

**Street Trading Policy - Consultation results**

<b>Final Decision-Maker</b>	Communities, Housing and Environment Committee
<b>Lead Head of Service</b>	John Littlemore, Head of Housing and Community Services
<b>Lead Officer and Report Author</b>	Lorraine Neale
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All

**Executive Summary**

The Street Trading Policy reflects our current practice and regulations on the Council's approach to the administration of the Street Trading Consent function under the Local Government (Miscellaneous Provisions) Act 1976. The new Street Trading Policy will be of benefit to applicants, officers and residents in ensuring that street trading enhances the Borough and ensures improved public safety and protection. It will strengthen the decision making and support the Council's position should issues arise.

**Purpose of Report**

Decision

**This report makes the following recommendations to this Committee:**

That

1. The Committee notes the consultation responses received (Appendix 1)
2. The Communities, Housing and Environment Committee be recommended to approve the draft Street Trading Policy attached at appendix 3 to the report.

**Timetable**

<b>Meeting</b>	<b>Date</b>
Communities, Housing and Environment Committee	5 October 2021

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## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Impact on Corporate Priorities</b>	<ul style="list-style-type: none"> <li><i>No implications have been identified</i></li> </ul>	<i>Senior Licensing Officer</i>
<b>Cross Cutting Objectives</b>	<ul style="list-style-type: none"> <li><i>No implications have been identified</i></li> </ul>	<i>Senior Licensing Officer</i>
<b>Risk Management</b>	<ul style="list-style-type: none"> <li><i>No implications have been identified</i></li> </ul>	<i>Senior Licensing Officer</i>
<b>Financial</b>	<ul style="list-style-type: none"> <li><i>No implications have been identified</i></li> </ul>	<i>Senior Licensing Officer</i>
<b>Staffing</b>	<ul style="list-style-type: none"> <li><i>No implications have been identified</i></li> </ul>	<i>Senior Licensing Officer</i>
<b>Legal</b>	<ul style="list-style-type: none"> <li><i>The relevant legislation in relation to street trading is contained within Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended). The policy provides a framework for consistent decision-making.</i></li> </ul>	<i>Team Leader (Contentious)</i>
<b>Privacy and Data Protection</b>	<ul style="list-style-type: none"> <li><i>No implications have been identified</i></li> </ul>	<i>Senior Licensing Officer</i>
<b>Equalities</b>	<ul style="list-style-type: none"> <li><i>No implications have been identified</i></li> </ul>	<i>Senior Licensing Officer</i>
<b>Public Health</b>	<ul style="list-style-type: none"> <li><i>No implications have been identified</i></li> </ul>	<i>Senior Licensing Officer</i>
<b>Crime and Disorder</b>	<ul style="list-style-type: none"> <li><i>No implications have been identified</i></li> </ul>	<i>Senior Licensing Officer</i>
<b>Procurement</b>	<ul style="list-style-type: none"> <li><i>No implications have been identified</i></li> </ul>	<i>Senior Licensing Officer</i>

<b>Biodiversity and Climate Change</b>	<ul style="list-style-type: none"> <li>• <i>There are no implications on biodiversity and climate change.</i></li> </ul>	<i>Senior Licensing Officer</i>
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## **2. INTRODUCTION AND BACKGROUND**

### **Background**

2.1 Licensing Committee met on 17 September 2020 and approved the draft Street Trading Policy for public consultation. The consultation period was open from 10 February until 13 March 2021. The report was made available on the Maidstone Council consultation webpage and social media channels. Residents who have signed up for consultation reminders were notified and in addition current street traders were e-mailed and notified of the consultation. Consultees could also provide comments to the licensing team in writing, via email or post.

2.2 There were 285 responses received during the consultation, and the consultation report is attached as Appendix 1. Overall there has been broad support to the policy and the majority of respondents agreed in favour of the questions asked. Officers have reviewed the respondents' comments and responses can be found in the table at Appendix 2.

## **3. AVAILABLE OPTIONS**

3.1 To agree to the proposed draft Street Trading Policy as attached as Appendix 3.

3.2 To continue with the current Street trading Policy.

## **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

4.1 To agree to the proposed draft Street Trading Policy which will be reviewed every three years but sooner if changes to legislation or circumstance determine it should be. The draft policy is a more comprehensive document which will strengthen the decision making and support the Council's position should issues arise.

## **5. RISK**

5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

## **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

6.1 N/A

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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

7.1 Officers will update the Council Webpages to include the policy.

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## **8. REPORT APPENDICES**

The following documents are to be published with this report and form part of the report:

- Appendix 1: Street Trading Policy consultation report.
  - Appendix 2: Officers comments
  - Appendix 3: Street Trading Policy 2021-24
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## **9. BACKGROUND PAPERS**

N/A