

<b>28 July 2022</b>		<b>ITEM: 5</b>
<b>Licensing Committee</b>		
<b>Review of Street Trading Policy</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key	
<b>Report of:</b> Paul Adams, Licensing Manager		
<b>Accountable Head of Service:</b> Leigh Nicholson, Assistant Director Planning, Transport and Public Protection		
<b>Accountable Director:</b> Julie Rogers, Director of Public Realm		
<b>This report is:</b> Public		

## **Executive Summary**

Thurrock Council has under The Local Government (Miscellaneous Provisions) Act 1982 adopted the provisions for Street Trading and has published a Street Trading Policy. A reviewed policy has been produced for consideration of this committee in preparation for consultation.

### **1. Recommendation(s)**

**1.1 Agree for the reviewed Street Trading Policy to go out to consultation, and**

**1.2 That after consultation, relevant responses are reported to the Licensing Committee for consideration, or**

**1.3 If no relevant responses are received during the consultation, then for the policy to take effect from the 1 April 2023.**

### **2. Introduction and Background**

**2.1** Thurrock Council has under The Local Government (Miscellaneous Provisions) Act 1982 adopted the provisions for Street Trading. In order to set out how it will apply the provisions and administer and process applications it has published a Street Trading Policy.

**2.2** In compliance with guidance to regularly review and keep up to date policies, a draft of the reviewed Street Trading Policy has been prepared and is attached as **Appendix 1**.

2.3 As part of this review interested parties will be consulted with including licence holders and their representatives, and the public.

### **3. Issues, Options and Analysis of Options**

3.1 The current policy was last published in 2011. Since publication the responsibility for the administration and enforcement of street trading has moved from the Food Safety Team to the Licensing Team.

3.2 The reviewed policy has included changes in the following areas:

- Added requirements for the suitability of location.
- Have included a Basic DSB Check for the suitability of applicant.
- Have provided a policy relating to suitability of the applicant and any previous or current convictions.
- Enhanced the guidance around the number of licences issued.
- Have revised the types of consent to two. Static and Mobile.

### **4. Reasons for Recommendation**

4.1 This policy must be consulted upon as part of the review process. If there are relevant representations made this committee will have an opportunity to consider those before adoption.

### **5. Consultation (including Overview and Scrutiny, if applicable)**

5.1 Consultation on the reviewed draft policy will be undertaken. All holders of Street Trading Consents issued by Thurrock Council will be written to inviting them to view the draft policy, and to make any comments in writing to the Licensing Department.

5.2 Consultation will also be undertaken with other stakeholders and with Responsible Authorities, including police; Public Health; trading standards; Food Safety; and environmental health.

5.3 The draft policy will also be published on the Council's website for comments.

5.4 The consultation period will run for 6 weeks.

### **6. Impact on corporate policies, priorities, performance and community impact**

6.1 This review will ensure the licensing service continues to be cost recovery where possible.

## **7. Implications**

### **7.1 Financial**

Implications verified by: **Rosie Hurst**  
**Interim Senior Management Accountant.**

There are no financial implications for Thurrock Council.

### **7.2 Legal**

Implications verified by: **Simon Scrowther**  
**Principal Lawyer**

The granting of Street Trading Consents is a legal function of the authority the regular review of its Street Trading Policy is recommended in line with best practice.

### **7.3 Diversity and Equality**

Implications verified by: **Roxanne Scanlon**  
**Community Engagement and Project Monitoring Officer**

A Community and Equality Impact Assessment has been undertaken and there are no there are no Diversity and Equality Implications at this stage.

### **7.4 Other implications** (where significant) – i.e. Staff, Health Inequalities, Sustainability, and Impact on Looked After Children

- None

## **8. Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- None

## **9. Appendices to the report**

- Appendix 1, Reviewed Street Trading Policy.

### **Report Author:**

Paul Adams, Licensing Manager