

Rachel Onikosi,
Policy Manager,
Department of Business, Innovation & Skills,
Consumer and Competition Policy Directive,
1 Victoria Street,
London
SW1H 0ET
14th March 2013

Dear Rachel Onikosi,
**Street Trading and Pedlary Laws-Compliance with the European
Services Directive (ESD)**

I write on behalf of the Better Bankside Business Improvement District (BID) to raise our concerns about the proposed changes to the pedlary laws and the impact that this will have on the management and maintenance of the public realm in Bankside. I have 8 years experience of managing the public realm in Bankside and of dealing with the illegal trading that goes on here, mostly in the riverside locations.

In making this submission I acknowledge that I have received and read the response to the BIS Consultation submitted by National Association of British Market Authorities dated 4th March 2013. We share their views on the retrograde nature and impact that your proposals will have on consumer protection and that they "will lead to unfair competition and a lack of a level playing field for existing traders in the area". Of equal concern are your proposals with regard to the receptacles and pedlar movements which we also regard as unworkable.

By way of context, the Better Bankside BID was established in April 2005 with the support of Southwark Council and following a ballot of businesses located in Bankside. Our mandate was renewed by ballot in April 2010 for further 5 year period. We currently have 500 business members. The BID is located between Blackfriars Bridge (west) and London Bridge (east) and Borough station (south). The area is a vibrant cultural and commercial centre with a popular riverside frontage. Bankside attracted over 21 million visitors last year (Experian Footfall).

Shakespeare's Globe Theatre, Borough Market and Southwark Cathedral are amongst the key attractions.

The success in attracting so many visitors to this area does have a downside and this is reflected in the numbers of individuals and groups of individuals engaged in illegal activities particularly along the riverside. Such activities include street trading (ice cream, hot dog, peanut vendors and people selling various artifacts); gambling; begging; busking and street performance. The majority of those trading illegally in Bankside are Central and Eastern European nationals.

Better Bankside has contracted with the London Borough of Southwark for the provision of a Community Warden Service to provide uniformed patrols throughout Bankside seven days per week, 12 hours per day. The Community Wardens are accredited by Southwark Police and have a number of police powers at their disposal that allow them to engage with a degree of authority with the street population.

A significant proportion of the patrolling time of the Better Bankside Wardens is taken up in dealing with the street population in riverside locations either requiring them to cease trading and to move out of the area or in assisting the Council's Street Trading Enforcement service to confiscate and remove receptacles. The current street trading regime has its faults but it does allow us and our partners to manage the spaces around Bankside with some degree of success.

This will not be the case with the BIS proposals particularly with regards to receptacles and pedlar movement. These are in our view unworkable and will impact negatively on public safety and good order. Allowing pedlars to place their receptacles along riverside spaces that are crowded with visitors throughout much of the year will cause obstructions of the highway. This will result in 'pinch points' with visitors and others jostling to pass through or gathering to view, or purchase. Additional obstruction will also be caused by the "dithering customer" who is likely to be an associate of the trader and hanging around to allow the trader to remain in the chosen location. Not dissimilar to the way that groups of illegal gamblers operate along the riverside.

Unregulated use of public space will in our view see pedlars and others vying for the most attractive locations in what NABMA describes as a "mobile market" of traders moving from one location to another and undoubtedly getting into heated and possibly violent arguments with other traders. This is something that our wardens have observed under the current street trading regime, particularly with the busking community.

The monitoring and control of pedlar movement by Wardens, the police (unlikely) or the Council's Street Trading officers to ensure that pedlars move on after their allotted time will be almost impossible to achieve even with some form of dedicated regime. This is highly unlikely to be a Council priority at a time of service cuts. As NABMA states "this situation is likely to lead to chaos and an issue of public safety" with the consequences being felt most acutely by local residents, businesses and entertainment venues.

We would urge that pedlars are not allowed to trade on a casual basis as suggested in the BIS proposal and that Local Authorities retain the power to license all street traders. Licensing could be specific to particular locations for fixed periods of time (allocated by some form of tender) or granted for annual festivals (such as the Thames Festival in London) or celebrations of national events. Such latter events are publicized well in advance and would allow all pedlars to apply for licenses in good time.

Yours sincerely

A handwritten signature in black ink, reading "Chris Bateman". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Chris Bateman
Operations Manager