

# ITEM 9

## LICENSING COMMITTEE

15 September 2022

### Minute Extract

#### 14/22 Street Trading Consent Policy

The Committee considered a report from the Director of Public Protection and Streetpride. The Service Manager presented the report asking the Committee to consider and approve the amended Street Trading Policy which was attached as Appendix 1. The Licensing Committee were informed that such a policy was needed to enable the Council to adopt the legislation and have control over where these traders could operate. The Committee heard that such legislation was last adopted in 1984 and areas were defined. However, over time and with historic amendments, the Council's position on street trading had become unclear.

Because of this, and along with the change in dynamics in Derby City, it was felt a review of how and where street trading could take place was needed. It was confirmed that a draft policy had undergone a 12-week consultation period. Responses to this consultation were attached to the report at Appendix 2. The Service Manager stated that this consultation had been as inclusive as possible, with responses being considered and amendments being made where appropriate, with Legal input.

The Committee was informed that the outcome was to have a citywide approach, using the Licensing process to manage any Street Trading matter, including applications and place of trade.

The Service Manager gave an overview of the proposed Scheme of Delegation for Street Trading matters asking the Committee to approve these. The Service Manager would be able to approve any uncontested applications for street trading; any matter that had objections that were not able to be resolved, along with any breach in conditions of trade would be brought to a Sub-Committee hearing.

The Committee were also asked to approve the wording on the Notice of Intention to Pass a Resolution, which would be advertised and the public would have the opportunity (28 days) to submit any comments. An amended copy of this wording had been submitted to the Committee prior to the start of the meeting.

The Service Manager confirmed to the Committee that if the policy was approved it would become effective from 1 April 2023. Existing traders would be required to renew their consents to trade and would be given details on how to submit new

applications in good time.

**Resolved to:**

- **Consider the responses to the consultation contained at Appendix 2 of the report and approve the amended Street Trading Policy at Appendix 1 to become effective from 1 April 2023.**
- **Recommend to full Council that a notice of intention to pass a resolution for the designation of streets for street trading purposes, is published in line with the requirements of the Local Government (Miscellaneous Provisions) Act 1982. An amended copy of the proposed notice was attached to the report at Appendix 5.**
- **Approve the delegations as appended at Appendix 3 to the report with the addition of an extra line to allow a General Licensing Sub-Committee to be able to grant or refuse new street trading applications that have been contested, as outlined at the Committee meeting.**