

Agenda Item 33.

TITLE	Policy for Street Trading
FOR CONSIDERATION BY	Licensing and Appeals Committee 13 November 2018
WARD	Non-specific
DIRECTOR	Sean Murphy - Public Protection Manager

OUTCOME / BENEFITS TO THE COMMUNITY

To ensure transparency for applicants and existing consent holders.

To ensure there is a robust consultation process for new or variation applications, with the aim to identify any potential issues that may arise from a particular street trading pitch and thus protecting residents or visitors to the Borough from any negative impacts that may arise from street trading.

RECOMMENDATION

- (i) That the committee agree to adopt the street trading policy at Annex A, subject to any amendments as they see fit

SUMMARY OF REPORT

This report introduces a policy for dealing with applications for street trading consents under the Local Government (Miscellaneous Provisions) Act 1982.

Background

The Local Government (Miscellaneous Provisions) Act 1982 contains provisions that allow a local authority to designate a street as a consent street, a licence street, or a prohibited street. Street trading is only lawful in a designated street if the trader holds a Street Trading Consent or a Street Trading Licence. Street trading cannot be authorised in a prohibited street.

The Council has designated all streets within the borough as consent streets.

Analysis of Issues

The Council currently provides information and guidance to applicants and consent holders, however it is now proposed to expand and formalise this information into a policy. The policy details the process for new applications as well as how existing consents may be amended or revoked should the need arise.

It is noted that the street trading regulations do not impact on those selling goods for charity, who are regulated under the same legislation as collections of cash for charity. Nor do they have any bearing on buskers, pedlars, those selling newspapers or

periodicals (such as the Big Issue), or those who ask people to sign up to direct debit donations to charity, all of whom are exempt from control by any licensing legislation.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	No impact	N/A	N/A
Next Financial Year (Year 2)	No impact	N/A	N/A
Following Financial Year (Year 3)	No impact	N/A	N/A

Other financial information relevant to the Recommendation/Decision

None

Cross-Council Implications

There are no implications arising from the recommendation in this report.

List of Background Papers

None

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