Do you understand why the increase has been proposed:

No

Suggested improvements:

Other comments

ONLINE CONSULTATION RESPONSES (4/5)

Trading Arrangements: Permanent Trader, Lewisham

Do you understand why the increase has been proposed:

No

Market turnover and foot fall down dramatically
Supermarkets taken over

Suggested improvements:

Keep as
But more Staff

Other comments

ONLINE CONSULTATION RESPONSES (5/5)

Trading Arrangements: Permanent Trader, Lewisham

Do you understand why the increase has been proposed:

No

Suggested improvements:

Other comments