



Report to:	Licensing Committee 23 February 2022
Lead Cabinet Member:	Cllr Brian Milnes
Lead Officer:	Rachel Jackson Principal Licensing Officer

Street Trading Policy – Draft Approval

Executive Summary

1. This report presents a draft Street Trading Policy for the Committee to consider, to enable a new licensing regime to be delivered District-wide. The Policy draft has been consulted upon and legal advice sought.

Recommendations

2. That the Licensing Committee approves the Street Trading Policy to take effect from 1 March 2022.

Reasons for Recommendations

3. To enable the administration and enforcement of applications for street trading consents, following adoption of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 for the whole District.

Details

4. On 18 October 2021, a workshop was held for the Licensing Committee to agree a set of principles on which the Policy should be formulated. Following this, on 29 November 2021, the Licensing Committee approved a draft policy for consultation.
5. Parish and Town Councils, existing street traders and trade representatives were consulted on the policy. Discussions with the trade and the Nationwide Caterers Association have been extremely positive. Comment was raised with regards to any approved fee structure not being prohibitive to the trade.
6. The revised draft policy is attached as **Appendix A**.
7. The schedule of revisions to the policy draft following feedback from the consultation is attached as **Appendix B**.

8. On 31 January 2022, Informal Cabinet reviewed the draft policy and agreed to recommend the policy for approval at this Committee and noted that the approval of the fees would be delegated to officer level in consultation with the Cabinet Lead for Environmental Services and Licensing.
9. The proposed fee structure, based on cost recovery and aimed at supporting local business, is attached as **Appendix C** for information. Initial responses from the trade have been supportive of the fee structure. The proposed fees will be publicised as required.
10. Counsel opinion was sought on the policy, the policy was confirmed as being suitable, with only minor revisions proposed which have been considered in the revised draft policy.
11. The Policy will be effective for a period of no more than three years. Within the three-year period the Authority will keep the policy under review and will make amendments as it considers appropriate.
12. For efficiency, it is recommended that any minor revisions be delegated to the Head of Climate, Environment and Waste in consultation with the Chair of the Licensing Committee.

Options

13. The Committee may agree one of the following options;
 - (i) Recommend that the Policy be published.
 - (ii) Recommend that the Policy be published with amendments.
14. In addition, the Committee is recommended to agree the following;
 - (i) Agree that any minor revisions to the policy be delegated to the Head of Climate, Environment and Waste in consultation with the Chair of the Licensing Committee.

Implications

15. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered:-

Financial

16. Finance have been consulted in conjunction with the production of this report and at this stage no significant financial impact can be foreseen.

Risks/Opportunities

17. The decision is not expected to create additional risks or opportunities in the context of the Council's risk management.

Consultation responses

18. Responses to the consultation were taken into consideration, and the policy draft was revised accordingly.

Alignment with Council Priority Areas

Growing local businesses and economies

19. The new policy will allow for a fair and equitable approach to be taken across the District with regards to the administration and enforcement of the street trading regime.

Background Papers

Report to Scrutiny and Overview Committee 20 July 2021

Report to the Cabinet 6 September 2021

Licensing Committee 29 November 2021

Appendices

Appendix A: Draft Street Trading Policy

Appendix B: Schedule of revisions to the policy draft following feedback

Appendix C: Proposed fee structure

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