



Licensing Committee

Monday, 14 October 2024

Street Trading Policy 2025-2030

Report of the Director – Neighbourhoods

1. Purpose of report

- 1.1. In 2019 the Council approved the adoption of a new Street Trading Policy across the Borough. This Policy expires in January 2025 and is now due for review.
- 1.2. Should the Licensing Committee approve the draft Policy, members are requested to recommend adoption of the Policy to Council.
- 1.3. The report also seeks to advise the Committee of the responses to the consultation on the Policy.

2. Recommendation

It is RECOMMENDED that the Licensing Committee:

- a) endorses the draft Street Trading Policy; and
- b) recommends adoption of the Street Trading Policy to Council.

3. Reasons for Recommendation

The Street Trading Policy provides the Council with greater control of street trading within the Borough.

4. Supporting Information

- 4.1. In accordance with the Local Government (Miscellaneous Provisions Act) 1982, all of the streets in the Borough are proposed to be designated as either “Consent Streets” or “Prohibited Streets”. This will effectively mean that no trading (unless exempted) may take place without the Council having first issued the appropriate Trading Consent to the trader, on prohibited streets no street trading can take place.
- 4.2. The revised draft Street Trading Policy was put out to public consultation on 21 July 2024, seeking comments by 6 September 2024. A total of two consultation comments were received and a summary is provided in Appendix B.

5. Alternative options considered and reasons for rejection

No alternatives considered.

6. Risks and Uncertainties

Prior to the adoption of the Street Trading Policy 2020-2025, in 2019 by Full Council, Street Trading was confined to the area around the Nottingham Forest Football Club, at the City Ground, with traders outside of this area being unregulated and able to trade wherever they pleased. It was identified that a number of roadside traders had taken advantage of this as they fell out of scope for enforcement. After adoption of the Policy traders were brought into the regulatory umbrella. If the Policy is not again adopted by Council this will give an open door to traders to roam at will across the Borough without enforcement of food standards, trading location and protection of vulnerable sectors of the public.

7. Implications

7.1. Financial Implications

Fees for Street Trading Consents are reviewed on an annual basis and are set on a cost recovery basis. Where a prosecution is undertaken costs would be reclaimed from the defendant where the prosecution is successful.

7.2 Legal Implications

The Council has powers under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 ('the 1982 Act') to regulate street trading through the designation of streets in its area under one of three statutory designations. Through the designation of streets for trading, the Council is able to authorise trading on those streets in accordance with the Policy and is able to regulate unauthorised trading.

7.3 Equalities Implications

An Equalities Impact Assessment has been undertaken, which identified no major or adverse impacts.

7.4 Section 17 of the Crime and Disorder Act 1998 Implications

This policy seeks to extend greater protections to children and vulnerable adults across the Borough.

7.5 Biodiversity Net Gain Implications

There were no implications arising from this report.

8. Link to Corporate Priorities

The Environment	Ensuring traders use best practice to minimise their impact on the environment.
Quality of Life	Ensuring that appropriate controls are in place to manage street trading across the Borough. Benefits to the community would include safer food and environmental standards all of which will significantly impact on our residents.
Efficient Services	None
Sustainable Growth	None

9. Recommendation

It is RECOMMENDED that the Licensing Committee:

- a) endorses the draft Street Trading Policy; and
- b) recommends adoption of the Street Trading Policy to Council.

For more information contact:	Geoff Carpenter Head of Public Protection Tel: 0115 9148229 gcarpenter@rushcliffe.gov.uk
Background papers available for Inspection:	None
List of appendices:	Appendix A – Street Trading Policy 2025-2030 Appendix B – List of changes following consultation Appendix C – Summary of consultation responses Appendix D – Equality Impact Assessment