

DECISION-MAKER:	OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE		
SUBJECT:	CONSIDERATION OF PETITION		
DATE OF DECISION:	14 APRIL 2016		
REPORT OF:	SERVICE DIRECTOR - LEGAL AND GOVERNANCE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Mark Pirnie	Tel: 023 8083 3886
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STATEMENT OF CONFIDENTIALITY			
None			
BRIEF SUMMARY			
<p>Under the Council's Petition Scheme set out in Council procedure rules and Part 11 of the Constitution petitions containing a minimum of 750 but less than 1500 signatures will be referred to a public meeting of the Overview and Scrutiny Management Committee in the first instance.</p> <p>This report details the receipt of a petition that has reached this threshold and seeks to detail the Council response.</p>			
RECOMMENDATIONS:			
	(i)	That the Committee consider the response provided in relation to the petition, attached as Appendix 1.	
REASONS FOR REPORT RECOMMENDATIONS			
1.	The Council's Constitution states that petitions containing a minimum of 750 but less than 1500 signatures will be referred to a public meeting of the Overview and Scrutiny Management Committee.		
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED			
2.	None.		
DETAIL (Including consultation carried out)			
3.	<p>The Council has received a petition titled 'Help the Peddlers of Southampton'. The petition states:</p> <p><i>"We the undersigned petition the council to remove The City of Southampton (Above Bar Precinct) (Control of Sales) Order 2013 made under S.7 Local Government (Miscellaneous Provisions) Act 1976, so the peddlers of Southampton can carry on running their small independent business on the precinct as they have been doing so for years."</i></p>		
4.	<p>The petition provides the following justification for this statement:</p> <p><i>"For the past couple of years the peddlers of Southampton have been fighting to keep their businesses up and running since this new act has been put in place. We are small independent businesses that have been on the high-street for many years now and have become part of Southampton. We all have worked very hard to build our businesses up and to become well</i></p>		

	<p><i>established in the city.</i></p> <p><i>Our licences are issued from the Government and we understand the Council do not make money from our licences but we have offered to work with the Council on many occasions but the Council never made that an option.</i></p> <p><i>The Council claim that our 2 metre stalls with wheels are a health and safety risk. When the German Market with static huts covering the whole width and length of the High Street, with live fire was not considered a health and safety risk, which takes us back to the point about money, not health and safety.</i></p> <p><i>We are being victimised as traders and this is our businesses and livelihoods at stake. The area that this Act allows us to trade in is no good for business and us traders cannot keep our businesses up and running in the area that is given. Removing this by law will help support the small independent businesses of Southampton and help them grow.”</i></p>
5.	The petition has 1,144 valid signatures. The response to the petition is set out in Appendix 1. The Cabinet Member for Communities, Culture and Leisure will be in attendance to discuss this petition.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
6.	Detailed within the Appendix.
<u>Property/Other</u>	
7.	N/A.
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
8.	The duty to undertake overview and scrutiny is set out in Part 1A Section 9 of the Local Government Act 2000.
<u>Other Legal Implications:</u>	
9.	Detailed within the Appendix.
POLICY FRAMEWORK IMPLICATIONS	
10.	None
KEY DECISION	
	No
WARDS/COMMUNITIES AFFECTED:	
	None directly as a result of this report

SUPPORTING DOCUMENTATION

Appendices

1. Response to the petition

Documents In Members' Rooms

1. None

Equality and Safety Impact Assessment

Do the implications/subject of the report require an Equality and Safety Impact Assessments (ESIA) to be carried out.	No
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Privacy Impact Assessment

Do the implications/subject of the report require a Privacy Impact Assessment (PIA) to be carried out.	No
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Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1. None	