

 Licensing and Regulatory Committee April 2016		Agenda Item No. 9
Title	Review of Street Trading Policy.	
For further information about this report please contact	Kathleen Rose, Licensing and Support Team Leader Tel:01926 456703 Email: Kathleen.rose@warwickdc.gov.uk	
Wards of the District directly affected		
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?		
Date and meeting when issue was last considered and relevant minute number		
Background Papers		

Contrary to the policy framework:	Yes/No
Contrary to the budgetary framework:	Yes/No
Key Decision?	Yes/No
Included within the Forward Plan? (If yes include reference number)	Yes/No
Equality Impact Assessment Undertaken	Yes/No (If No state why below)

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive		Andrew Jones
Head of Service		Marianne Rolfe
CMT		
Section 151 Officer		
Monitoring Officer		
Finance		
Portfolio Holder(s)		Moria Ann Grainger
Warwickshire Legal Service		
Consultation & Community Engagement		
Final Decision?		No
Suggested next steps (if not final decision please set out below)		

1. Summary

- 1.1 To present the reviewed drafted policy document applicable to all Street Traders.

2. Recommendation

- 2.1 That the committee agree that a public consultation is undertaken upon the document attached as appendix 1.

3. Reasons for the Recommendation

- 3.1 Over the last two years officers have been undertaking a review of the policy associated with the licensing of Street Trading. Officers have considered local and national examples of best practice in establishing where improvements in the policy can be made.

4. Policy Framework

- 4.1 **Fit for the Future** – Street traders add to the vibrant mix of amenities within the District. The proposed changes to the policy will ensure that we are better able to meet the needs of individual traders and those who live and work within or visit our district. The changes to the policy will clarify regulatory matters and simplify decision making processes for staff and applicants. The introduction of day trading consents will enable individuals to add to the local economy and the vibrancy of local events.

5. Budgetary Framework

- 5.1 It is possible that additional revenue could be generated by the introduction of day trading permits. It is also anticipated that the requirement of each vehicle within the district to be licenced separately will generate additional income. A fee would need to be determined for the introduction of the policy for day trading.

6. Risks

- 6.1 Current permit holders may consider the policy as an unnecessary burden and may refuse to permit individual vehicles. This would increase the risk of unlicensed vehicles being operated within the District.
- 6.2 Currently permit holders for Touring vehicles are required to provide a Basic Criminal Records Bureau certificate with their application. Therefore this would mean that the traders operating without a permit would also be operating without the benefit of a current DBS check.

7. Alternative Option(s) considered

- 7.1 The current policy remains in place without amendment or alteration. However, it is considered that the proposed document is reflective of best practice and would increase competitive trade at short events, increase income and raise the standards required of street traders within Warwick District Council.

8. **Background**

- 8.1 The current policy is used for the assessment of every new and renewing application for street trading consents.
- 8.2 The review has aimed to address the concerns of officers, the general public and councillors.
- 8.3 It is currently only possible to apply for a full annual permit within the District. This restricts those traders that would like to trade for a limited period only from trading legally within the District.
- 8.4 A permit is not transferable and cannot be 'sub-let' to an employee. The current policy requires each permit holder with a touring permit to provide a valid DBS certificate for themselves. The proposed policy requires employees to be fully DBS checked also.
- 8.5 A permit is not transferable and cannot be 'sub-let' to an employee. The proposed policy will require all traders and staff to provide photographs of themselves on application to aid with monitoring and compliance checks throughout the duration of the permit.
- 8.6 It is proposed that a public consultation begin on the 8th July 2016 and concludes on the 19th August 2016. The policy will be made available on the council website, each permit holder and stakeholders will be written to in order to advise them of the consultation.
- 8.7 Street trading permits are issued for one calendar year starting on 1st November and ending on 31st October each year.