# **Summary of proposed amendments**

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| **Section** | **Reason for amendment** |
| 2 – What is Street Trading | Public Access without Payment  In light of recent challenges, this section provides clarity about the legal position with respect to what constitutes ‘public access without payment’. |
| 7 - Types of Consents | The draft policy proposes changing the duration of issued consents from expiring on 31 March, to expiring 364 days after the date of issue.  The issue of 12-month consents is beneficial to the applicant, who is then able to plan their business activities knowing their authorisation to trade is valid for a full year.  The benefit to the Council is that it avoids the administrative burden of all annual consents, no matter when they were applied for or granted, expiring on the same day each year. |
| 6.2.9 Goods offered for sale | Specific criteria for judging when consent won’t normally be granted to prevent unfair competition with fixed premises traders. |
| 6 - Determining Applications | Consultation  The existing consultation process has been reviewed and developed to focus on prevention rather than enforcement.  Where traders on a regular basis wish to trade from locations within the district and where trading is not associated with an event all applications, will be subject to a full consultation with all relevant authorities, agencies and interested parties.  This amendment ensures consistency (this was previously done on officer discretion) and allows the implications of trading from that location to be raised by interested parties.  In the event that the consultation received valid objections, the consent would usually be revoked or, if trading had already taken place, future consents would usually be refused. |
| 7 - Mobile Street Trading | Prevent mobile traders competing unfairly with fixed premises in town centres. |
| 7 - Seasonal and multi-site consents | To provide a more flexible system for a diverse trading patterns and ensuring that appropriate fee levels can be charged |
| 3 – Local exemptions | Farm/residential gate sales - It is not deemed proportionate to require this micro level of low risk trading to be consented |
| 3 – Local exemptions | Community events such as school fetes to be exempted |
| 15 - Disclosure and Barring Service | Clarity provided in the circumstances when criminal record checks and declarations and disclosures are required. This is designed to ensure consistent and proportionate standards. |
| Appendix -Standard Conditions | Revised standard conditions are attached at Appendix A.  The investigation and resolution of complaints and taking formal enforcement action are both costly and time-consuming functions of the Licensing Authority.  Standard Conditions of operation are designed to be a preventative enforcement mechanism, whereby operation in compliance with conditions should reduce the likelihood of complaints and the subsequent need for investigation and enforcement action.  The Act provides no right of appeal where a consent is revoked, which means clear, robust and specific conditions are an important mechanism for providing a framework of operation within which a consent holder can take confidence in how they operate and grow their business. |