

To: General Purposes Licensing Sub-Committee
Date: 3 November 2025
Report of: David Butler: Director of Planning and Regulation
Title of Report: Peripatetic Street Trading Application

Summary and recommendations	
Decision being taken:	To determine a street trading application from Annabel Hannington
Key decision:	No
Corporate Priority:	Enable an Inclusive Economy Support Thriving Communities
Policy Framework:	City of Oxford Street Trading Policy

Recommendation(s): That the General Purposes Licensing Sub-Committee:
1. Consider all the information before them, written and oral evidence, which relates to Annabel Hannington's application.
2. Determine from the options given in the report, the application to trade on the street in Oxford

Information Exempt from Publication
The report does not contain any information which is exempted from publication.

Appendix No.	Appendix Title	Exempt from Publication
Appendix 1	Application for street trading, plans and police consultation response	No

Introduction

1. This is a Peripatetic Street Trading Application by Annabel Hannington ('the applicant') to allow her mother and 14-year-old sister to work with her on a peripatetic tricycle/handcart stall during the festive season.
2. Street Trading Consent can only be granted by the Sub-committee.
3. Street trading consent is granted subject to the Council's standard conditions. The Sub Committee may amend or attach any additional conditions to a Consent that it considers "reasonably necessary".
4. This application for street trading is for a peripatetic consent using a mobile cart to set up and street trade for 20 minutes in any one location from a white wooden cart with pink striped roof.
5. The applicant proposes to sell Jewellery Pins and badges, 3D printed items (fidget toys) photos/postcards and mini-world items for dolls houses, stickers and bags.
6. The application states that the trading will take place every weekday in the late afternoon in the run up to Christmas and other festivals, and for 2-3 hours per day on the weekend during shop opening hours.

Trading Locations

7. The application specifies the following locations:
 - (i) Banbury Road and South Parade (in Summertown only)
 - (ii) Walton Street and Little Clarendon Street
 - (iii) Cornmarket, Queen Street, High Street, Bonn Square, Radcliffe Square, King Edward Street, Turl Street, Ship Street, St Aldate's, St Giles, and Broad Street
8. The city centre locations are limited by existing large events. The Oxford Christmas Market and Oxford Christmas event will prevent trading on Broad Street between 12 November - 31 December. Trading on Bonn Sq must also be authorised and booked as an event space.
9. The application doesn't specify any stopping points along the streets identified but undertakes to 'avoid blocking the public route'.
10. The minimum age at which a Street Trading Consent can be held is 17. One of the employees is below this age and so child employment law must be satisfied by the consent holder, and a permit must be separately acquired from Oxfordshire County Council– requiring parental and school consent. Door-to-door sales are prohibited in relation to child employment.

Consultation

11. The usual consultation exercise was carried out and a no objection response was received from Thames Valley Police.

Legislative Background

12. In 1986 the Council resolved that Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 should apply to its area. Under Schedule 4 the

Council can manage street trading by designating streets as “consent streets”, “licence streets” or “prohibited streets”. All streets within Oxford are currently designated “consent streets” and any trading requires the grant of a street trading consent. Street trading consent may be granted as the Council “thinks fit”.

13. When exercising the power to grant and enforce consents the Sub Committee should only take into account relevant considerations, must give each applicant or consent holder a fair hearing and should give reasons for their decisions.

14. Street Trading Consent is granted subject to the Council's standard conditions. The Sub Committee may amend or attach any additional conditions to a Consent it considers “reasonably necessary”. In this case the Council determined that a set of Special Conditions were reasonably necessary and so they were attached to the consent.

15. Section 5 of the Oxford City Council Street Trading Policy 2024 describes the scheme of delegation for Street Trading Consents and gives the General Purposes Licensing Case Work Subcommittee responsibility for determination of cases referred by the Director of Planning and Regulation

16. Street Trading regulatory matters are determined on behalf of the Director of Planning and Regulation by the Business Regulation Team (BRT).

17. A person Street trading without the necessary consent is liable upon summary conviction for each offence to a fine not exceeding level three on the standard scale. Level three is currently set at £1000.

Options

18. The options before the Sub-committee are:

- a. To grant the Street Trading Consent; or
- b. To grant the Street Trading Consent with the imposition of additional conditions other than those contained within the Policy; or
- c. To refuse the application for a Street Trading Consent.

Financial implications

19. The Council collects fees for Street Trading Consents. Estimated income from Street Trading Consent fees are included in the Council's budget.

Legal issues

20. The Sub-committee may grant a Street Trading Consent if it ‘thinks fit’. Consent may be revoked at any time. A street trader cannot be said to enjoy security of tenure and there is no requirement for the Council to give compensation for the loss of any Consent (other than any refund of Consent fees paid in advance). However, any decision to refuse an application or terminate Street Trading Consents may be subject to a judicial review challenge and if the refusal is held to be unreasonable or unlawful then the Court could award damages to the applicant..

21 Any determination of an application for a Street Trading Consent must be proportionate taking into account all relevant circumstances and the Consent holder's

right to a fair hearing. A consent should not be revoked or altered arbitrarily and without clear reason.

Policy Considerations

22. The following Policy points are of relevance in this matter:

- a. *8.1: When determining an application for the grant or renewal of a Consent, the council will consider all relevant information relating to the suitability of the applicant and any employees.*
- b. *8.2: The Business Regulation Team aims to work closely with other enforcement authorities to regulate relevant legislation where necessary.*
- c. *11.3: At renewal, the Council may take into consideration any relevant information about the trading operation.*
- d. *11.4: Where a renewal application has been made and there have been complaints or enforcement issues or fees have not been paid on time, then the application may be referred to the General Purposes Licensing Casework Sub-Committee.*
- e. *19.1: The Council may revoke a Street Trading Consent at any time, on any reasonable grounds. This may be for a variety of reasons including breach of conditions, non-payment of fees or when the site location is no longer suitable/accessible e.g. due to emergency repairs in the street or construction /redevelopment work.*
- f. *18.5: Failure to comply with one or more of the standard conditions of Consent may lead to suspension, variation, revocation or non-renewal of Street Trading Consent. The Consent Holder may also be prosecuted where a criminal offence has occurred.*

Level of risk

23. The risks associated with this application are relatively low/moderate overall, but include the following factors for the committee to consider:

24. Use of tricycle transporting a stall, road safety/obstruction must be carefully assessed at each location by the trader. Some of the proposed roads are busy, and will be more so during the festive season, increasing the potential for an impact on pedestrian/cycle traffic flows. May make placing the stall without causing obstructions more challenging. This is especially relevant in the central Oxford locations.

25. The application doesn't discuss lighting; the proposed trading will mainly take place in dusk or darkness.

26. One employee is under 17.

27. Frequent movements increase the potential for the above risks.

28. Public order risks considered unlikely

29. Public nuisance risks will mainly comprise visual impact in historic locations, and the potential to obstruct the footway or highway.

30. Environmental risks considered low.

Equalities impact

31. The Council has a Public Sector Equality Duty (PSED) under the Equality Act 2010 to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between people who share a relevant protected characteristic and those who don't share it;
- Foster good relations between people who share a relevant protected characteristic and those who do not (which involves having due regard, in particular, to the need to tackle prejudice and promote understanding).

32. It is not considered that there will be any adverse impact on persons with protected characteristics.

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Background Papers:	
1	Oxford City Council Street Trading Policy, which can be accessed here: Street Trading Policy Oxford City Council

