

Central Bedfordshire Council

LICENSING COMMITTEE

5 October 2018

Review of Street Trading Policy

Responsible Director: Marcel Coiffait,
(marcel.coiffait@centralbedfordshire.gov.uk)

This report relates to a decision that is Key

Purpose of this report

1. To review the current Street Trading Policy

RECOMMENDATIONS

The Committee is asked to:

1. **Approve the changes to the current policy**
2. **Recommend that Council adopt the revised policy**

Issues

Current Policies and Conditions

2. The current Street Trading Policy was approved by Full Council in February 2011.
3. There is no legal requirement for a policy, however, the policy was adopted to ensure all parties had clear guidance on the intended approach to street trading and to assist officers in following procedures for determining applications.
4. The legislation permits a council to vary the conditions of a Street Trading Consent at any time.
5. We are proposing only minor changes and additions to the policy for clarification purposes. See Appendix A (changes have been highlighted for ease of reference)
6. Consultation on the amended policy took place between 25 July and 05 September.
7. Following the consultation, two comments were received. See Appendix B and C.

Council Priorities

- Enhancing Central Bedfordshire
- Great resident services
- Protecting the vulnerable; improving wellbeing

Corporate Implications

Legal Implications

The revised policy includes the applicable statutory regime, at the time of writing. The policy is not mandatory but provides clarity as to the approach of the Council in relation to Street Trading. The Council undertook a consultation exercise as part of the policy revision process. The policy, as drafted does not contain any information which would present a risk in terms of the potential for challenge.

Financial and Risk Implications

The legislation allows us to charge an annual fee for Street Trading Consents. As a local authority these fees should be for cost recovery purposes only. The proposed changes to policy have no additional financial implications.

Equalities Implications

8. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Council's street trading policy includes requirements to create a street trading environment within Central Bedfordshire which:

- provides diversity and consumer choice;
- enhances the character, ambience and safety of local environments;
- is sensitive to the needs and concerns of residents
- supports community cohesion and equalities
- provides clear guidance to the officers who will administer the scheme

Conclusion and next Steps

9. The Policy has been amended to remove any potential ambiguity, simplify processes and to include matters on which the Policy was previously silent
10. Should the revised Policy be recommended to Council it will be considered at the 15 November meeting.
11. The Policy will then be published on our website and adopted from 2019

Appendices

Appendix A - Street Trading Policy

Appendix B - Comment from Cllr Nigel Young

Appendix C - Comment from Shefford Town Council

Background Papers

None

Report author:- Joanne Borthwick

Service Manager

Jo.borthwick@centralbedfordshire.gov.uk