
CONSULTATION ON DRAFT REVISED STREET TRADING POLICY

Relevant Portfolio Holder	Councillor M Stringfellow
Portfolio Holder Consulted	No
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 The Licensing Committee has previously approved a draft revised Street Trading Policy for the purposes of consultation with relevant stakeholders.
- 1.2 The consultation exercise has now concluded, and Members are asked to consider the outcome of that exercise and to resolve to approve and adopt a revised Street Trading Policy.

2. RECOMMENDATIONS

- 2.1 **That Members RESOLVE to approve and adopt the draft revised Street Trading Policy at Appendix 2 with immediate effect.**

3. KEY ISSUES

Financial Implications

- 3.1 The costs associated with carrying out the consultation were met from existing budgets held by Worcestershire Regulatory Services.

Legal Implications

- 3.2 The Local Government (Miscellaneous Provisions) Act 1982 (“the Act”) as amended allows local authorities to adopt provisions concerning the control of street trading. Under the Act there is no legal requirement for the Council to have a policy on how it proposes to control street trading under the Act.
- 3.3 However it is considered best practice for a Council to adopt such a policy to encourage consistency and transparency in the way that its functions are carried out. It is also considered best practise to review any such policy adopted from time to time.

Service / Operational Implications

- 3.4 Council’s usually control street trading so that they can decide where to allow street trading and can properly manage the environmental and safety implications that the street trading creates. Controlling street trading also allows Councils to manage the impact street trading has on the local economy.
- 3.5 The control of street trading can also be of benefit to traders who can obtain greater security over their “pitch” if they are the only person who has the Council’s consent to trade there.
- 3.6 On 29th January 2024, following a recommendation from the Licensing Committee, Redditch Borough Council passed a resolution in relation to the designation of streets for the purposes of controlling street trading. The Council resolved with effect from on 1st September 2024:
- To rescind all existing designations of streets under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982
 - To designate the following streets as prohibited streets – Alvechurch Highway, Alcester Highway, Bromsgrove Highway, Coventry Highway, Redditch Ringway and Warwick Highway
 - To designate all other streets in the District (as existing at the time of the making of the resolution and in the future) as consent streets.

- 3.7 The Council has previously adopted a Street Trading Policy which took effect on 1st September 2018. Section 2 of this Policy sets out which streets have been designated as consent streets and which have been designated as prohibited streets. Therefore, in light of the resolution passed by Council on 29th January 2024, the Street Trading Policy needed to be updated.
- 3.8 Officers therefore prepared a draft revised version of the Street Trading Policy, which was presented to the Licensing Committee on 4th March 2024. As well as updating section 2, officers had reviewed other parts of the document and have made suggested amendments which were highlighted in the draft revised version of the Street Trading Policy presented to Members.
- 3.10 The amendments that were suggested and the rationale for each of these amendments is set out in a table at **Appendix 1**.
- 3.11 Having considered the officer's report, the Licensing Committee resolved that the draft revised Street Trading Policy be approved for the purpose of consultation with relevant stakeholders.
- 3.12 The consultation exercise took place between 16th August 2024 and 30th October 2024.
- 3.13 The consultation exercise was facilitated using an online survey tool that asked people to answer the following questions:
- Do you agree with the objectives of the draft policy, as set out in section 1.3?
 - Do you agree with the information and documentation that the draft policy states must be supplied with an application? (see section 3.2 of the draft policy)
 - Do you agree with the way the draft policy states applications will be consulted upon and advertised? (see section 3.3 of the draft policy)
 - Do you agree with the list of key considerations that will be taken into account when deciding whether to grant an application for a street trading consent? (see section 3.7 of the draft policy)
 - Do you agree with the list of standard conditions that the draft policy says will be attached to street trading consents? (see Annex B of the draft policy)
 - Do you agree with the Council's proposed approach to complaints and enforcement, as set out in section 7 of the draft policy?

- 3.14 An opportunity was also given for people to provide any other comments or observations that they had on the draft revised Street Trading Policy.
- 3.15 A webpage was hosted on the “consultations” section of the Council’s website providing background information and a link to the online survey.
- 3.16 This same information and a link to the online survey was also emailed to the following relevant stakeholders:
- Worcestershire Highways (County Council)
 - West Mercia Police (Licensing)
 - Hereford and Worcester Fire and Rescue Service
 - Environmental Health
 - Town Centre Management
 - Redditch BID
 - Planning Department at Redditch Borough Council
 - Worcestershire Safeguarding Children Partnership
 - Director of Public Health Worcestershire
 - Trading Standards
 - Community Safety Team at Redditch Borough Council
 - Parks and Open Spaces Team at Redditch Borough Council
 - Redditch Borough Councillors
 - Feckenham Parish Council
 - Herefordshire & Worcestershire Chamber of Commerce
 - Worcestershire LEP
 - Visit Worcestershire
 - Existing holders of street trading consents issued by the Council
- 3.17 Despite these extensive efforts, there were no responses submitted to the online survey during the consultation period.
- 3.18 Officers therefore recommend that the draft revised Street Trading Policy should be adopted without any further substantive changes. The only change officers have made to the draft revised Street Trading Policy is to incorporate the Council’s new logo, which has been implemented since the Licensing Committee meeting that took place on the 4th March 2024.
- 3.19 Officers now recommend to the Licensing Committee that the draft revised Street Trading Policy at **Appendix 2** be approved and adopted with immediate effect.

4. RISK MANAGEMENT

4.1 None

5. APPENDICES

Appendix 1 – Table of Amendments and Rationale

Appendix 2 – Draft Revised Street Trading Policy

AUTHOR OF REPORT

Name: Dave Etheridge – Principal Officer (Licensing)
Worcestershire Regulatory Services

E Mail: dave.etheridge@worcsregservices.gov.uk

Tel: (01905) 822799