

To: General Purposes Licensing Committee

Date: 10th June 2014

Report of: Head of Environmental Development

Title of Report: Review of the Street Trading Policy 2014

Summary and Recommendations

Purpose of report: To seek approval from the Committee to consult on the draft Street Trading Policy.

Report Approved by:

Finance: Paul Swaffield

Legal: Daniel Smith

Policy Framework: A vibrant and sustainable economy

Recommendations:

Committee is recommended to:

- i) note the content of the report and approve the draft Street Trading Policy;
- ii) authorise the Head of Environmental Development to undertake a public consultation on the reviewed Street Trading Policy.

Appendix A – Draft Revised Street Trading Policy 2014

Appendix B – Current Street Trading Policy 2010

Introduction

1. The current Street Trading Policy was approved by the General Purposes Licensing Committee at its meeting on 8th February 2010 and adopted by Council on 19th April 2010. At its meeting on 19th April 2010 Council delegated subsequent revisions of the Policy to the General Purposes Licensing Committee.
2. At a meeting of the General Purposes Licensing Committee on 22nd February 2013, Committee agreed to receive a further report reviewing the Street Trading Policy to incorporate the extension of the scheme to the whole of the Oxford City Council Area.

3. In carrying out the 2014 Street Trading Policy review, consideration was given to the changing face of street trading in Oxford since the implementation of the policy in 2010.
4. No additions or amendments are sought that would alter the authority of the Policy. Committee's approval is sought to include items that are relevant to and within the scope of the Policy.

Amendments to the street trading policy

5. In order to ensure this Authority has a modern, transparent and robust framework for controlling street trading and making decisions, the Committee is asked to give its approval to the following amendments and additions to the current Policy:
 - **Para 5.2 The Licensing Process and Delegation of Functions:** The Head of Environmental Development may use his delegated powers to suspend a Consent for a period of up to 28 days where serious food safety issues are found. This suspension is pending referral to the Licensing and Registration Sub-Committee.
 - **5.3 New Applications for a Street Trading Consent:** This section has been added in order to provide applicants with clear instruction and advice on street trading in Oxford. Guidance has been added regarding the application criteria, consultation process and examples of where Consent would not normally be granted.
 - **Para 5.6 Street Trading Consent Applications:** Street Trading Consent will not normally (*the Policy is a guide, it can't be absolute*) be granted within 100 metres of any school or college (between the hours of 07:30 and 18:00)
 - **Para 5.10 Peripatetic Street Trading:** This section has been added to include and clarify Oxford City Council's position on mobile traders such as ice cream vans and sandwich vans.
 - **Para 7 Special Events:** At the meeting of General Purposes Licensing Committee on 21st January 2014 officers were asked to provide further clarification relating to street trading at 'charitable and community events'. The policy sets out an amended definition and provides an exemption for trading at charitable and small community events. Specific events that fall under the exemption are listed at Annex 3 of the policy. This list may be reviewed and amended by General Purposes Committee as and when necessary.
 - **Para 8 Fees:** An amendment has been made to the arrangements for payments of Consent fees. The policy requires that the first quarterly payment must be paid in advance of a new Consent being issued.
 - **Para 9 Conditions:** The conditions for annual and weekly traders have been combined. These conditions have been

amended to reflect changes in legislation and best practice. A number of new conditions have been added including:

- **a food safety condition requires** food businesses to achieve and maintain a minimum Food Hygiene Rating of '3 – Generally Satisfactory' under the Food Standards Agency (FSA) rating scheme.
- for food traders all packaging and utensils for use by customers shall be made of biodegradable or recyclable materials.

Financial implications

17. There are no financial implications attached to this report.

Legal implications

18. There is no legal requirement for a Council to set any policy on Street Trading. However, authorities may if they wish decide to set policies in order to assist in consistent decision making. Policies may guide but not bind the authority.

Recommendations

21. Committee is recommended to:
- i) approve the draft Street Trading Policy; and
 - ii) authorise the Head of Environmental Development to undertake a public consultation on the reviewed Street Trading Policy.

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Background papers:

None

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