

## **STROUD DISTRICT COUNCIL'S STREET TRADING POLICY** **PROPOSED NEW RESOLUTION**

### **1 Background**

Last year Legal Services advised the Licensing Team that parts of Stroud District Council's current Street Trading policy are not permissible under street trading legislation. These parts of the policy are:

- Our waiver for markets which means markets currently do not need street trading consent.
- Our exemption for community and charitable events which means events currently do not need street trading consent.

Taking account of the above advice Licensing Officers drafted a revised policy which removed the waiver and exemption and introduced a new market consent and a new 'light touch' procedure for community events. This was consulted on earlier in the year.

A number of comments were received from Members and Town and Parish Councils who expressed serious concern that removing the above waiver and exemption would have significant impact on local events, such as village fetes and community markets, to the detriment of the community.

### **2 Moving Forward – Proposal to change the Resolution**

We listened to Members and Town and Parish Councils. To address their concerns we propose to change Stroud District Council's formal Resolution. The Resolution designates which areas of land in the district that street trading rules will apply to. There is a statutory process for changing a resolution.

The current Resolution was adopted by Stroud District Council in 2000. It states that trading on all streets and land, that the public have access to without payment, needs street trading consent. The current Resolution specifically states that this includes all County, District and Town and Parish Council owned land.

The proposal is to change the Resolution to designate all streets and land that the public have access to without payment, **excluding any land owned and managed by public authorities or registered charities other than public highways.**

This will mean that trading on any land owned and managed by Gloucestershire County Council, Stroud District Council or Town and Parish Councils (with the exception of highways managed streets, pavements and lay bys) **will not** need street trading consent. Similarly any trading on streets or land owned and managed by a registered charity, such as charitable trusts, **will not** need street trading consent. The proposed new Resolution will mean that:

- **Village fetes and markets on Town and Parish Council land**, for example Nailsworth Market in Mortimer Gardens, **will not need street trading consent.**
- **Local markets on land managed by registered charities**, such as Dursley Market and Minchinhampton Market, **will not need street trading consent.**
- Stroud Farmers Market will not need street trading consent for stalls in the Cornhill Market (which is managed by Stroud District Council). However, the stalls that are in the streets around the Cornhill Market will need a market street trading consent.
- Trading on the highways or on private land that the public have access to without payment will continue to need street trading consent.
- The revised policy will have a 'light touch' procedure for community events held in the street.

The proposed new resolution will have some other impacts:

- Traders who trade on registered charity land or Council land will no longer need street trading consent. For example Minchinhampton Common or the Forecourt of the Subscription Rooms. The number of traders that this will affect is minimal but it will result in a small reduction in income. However this will be offset by a saving in Officer time.
- Any adverse impact of trading on Council or registered charity land, such as obstruction or nuisance, will no longer be controlled through street trading consents. However any impacts can instead be controlled by the relevant Council or charity who manages the land.

### **3 Timetable for adopting a new Resolution and revising the street trading policy.**

- Nov–Dec 2019 – Informal consultation on proposed new resolution and revised policy.
- Jan 2020 - CS & L Committee consider an intention to pass a new resolution and revised policy.
- Feb 2020 – Formal consultation including statutory notice in a newspaper of intention to change the resolution.
- March 2020 – CS & L resolve to pass the resolution and agree final policy.
- April 2020 – Statutory notices in a newspaper for two consecutive weeks of adoption of resolution.
- May 2020 – Implement new resolution and revised policy.

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