

**Manchester City Council  
Report for Information**

**Report to:** Licensing and Appeals Committee - 11 January 2016

**Subject:** Update on ongoing work to address Pedlars

**Report of:** Director of Neighbourhoods

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**Summary**

The report provides an overview of an initiative that has taken place between 25 July and 20 December 2015 to address illegal street trading and other street based activity on Market Street and the surrounding area.

This followed increasing concerns raised early summer about the numbers of Pedlars on Market Street and the work initially instigated by the Sub Group chaired by Councillor Grimshaw.

**Purpose of Report**

To brief Members on the above initiative

**Recommendations**

1. The Committee note the content of the report.

**Wards Affected: All**

<b>Community Strategy Spine</b>	<b>Summary of the contribution to the strategy</b>
Performance of the economy of the region and sub region	Addressing non compliance in this areas helps to create a level playing field for businesses
Reaching full potential in education and employment	Not applicable to the content of this report
Individual and collective self esteem – mutual respect	Not applicable to the content of this report
Neighbourhoods of Choice	Addressing non compliance in this area improves the streetscape and provides a more enjoyable visitor experience to the city centre

**Full details are in the body of the report, along with any implications for:**

- Equal Opportunities Policy – None
- Risk Management - None

- Legal Considerations - None
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**Financial Consequences – Revenue - None**

**Financial Consequences – Capital - None**

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**Background documents**

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

Report of the L&A sub committee working group presented to the committee on 10 November 2014

## 1 Introduction

- 1.1 Members will recall from the report to Committee in November 2014 that a working group was set up to look at the issue of illegal street trading in the city centre and with a particular focus on Market Street due to its status as Manchester's busiest shopping street. This significant footfall and its pedestrianised nature, acts as a magnet for on street activity. This includes:
1. Pedlars/street traders
  2. Advertising/promotions e.g. free promotions, distribution of free printed matter
  3. Charity street collection – e.g. Chuggers and cash collections
  4. Market Research on the street
- 1.2 That report provided an interim update from the working group who had observed a week day multi agency operation on Market Street, specifically targeting the activity of Pedlars not complying with the statutory requirements and undertaken by officers drawn from the Licensing Unit, City Centre NDT, Trading Standards, GMP and the Department of Work and Pensions. The report also set out a brief overview of the legislative framework that controls Pedlar activity in Manchester.
- 1.3 The Licensing Team and Neighbourhood Officers have continued to undertake routine monitoring and enforcement in relation to pedlars during the normal working week, however it was recognised that those officers were not routinely available to undertake this work during the day at weekends due to the focus of their activity at weekends being the night time economy.
- 1.4 Consequently, in response to growing concerns of the number of active Pedlars at weekends, in July 2015 a small task force led by the City Centre Neighbourhood Delivery Team and including the Licensing Compliance Team was set up to further address the on going issues with street based activities on Market Street and adjacent areas. Approx 50 officers were required to be trained in two sessions run jointly by a Principal Licensing Officer and Solicitor from the Prosecutions Team in order to be authorised to use the seizure powers available under the Manchester City Council Act 2010
- 1.5. It is believed the street based activities are more prevalent at the weekends when the footfall on Market Street is busier, and when officers are generally not present. Whilst the operation, in the main, has involved weekend enforcement, officers have also continued monitoring Market Street during the week, including early evening and taking action where appropriate.
- 1.6 Whilst the main focus of the operation has been dealing with pedlars and ensuring they comply with relevant legislation, officers also address other street based activities including, charity fundraisers and distribution of free printed matter.

- 1.7 A team of officers has worked each Saturday and Sunday undertaking a combination of enforcement and advice to ensure compliance with the activities noted above.

## **2.0 Issues addressed**

- 2.1 The issues that have been addressed by officers are;

### 2.1.1 Pedlars

A key focus of the operation has been on non compliant Pedlars. The issues that officers have sought to address are:

- Trading without a valid Pedlars Certificate
- Failure to keep moving
- Oversized trolleys
- Trading too close to other pedlars

- 2.1.2 This has been successful with a total of 43 seizures being made consisting of thousands of individual items including inflatable toys, jewellery, books balloons etc

Each seizure requires an inventory to be made of all the goods seized and as such involves 2 officers and takes a couple of hours as individual items need to be catalogued. Goods then need to be securely stored as evidence for use in prosecutions

- 2.1.3 Following the seizures from pedlars, 26 cases have so far been submitted for prosecution. Prosecution files for all seizures are sent to city solicitors as soon as they are prepared by officers. To date 17 cases have been successfully prosecuted with fines and costs totalling nearly £8,000. Forfeiture orders have been obtained in respect of seized items in a significant number of cases and, for the first time, the Court has exercised their power to deprive some pedlars of their pedlar's certificate following their conviction.

- 2.1.4 Prior to the operation it was noted that there were up to 20 pedlars operating on Market Street on a weekend which has dropped to between 8-12 There has also been a reduction in the number of seizures made as the majority of pedlars are now compliant with the Manchester City Council Act 2010. Any pedlars found to be not compliant continue to be tackled.

### 2.2 Other issues

- 2.2.1 Officers have also dealt with a range of other issues including:

- Street entertainers e.g. giving away balloons in exchange for a "donation"
- Distribution of free printed matter/littering. FPNS have been served for distribution of free printed matter without a consent
- Street Art e.g. sand dogs - 2 cases and these both packed up and left when spoken to by officers

### **3 Future activity**

- 3.1 The task force referred to in paragraph 1.4 finished on 20 December 2015
- 3.2 The new Licensing and Out of Hours Compliance Team, which has been introduced as part of the Neighbourhoods Service redesign is responsible for addressing the compliance and enforcement issues that arise outside of standard working hours. This includes some evenings, weekends and nights and will provide some capacity to address the issues of pedlars and other unwelcome activity in the city centre. Although there is not such a large resource, as was available during the targeted operation, it is anticipated that the work that has taken place to bring this issue under control will make it easier to maintain the degree of compliance that has now been achieved.