

## Update on Street Trading & Markets

<b>Committee</b>	Licensing Committee
<b>Officer Contact</b>	Stephanie Waterford x7232
<b>Papers with report</b>	Draft Street Trading Licensing Policy
<b>Ward(s) affected</b>	All

### SUMMARY

To update the committee in respect of the progress of the Street Trading and Markets Policy

### RECOMMENDATION

**That the committee note the report.**

### INFORMATION

On 26<sup>th</sup> May 2011, Cabinet approved the draft Street Trading & Markets Licensing Policy for public consultation. This was pursuant to a Cabinet decision in April 2011 to recommend delegation of decisions related to non-contested applications to the Deputy Chief Executive & Corporate Director of Planning Environment Education & Community Services and to instruct officers to prepare a street trading policy.

The draft street trading & markets policy, in Appendix A, contains the following key features or proposals for street trading activity in the borough:

1. A set of terms and conditions worded so that traders can understand what is expected of them;
2. The Deputy Chief Executive and Corporate Director of Planning, Environment, Education and Community Services, acting in consultation with the Leader, may make minor changes to the policy;
3. Street trading in the form of occasional street markets and charity / community events will be licensed under the Food Act 1984, so reducing administrative burdens on applicants and giving the Licensing Service and applicants greater flexibility in coordinating such events;
4. All applications will be subject to a 21 day consultation period. If objections to an application are received, the application will be determined by a Licensing Sub-Committee;
5. The criteria for accepting and refusing street trading applications is clarified.

The London Local Authorities Act 1990 (as amended) requires a public consultation be held for a minimum of 28 days before a decision is made on the final policy and licence conditions.

Officers will use the policy attached at Appendix A as the basis for the 28 day consultation with internal and external stakeholders. The proposed policy will be advertised on the Council's

website, the Street Champions e-mail bulletin and will take the form of a legal notice in the Uxbridge Gazette and London Gazette.

The draft policy will also be distributed to various partners and internal stakeholders including the Metropolitan Police Services, Food Safety Team, Highways Team and Waste Management, for comment.

Officers also propose to offer meetings to discuss the draft policy with various applicants and concerned traders, so as to address any concerns and to encourage a positive dialogue, setting this as the approach to the regulation of street trading.

Once consultation has been carried out and any representations made are analysed, officers will report back to Cabinet with any proposals for amendment.

Full Council will also need to amend the terms of reference of the Licensing Committee to take into account the licensing of markets.

### **FINANCIAL IMPLICATIONS**

The introduction of a street trading policy has no direct financial implications for the Council.

Delivery of the consultation process and the implementation of the street trading policy can be met from existing resources.

### **LEGAL IMPLICATIONS**

Legal comments have been included in the report where relevant. It is confirmed that the

London Local Authorities Act 1990 (as amended) places a mandatory requirement on the Council to consult on the policy prior to the introduction of the street trading policy.

### **BACKGROUND PAPERS**

London Local Authorities Act 1990

Food Act 1984