

South West Wiltshire Area Board – 22 June 2011

ITEM 07

## Chairman's Announcements

### Invitation to comment on the final draft proposed new council-wide Street trading scheme

At a meeting on the 5 April 2011 Wiltshire Council's Licensing Committee considered the issues raised by public consultation on the proposed council-wide street trading scheme.

The main issues raised by public consultation were:

- The scope of the street trading scheme
- The level of bureaucracy and length of time it would take to process applications
- The level of the proposed street trading fees.

After considering these issues, the Licensing Committee decided to:

- Alter the proposed exemption for ice-cream vans so that it now reads 'trading from a motorised ice-cream van which moves from street to street not stopping in one place for longer than 15 minutes or within **200m** of a school/ college.' This will also result in a change to the application criteria and standard conditions.
- Introduce the following additional **exemptions from the scheme**:
  - trading on private land (including land owned, leased or maintained by a town/parish council) where this is **not** a road, car-park or industrial estate with public access or within **10 metres** of any road, car-park or industrial estate with public access
  - markets run by town/parish councils
  - fetes, carnivals or similar community based and run events, for example Christmas lights switch-on events
  - non-commercial, community or charitable events where the profits are not used for private gain or are wholly passed to a charity or political/ educational organisation
  - sales of articles by householders on land within the boundary of their home, for example garage sales
  - goods from working farms or smallholdings sold at the premises where they were produced (officers to take a view on the proportion of goods that have been produced at the premises.
- Reduce the number of Standard Conditions to avoid duplicating existing legislation, for example environmental health, planning and trading standards.

- Replace detailed references to additional legal requirements with a sentence reminding traders that there are other legal requirements that need to be met, which may involve additional costs.
- Maintain two sets of fees, but replace the phrase 'town centre traders' with 'town traders.' A 'town' will be defined as any area that has a town council as opposed to a parish council and the boundaries of towns will be determined by the boundary of the town council.
- Refund part of the street trading fees for street traders who can demonstrate that they have paid business rates.
- Delete 'Needs of the area' from the criteria for determining applications on the basis that the council should not control competition between street traders and fixed business premises if street traders are paying street trading fees to the council.
- Process street trading applications within a maximum of 60 days, including a 30 day consultation period.
- Increase the fee for a Daily Street Trading Consent Sunday- Friday for town centre traders to £30 a day, and increase the fee for a Daily Street Trading Consent for all other traders to £15 a day.

The street trading scheme will now be revised in the light of these decisions. Council officers will undertake a second, two week, public consultation commencing mid June 2011 with all interested parties including area boards.

The consultation document will be available on the Council's website:  
<http://www.wiltshire.gov.uk/council/consultations.htm>

The Licensing Committee will consider the revised street trading scheme and the results of the second public consultation at a meeting in September 2011, with a view to the council adopting the council-wide street trading scheme by the end of 2011.