



## MEETING PAPER

Subject: East Suffolk Council Consultation – Street Trading

Meeting: Planning Committee

Date: 22<sup>nd</sup> August 2024

~~CONFIDENTIAL~~/NON-CONFIDENTIAL

### Background/Introduction

At its meeting on 14<sup>th</sup> March 2024, the Planning Committee made the following response in the previous street trading consultation:

c. **Street Trading** – This consultation concerned streets where street trading was prohibited and whether the prohibition should continue. The streets were listed and it was noted that most were residential or near main roads and were unsuitable for street trading. It was proposed by Cllr Pearce, seconded by Cllr Youngman and unanimously agreed to recommend the prohibition be retained on those roads.

A supporting paper titled 'Previous East Suffolk Council Consultation on Street Trading' will be on the website as a reminder of the streets considered at the meeting on 14<sup>th</sup> March 2024.

### Details

The below email was received from East Suffolk Council:

#### ***To Date***

*East Suffolk Council has adopted a Street Trading Policy in accordance with Paragraph 2 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 to control street trading. This policy only refers to the North of the district, since the former Suffolk Coastal District Council, which covered the South of the now East Suffolk district, did not adopt the legislation.*

*We first sought your views on moving towards a policy that included just prohibited streets, leaving all other streets as 'free' streets for trading. We then asked for specific streets which you thought should be prohibited.*

*Throughout these consultations we were very much aware of the need to protect community events such as small local markets, street fayres and street food and drink festivals; events that include some form of street trading.*

*It was initially thought that these types of events could be protected by way of a Single (Street Trading) Event Notice. So for example, if you wished to prohibit a street so that no independent trading can take place, but you still wished to have your community event on that street, a Single (Street Trading) Event Notice application could be made.*

***However, we have become aware that once a street becomes prohibited, then it is always prohibited and no trading whatsoever can take place on that street. This would include any community street fayre etc. with stalls.***

### ***New Proposal***

*We now have a new proposal that will protect the various community events which include some form of street trading and where you have stated that you want street trading to be prohibited.*

*The law confirms that any street that has street trading must either be a Consent street, a Licence street, or prohibited. To keep costs down, the Council is proposing that any street where you have a local market (this does not affect Charter Markets, they override a prohibition), a street fayre with stalls or a food and drink festival, for the benefit of the community, that street should become a consent street.*

***Please remember this will only have affect in a street where you have said that no street trading should take place and you want that street to become prohibited.***

*Several Town and Parish Councils have already stated that they have not had any problems regarding street trading, and they quite happily have their local markets and street fayres without issue. If they had an individual trader approach them, they would deal with it, with our assistance. They are not making any of their streets prohibited, so will not need to seek a consent when it comes to their community event.*

*Where you do wish a street to become prohibited for street trading purposes, and you want your community event on that street, that street will have to become a Consent Street and an application for consent will have to be made to the Council. The duration of the consent will be one year and it will need to be renewed each year. There will be a fee for the application and issue of the consent which is likely to be approximately £350. This is calculated on a cost recovery basis.*

*If your single event covered 2 to 3 streets, we would include all of those streets within the consent for that event. For example, a food and drink festival covering 2 adjacent streets would require one consent.*

*We are proposing to include a statement in the new policy as follows:*

*Community events on certain consent streets*

*The following streets [list streets] have been designated by the Council as consent streets. ... In general street trading will not be permitted on these streets. However an exception will be made for street trading in connection with community events, such as fairs, carnivals and parades. For the purposes of this policy, community events will generally be organised or sponsored by the parish/town/district council and will usually be annual, seasonal or one-off events. Each application for a street trading consent on these streets will be considered on its*

*own merits but is likely to be refused unless the application is made in connection with a community event.*

### **Consultation**

*We have taken into account previous responses to the consultations so far. Those of you that have stated that you wish for no streets to be prohibited will not be affected by the changes mentioned above and we would simply ask that you confirm your requirement to have no streets that would prohibit street trading.*

*For those of you who have requested some streets to be prohibited from street trading, we would ask that you give careful consideration as to whether there is a need. If you wish to keep them prohibited, then the street will become a Consent Street and you will have to apply for a consent for your community events which involve street trading (subject to the matter being taken back to the Licensing Committee).*

*For those of you that currently have prohibited streets in the current policy, please confirm that you wish to continue to not permit street trading, other than community events, on these streets in which case they will become Consent Streets in line with the statement above.*

*The current Street Trading Policy -*

*<https://www.eastsuffolk.gov.uk/assets/Business/Licensing/Street-Trading-Guidance.pdf> -*

*All responses to this consultation will be reported to the Licensing Committee on 21 October 2024.*

*The consultation is open until **Friday 20 September 2024**. Please send your comments to: [Licensing@eastsuffolk.gov.uk](mailto:Licensing@eastsuffolk.gov.uk) or Licensing Team, Riverside, 4 Canning Road, Lowestoft NR33 0EQ.*