



City of Westminster

# Licensing Committee Report

Item No:

Date:

July 2021

Title of Report:

Rupert Street Market Layout – Standardisation, demarcation and numeration of pitches.

Report of:

Director of Public Protection and Licensing/ Director of Economic Development

Wards involved:

West End

Policy context:

City of Westminster Statement of Street Trading Policy 2013 and Strategy for Westminster City Council's markets 2019-2022

Financial summary:

None

Report Author:

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## **1. SUMMARY OF THIS REPORT**

- 1.1 Rupert Street Market is a designated market with 31 pitches that operates Monday to Saturday. The market is closed on a Sunday. The market currently operates without a formal layout and without pitch markings. The lack of clear pitch demarcations and numbering also represents challenges for City Inspectors, making day to day management more difficult.
- 1.2 The Market Development Team has conducted a survey of the market and identified that standardising pitch sizes will maximise visibility and result in an increase in pitch size for traders. However, to facilitate this, will require a reduction in the number of pitches from 31 to 15.
- 1.3 This report sets out the proposed standardisation, demarcation and numeration of pitches for Rupert Street Market. The rationale for amending the layout and reducing the overall number of pitches of the current market is to ensure the market thrives and prospers alongside fulfilling the Council's vision for the area, as set out in the Markets Strategy.
- 1.4 The proposals have been designed, in line with commitments made in the Council's Markets Strategy, improving health and safety and wayfinding at the market. The aim is to create a modern destination market, where vendors can trade safely, and visitors navigate more easily.
- 1.5 The plans are part of a wider holistic vision for the future of the market, which includes a reprofiling of the storage space to benefit traders and reduce vehicle congestion in the area, consistent and visible market branding and free WiFi on the market.
- 1.6 These changes aim to address some of the main challenges facing the market, as identified in the Council's Markets Strategy. These included the lack of branding and signage in the areas immediately surrounding the market, a poor market layout which is not conducive to customers moving around the market easily and the lack of Wi-Fi, all of which were highlighted by residents and traders in their response to the 2018 Markets Consultation.

## **2. Consultation**

- 2.1 The existing market trader and other key stakeholders (including Street Food Union) have been invited to take part in a formal consultation regarding these proposals. The consultation ran from 19<sup>th</sup> April 2021 to 10<sup>th</sup> May 2021. A copy of the consultation letter can be found at **Appendix 3** of the report.
- 2.2 Relevant Cabinet Members and Ward Councillors have been briefed and consulted on the proposed changes.
- 2.3 Only one response was submitted in response to the consultation in April 2021. Below is an overview of the points received from the Soho Neighbourhood Forum.

See **Appendix 4**. The Market Development Team confirms that neither the existing market trader nor Street Food Union have provided responses to the consultation.

### **3. Pitch realignment**

3.1 The proposed pitch realignment will involve introducing a 1 metre gap between stalls and as such ensure the market is safer by eliminating the risk of fire spreading between hot food stalls.

- Standardise pitch sizes to 3m x 3m to improve the markets image
- Reorganise the market layout to improve wayfinding and market appearance
- Create clear pitch markings with pitch number locations to avoid confusion
- Ensure equal pedestrian circulation from either end of the market by aligning traders along the retail frontages.
- Traders will be able to trade outwards or inwards depending on the nature of their stall, given the natural breaks between stalls, customers can easily navigate and access all stalls.

### **4. Implications for trader licences**

4.1 Street trading in Westminster is governed by the City of Westminster Act 1999. In the case of Rupert Street Market, the street is designated and there is an approved layout. A change in layout must be approved by the Licensing Committee.

4.2 The new proposed layout has enough pitches to operate as a market destination.

4.3 Currently there is only one street trading licence holder on Rupert Street Market. Following approval by the Committee, of the proposed new layout, he will be invited to submit a variation application to vary his pitch dimensions to 3m x 3m.

4.4 The Licensing Authority will open the vacancy period and applicants will be invited to apply for temporary 6-month licences that are renewable bi-annually. It is proposed that applicant's will only be permitted to apply for single pitches.

4.5 Previously Street Food Union operated under an "umbrella licence" that permitted them to operate 12 stalls on Rupert Street where their traders rented the stalls from them and could trade on a casual basis. They are currently unlicensed and are not trading, but discussions are ongoing with the organiser about the potential of returning to Rupert Street.

## **5. Recommendations**

- 5.1 The Council's Licensing Authority recommends that the Licensing Committee:
- a) Approve the proposal for the standardisation of the market pitches to 3m x 3m.
  - b) Approve the reduction in the number of pitches from 31 to 15.

## **6. Legal Framework**

- 6.1 Street Trading within Westminster is regulated by the City of Westminster Act 1999 ('the Act'). Sections 16(2) of the Act provides:

*(2) Subject to the provisions of this Act, the council may also at any time vary a street trading licence on application by the licence holder in accordance with his application.*

- 6.2 The Council has acted reasonably during the decision-making process by carrying out a consultation exercise in respect of the above proposals, and by taking into account the responses received this ensures openness and transparency throughout.
- 6.3 These proposals will have the desired effect of standardisation for all of the market pitches which will in turn bring positive benefits to the Council for operational and enforcement purposes.
- 6.4 The trader that benefits from a Street Trading Licence on the market will be invited to submit a variation application to vary his pitch dimensions to reflect the change in pitch size.

## **7. Policy Guidelines**

- 7.1 The Council from time to time makes adjustments to the size and location of designated street trading pitches so as to implement desirable and practical changes.
- 7.2 Policy ST5 - Designation and De-designation - of the Westminster City Council Statement of Street Trading Policy relates to the criteria that the Licensing Authority will follow when considering changes to an existing designation. Paragraph 5 (7) states 'Alterations to a pitch could include increasing its size to better accommodate its operational needs (chairs and tables) and allow the ability to have sufficient space for refuse, storage etc'.
- 7.3 Additionally paragraph 5(8) states 'Where a public realm scheme is proposed consideration should be had to the best way to accommodate any existing street traders in that location. Where a scheme is approved and implemented which includes the relocation, reorientation or increase/decrease in pitch size, this will initiate the formal licensing process to make the necessary changes to the pitch

in question in order to facilitate the approved scheme. Changes to existing pitches will be subject to consultation’.

## 8. Next steps and timeline

- 8.1 Subject to the Committees approval of this proposal, officers would recommend and plan for an implementation of the new layout in September 2021.

## 9. Staffing Implications

- 9.1 There are no staffing implications as a result of this report

## 10. Appendices

<b>Appendix 1</b>	Current layout of Rupert Street Market
<b>Appendix 2</b>	Proposed layout of Rupert Street Market
<b>Appendix 3</b>	Consultation letter dated 12 April 2021
<b>Appendix 4</b>	Comments received by the council following its first consultation in April 2021

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**If you have any queries about this report or wish to inspect one of the background papers please contact the report author.**

### **Background Documents – Local Government (Access to Information) Act 1972**

<b>1</b>	City of Westminster Act 1999	N/A
<b>2</b>	City of Westminster Statement of Street Trading Policy 2013	N/A
<b>3</b>	Strategy for Westminster City Council's Market 2019-2022	N/A

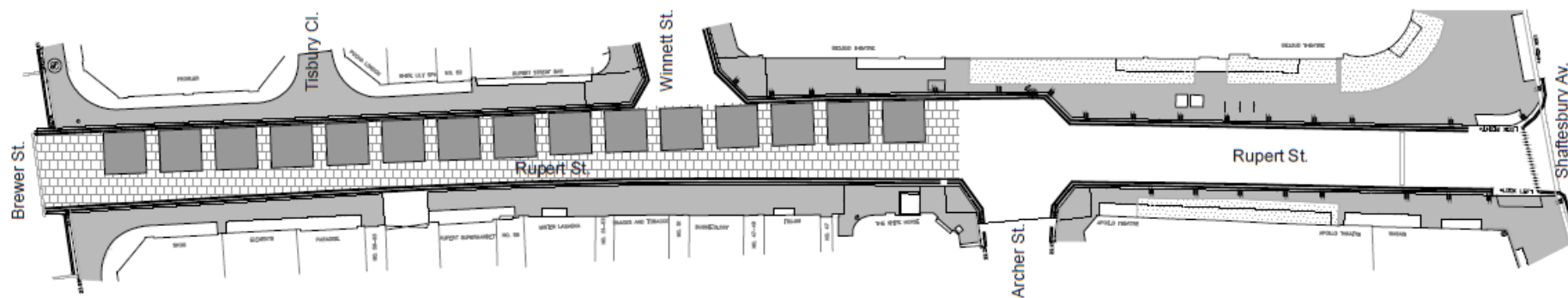
## Existing layout of Rupert Street Market

## Appendix 1



## Proposed layout of Rupert Street Market

## Appendix 2





Licensing Service  
15th Floor Westminster City Hall  
64 Victoria Street London  
SW1E 6QP

Please reply to:  
Email: [markets@westminster.gov.uk](mailto:markets@westminster.gov.uk)

12<sup>th</sup> April 2021

Dear Trader,

### Proposed Rupert Street Market Improvements

We are writing to let you know that Westminster City Council propose to implement changes at Rupert Street Market to improve daily operations, provide a safer, more pleasant environment for vendors to trade seamlessly from. We are confident that the proposed changes will be beneficial for all.

While adjusting the existing market layout, we propose to realign the pitch distribution along the right hand side of Rupert Street to maximise visibility and trading potential for all vendors. We are confident that this layout (please refer to the attached drawing, appendix A) will enhance the market by improving the ease of movement, which will allow vendors to operate more effectively, subsequently increasing footfall throughout.

The proposed changes will include making each pitch a standard 3m x 3m, as well as clearly marking and numbering each pitch's location on the street. Standardising pitch sizes will transform the market's perception, giving it a more consistent look and improve its visual appearance. The new pitch markings and numbering will allow traders to easily locate their pitches on arrival and will facilitate regular customers to identify the location of traders. We believe that this new method of operation will not only increase the customer serving area for each trader but will also increase visibility from the surrounding shop frontages.

We propose to introduce a 1 metre gap between individual stalls that cook food to mitigate the risk of potential fire spreading between these stalls. In order to accommodate this requirement, we will need to adjust the existing layout. The 1 metre gap between cooking stalls has been adopted by the Licensing Service to apply throughout all WCC markets following informal advice from the local fire officer.

The Market Development Team is looking to implement a number of projects including free wifi across all markets and the introduction of pay as you go electrical bollards which will make the market an attractive proposition for potential traders.

We would like to take this opportunity to ask you to give your initial feedback on this proposal. The formal consultation will run from 19<sup>th</sup> April 2021 for three weeks. Please let us know your thoughts in writing, by emailing [markets@westminster.gov.uk](mailto:markets@westminster.gov.uk). Alternatively, you can write to us, addressing letters to the Head of Markets, Catherine Brice at the address above.

Please ensure that you send your comments or thoughts no later than COP 10<sup>th</sup> May so that the licensing authority can take them into consideration when deciding how to proceed. We will assume that you have no objection to the proposals if we do not receive a response from you by that date.

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Thank you in advance for sharing your views and helping to ensure that Rupert Street Market thrives and prospers.

Yours sincerely,

**Westminster Markets Team**  
Westminster City Hall  
64 Victoria Street,  
SW1E 6QP  
London

*The below comments were received from The Soho Neighbourhood Forum following the consultation:*

**Proposed revisions to Rupert Street Market**

The Soho Neighbourhood Forum ([www.planforsoho.org](http://www.planforsoho.org)) a business forum run equally by residents and local businesses is grateful for the opportunity to comment on these proposals and welcomes the proposals to offer to future stall holders wi-fi access and pay as you go electricity from street bollards. We are also aware that there may be commercial relations and or sensitivities which we are not fully aware of.

However, we do not think that the proposals take account of the reality of Rupert Street. It has been known for decades as a major hotspot for crime and anti-social behaviour, particularly from Winnett St and Tisbury Court up to the junction with Brewer Street. There was a previous street market but the provision of simple stalls, like those now proposed did not work in attracting sufficient passing trade and use by stall holders was patchy and numbers declined over the years. That decline allowed the anti-social atmosphere of the street to become clearly present even in the daytime. Open drug dealing was a continuously observed by many. A member of the 16member Forum Steering Group (FSG), John James, has already responded by email on 14<sup>th</sup> April setting out some of this history.

We discussed the matter at our FSG meeting on 28<sup>th</sup> April. It is unclear to us that there is likely to be sufficient footfall in Rupert Street in the foreseeable future to generate the numbers which will attract a diverse range, or sufficient number, of stall holders to want to take up these small, standardised stalls. If take up is low and footfall sporadic the risk is that anti-social day time use will rise again.

The Forum would prefer to see an approach which understands the importance of the deterrent social value which came from the undeniable success of the Rupert Street Food Union. Our preference would be to allow that organisation to restart in a clearly defined part of the street. We suggest this should be the upper part from Winnett Street northwards and to trial the 3m x 3m stalls you propose from Winnett Street southwards. Such an approach would allow the City Council a period of time to assess demand for small standard stalls of the type proposed but without risking the reappearance of the daytime problems we have referred to.

Matthew Bennett, Chair

On behalf of Soho Neighbourhood Forum.