

Licensing Committee – 12 October 2010

## 6. Draft New Street Trading Policy

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### Purpose of the Report

Members will recall that following the decision of Full Council on the 16<sup>th</sup> July 2009, the whole of the South Somerset District with the exception of part of Station Rd, Somerton was declared a Street Trading Consent area with effect from 1<sup>st</sup> September 2009. Further the Licensing Service was asked to produce a new Street Trading Policy in consultation with legal services to reflect recent case law and expert advice,

### Recommendations

That members:

- 1) agree that any trading within the undercroft area of Castle Cary Market House is not to be considered as street trading;
- 2) agree that any trading within a travelling fair on private land that has permitted rights is not street trading;
- 3) recommend that District Executive approve the new Street Trading Policy as proposed, subject to any amendments required by the decision on 1 and 2 above.

### Background

South Somerset has been a “street trading consent area” since 1<sup>st</sup> September 2009. All streets (with the exception of part of Station Rd, Somerton) in the District have been designated as ‘consent streets’ i.e. ones in which the Councils’ consent is required to trade in a street.

Following discussion with the Legal Department and to reflect recent case law, a new policy was drafted. The new policy was consulted on during late June and July with a deadline of 30<sup>th</sup> July for interested parties to make comments. A number of “stakeholders” were consulted including existing consent holders, farmers markets, and town and parish councils. The only concerns with the policy that were raised by consultees are those outlined in recommendations 1 & 2 above. These being how do we treat the Market House in Castle Cary and how do we treat travelling fairs.

### Financial Implications

The administration and enforcement of street trading will be cost neutral.

### Implications for Corporate Priorities

There will be a positive impact on Corporate Aim 2, increasing economic vitality and prosperity.

**Other Implications**

None

**Background Papers:** *District Executive 10/07/08 Full Council Meeting 16/07/09.*

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