

Committee(s):	Date(s):
Port Health and Environmental Services (For Decision)	13 May 2014
Planning and Transportation (For Information)	20 May 2014
Licensing (For Information)	21 July 2014
Subject: Street Trading Policy	Public
Report of: Director of Markets and Consumer Protection	For Information
<p style="text-align: center;"><u>Summary</u></p> <p>The City of London (Various Powers) Act 2013 has made changes to the long established street trading regime within the City of London. The City Corporation will have the authority to issue temporary street trading licences so that commemorative and seasonal events will be able to include a street trading element.</p> <p>Powers of enforcement against illegal street trading have been strengthened with items used to facilitate illegal sales being subject to seizure. This includes vehicles such as ice cream vans.</p> <p>This report provides an introduction to the attached combined policy and procedure document. This report:</p> <ul style="list-style-type: none"> • Explains the legislation affecting street trading in the City of London; • Sets out the City Corporation's policy in respect of the regulation of street trading, including its enforcement; and • Offers guidance as to the procedure to be followed in seeking a street trading licence <p>The report outlines matters considered by the licensing service in setting the proposed temporary licence fees which follow legally established guidelines. The fees set out in the policy are designed to cover the costs associated with the licensing process. Authorities, including the City Corporation, are not able to include the costs of enforcement against unlicensed street traders within their fees.</p> <p>Recommendation</p> <p>Members are invited to note the contents of this report and particularly the policy set out in Appendix 1 which was agreed by the Port Health and Environmental Services Committee on 13 May 2014.</p>	

Main Report

Background

1. A report was considered by the Port Health and Environmental Services Committee on 11 March 2014 and the Planning and Transportation Committee on 18 March 2014 outlining the main changes introduced by the City of London (Various Powers) Act 2013. The present report concentrates on the City Corporation's policy response to the changes in the law.
2. Prior to the 2013 Act the only street trading permitted in the City of London was in part of Middlesex Street and only on Sunday mornings. Under the new measures, the City Corporation may issue temporary street trading licences for up to 21 days in any area of the City of London other than Middlesex Street. It remains the view of the City Corporation that street trading is generally not suitable within the City of London.
3. Where a temporary market is proposed, the Act provides for one person to apply on behalf of a number of traders. Provision is made by the Act for charging of fees for applications for and grant of temporary licences and for the imposition of licence conditions as to charges and the recovery of expenses.
4. A new seizure power applies to goods being unlawfully sold, and to equipment and vehicles used by unlawful street traders. This will enable, for example, an ice cream van operating in the City to be seized.

Current Position

5. A prohibition on street trading in the City of London, other than in Middlesex Street, has been in force for many years. The 2013 Act liberalises the arrangements so as to permit street trading to take place for temporary periods in defined areas.
6. A combined policy and procedure document has been produced for the purpose of:
 - explaining the legislation affecting street trading in the City;
 - setting out the Corporation's policy in respect of the regulation of street trading, including its enforcement; and
 - offering guidance as to the procedure that should be followed in seeking a street trading licence.

The document can be seen as Appendix 1.

7. Of particular note is paragraph 4.3 of the document which establishes the type of occasion where a temporary licence will be acceptable i.e. as part of a one-off street festival or charity event, seasonal event or a specialist market.
8. Paragraph 4.4 looks at the criteria which will be considered prior to issuing a licence. The criteria are designed to ensure that before a temporary licence is issued environmental and public safety considerations will be taken into account, together with any other relevant City Corporation policies and strategies.
9. Also of note is paragraph 7.16 which ensures any receptacle has been approved by the City Corporation before being placed on the highway.
10. Before preparing the policy the views from a number of City Corporation services were sought including Planning, Highways, Cleansing, the Remembrancer's Office, the Comptroller's Office, and Environmental Health. Their comments were taken into consideration in the preparation of the policy.

Corporate & Strategic Implications

11. The proposed policy and the introduction of temporary street trading in the City of London meets one of the City Corporation's aims, as stated in the Corporate Plan 2013-2017, 'To provide modern, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes'.
12. It also meets one of the five key policy priorities KPP2, in that it seeks to 'support and promote the international and domestic financial and business sector. [Bearing in mind the public sector equality duty please add whether the policy has any equalities implications.]

Appendices

Appendix 1 – Street Trading policy and Procedure

Background Papers:

Port Health & Environmental Services Committee Report 11 March 2014:
'City of London (Various Powers) Act 2013 London Local Authorities and Transport for London (No. 2) Act 2013'

Contact: *Peter Davenport*
Licensing Manager
peter.davenport@cityoflondon.gov.uk / x 3227