



Title: Buckinghamshire Council Street Trading Policy consultation

Open date: 15 March 2024

Close date: 26 May 2024

Name: Licensing Team

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Overview

We want to hear your views on our draft Street Trading Policy for Buckinghamshire Council.

Street trading is the sale or offering for sale of items in a street.

A 'street' includes any road, footway, or other area to which the public have access without payment (including service stations).

It is not only the public highway – it can include publicly accessible areas that are privately owned, such as shopping centre car parks and open spaces.

Draft Buckinghamshire Council Street Trading Policy

The draft policy sets out:

- our role in the regulation of street trading
- application types and process
- the advertising and consultation process
- decision making criteria and the decision making process
- how to appeal a refusal or a consent being revoked
- the duration of consents and fees
- our approach to enforcement

The draft policy aims to ensure that there is a clear and consistent framework for regulating street trading in Buckinghamshire.

We are proposing that:

- all street traders will require consent to trade in accessible public areas, unless exempt by law or by local dispensation
- street traders will need to meet set criteria to gain consent
- street trading will be appropriate to the environment and in line with our corporate plan and health and wellbeing strategy

The policy will cover the Buckinghamshire Council area. It will replace any street trading policies from the previous district councils.

How the draft policy has been developed

Feedback has been sought from a range of stakeholders, such as traders, businesses, residents, councillors, and responsible authorities/agencies through workshops and an online survey.

The feedback we received has helped to shape the draft version of the policy. The draft policy was approved for public consultation at Licensing Committee on 27 February 2024.

Related documents and links

Before you respond to this activity, please have a look at the following documents at <https://yourvoicebucks.citizenspace.com/>

- Draft Buckinghamshire Street Trading Policy

Events to find out more

We are hosting public drop-in events for you to find out more on:

- **Tuesday 9 April 2024 from 10am to 12pm**
 - at Buckingham Library, Verney Close, Buckingham, MK18 1JP
- **Tuesday 9 April 2024 from 2pm to 4pm**
 - at Aylesbury Library, Walton Street, Aylesbury, HP20 1UU
- **Tuesday 23 April 2024 from 10am to 12pm**
 - at High Wycombe Library, Eden Place, High Wycombe, HP11 2DH

- **Tuesday 23 April 2024 from 2pm to 4pm (to be confirmed)**
 - at Amersham Library, Chilterns Lifestyle Centre, Chiltern Avenue, Amersham, HP6 5AH

A licensing officer will be available to answer any questions.

How to have your say

You can tell us your views in one of the following ways:

- complete the online survey at <https://yourvoicebucks.citizenspace.com/>
- complete, and return, a printed version of the survey below
- email us at licensing@buckinghamshire.gov.uk
- write to us at Street Trading Policy consultation, Buckinghamshire Council, The Gateway, Gatehouse Road, Aylesbury, Buckinghamshire, HP19 8FF

If you have any questions about this activity, please email us at licensing@buckinghamshire.gov.uk

The survey period has been extended from 18 April to 26 May 2024.
Please tell us your views by 11:59pm on 26 May 2024.

What happens next

We will use your responses to develop the final Buckinghamshire Street Trading Policy.

The policy will then be considered at Licensing Committee before it is presented for approval and adoption at Full Council in late 2024.

We will review the policy every 5 years.

Privacy

We will use the information you provide here only for this activity. We will store the information securely in line with data protection laws and will not share or publish any personal details. For more information about data and privacy, please see our [Privacy Policy](#).

If you have questions about data and privacy, please email us on dataprotection@buckinghamshire.gov.uk. Or write to our Data Protection Officer at Buckinghamshire Council, The Gateway, Gatehouse Road, Aylesbury, HP19 8FF.

Draft Street Trading Policy consultation survey

Street trading is selling or offering items for sale in an area freely accessible to the public. For example, any road or footway.

Consents may be issued for up to 12 months and renewed each year.

We are proposing to designate all streets in Buckinghamshire as 'consent' streets and so traders will need to obtain a consent to trade, unless exempt by law or local dispensation.

Activities not affected by street trading regulations:

- pedlar certificate holders (issued by the police)
- trading in an established market or fair
- trading in a trunk road picnic area
- newspaper vendors
- garage forecourts
- shopfronts
- a roundsman fulfilling orders, e.g. a milkman
- holders of highways licences, e.g. tables and chairs or pavement licences
- street collection permit holders

We are proposing to offer exemptions in the following areas:

- non-commercial events e.g. fetes and charity fund raising events
- public areas of covered shopping centres
- working farms
- residential properties e.g. garage sales, sale of homegrown produce
- used vehicles – domestic sale of second-hand car

1. Do you agree or disagree with the proposal to introduce street trading controls for all freely publicly accessible areas?

Please tick (✓) one option

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- I don't know

Please tell us the reasons for your answer:

2. Are there publicly accessible areas where you think street trading should not be controlled?

Please tick (✓) one option

- Strongly agree
- Agree
- Neither agree nor disagree
- Strongly disagree
- I don't know

Please tell us the reasons for your answer:

If there are any other areas you think trading should be allowed without needing consent, please tell us here:

5. Do you agree or disagree with the proposal to prohibit the sale of the following items?

See section 3.1 in the draft policy for further information.

Please tick (✓) one for each option

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	I don't know
Tobacco or tobacco products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e-cigarettes/vapes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Energy drinks to children below 16 years old	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plastic and helium balloons	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sky lanterns	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Single-use plastics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Goods/paraphernalia associated with illegal drug use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Animals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If there are other articles you think should be prohibited from sale, please tell us here:

Peripatetic traders

Traders that move from location to location and stay a short amount of time are known as peripatetic traders. For example, ice cream vans and coffee vans.

It is proposed that these traders apply for a peripatetic street trading consent based on the number of hours they wish to trade per day.

See section 2.6 in the draft policy for more information.

6. Do you agree or disagree with the proposal to regulate peripatetic traders operating in the council's area?

Please tick (✓) one option

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- I don't know

Please tell us the reasons for your answer:

Event consents

We are proposing to offer an event consent to organisers of local events for example, Christmas fayres. This will include commercial traders. The organiser will take responsibility for ensuring all trader information is passed to the council.

See section 2.7 in the draft policy for more information.

7. Do you agree or disagree with the proposal to regulate commercial traders operating at local events under one consent?

Please tick (✓) one option

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- I don't know

Please tell us the reasons for your answer:

Please tell us the reasons for your answer:

If there are other documents you think applicants should provide, please tell us here:

Advertising and consultation process

We are proposing to consult with relevant agencies and parties on applications for trading consent and will advertise it at the proposed location for 28 days.

See section 4.0 in the draft policy for further information.

9. Do you agree or disagree that 28 days is an appropriate period to allow for responses to the application?

Please tick (✓) one option

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- I don't know

Please tell us the reasons for your answer:

We are proposing to consult with the following agencies or persons when an application is made:

- Thames Valley Police
- Buckinghamshire Fire and Rescue
- Highways (Buckinghamshire Council)
- Environmental Health (Buckinghamshire Council)
- Trading Standards (Buckinghamshire Council)
- Public Health (in relation to applications which may impact on children and young people's health)
- relevant Town and/or Parish Councils
- ward councillors
- organisations responsible for the management of town centres
- any other consultee or council department that officers consider appropriate

10.If there are any other parties you think should be consulted when an application is made, please tell us here:

Decision making

We will look at each application individually and consider various factors including:

- suitability of location
- safeguarding children and vulnerable people
- preventing public nuisance
- supporting local small businesses
- public health and safety
- suitability of the trader and any assistant
- suitability of the van, cart, stall etc.

We are proposing:

- there will be no more than one trader within 250m, unless the activities are complementary, to prevent too many traders in one area
- additional consideration is given to traders located near schools, colleges, nurseries, especially if they wish to sell fast food (e.g. fried foods, chips, burgers and pizza)
- consents will not be granted to any trader directly next to a road with a speed limit of 30mph or above to help promote road safety
- any trading near to a road with a speed limit higher than 30mph will need to be sufficiently located away from the road, either in a substantive lay-by or service road

See sections 5.0, 5.1, 5.10 and 5.11 of the draft policy for further information.

11. Do you agree or disagree with the following proposals?

Please tick (✓) one for each option

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	I don't know
There will be no more than one trader within 250m unless the activities are complementary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Applications by traders intending to sell fast food from a fixed location within 400m of a school, nursery or college should be refused	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Peripatetic traders (such as ice-cream vans) wishing to trade within 200m from any entry or exit gates from a school or college from an hour before the start of the school day until an hour after the end of school day will likely be refused unless they have written permission from the Head Teacher of the school	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consents will not be granted to any trader directly next to a road with a speed limit of 30mph or above to help promote road safety	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please tell us the reasons for your answer:

13. Do you agree or disagree that the council should consider it relevant if applicant’s assistants have unspent convictions for the following types of offences?

See section 5.13 of the draft policy for further information.

Please tick (✓) one for each option

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	I don't know
Violence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sex and indecency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supply and possession of drugs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Burglary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dishonesty	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Motoring offences	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Refusal and right of appeal

We may refuse or revoke a street trading consent for various reasons. For example, non-compliance with the policy, breach of conditions, or negative impact on the policy objectives.

14.If there are any grounds that you think should be considered relevant when considering whether or not to grant consent for street trading that are not referenced in the policy, please tell us here:

See section 5 of the draft policy for further information.

There is no statutory right of appeal if an application for a consent is refused or a current consent is revoked. However, we are proposing that an applicant or consent holder can appeal the decision to a senior officer within 21 days of the notice.

See section 9.10 of the draft policy for further information.

15. Do you agree or disagree with this proposal?

Please tick (✓) one option

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- I don't know

Please tell us the reasons for your answer:

16. If you have any other comments on the draft Street Trading Policy for Buckinghamshire, please tell us here:

About you

We will use the information you provide here only for the purpose of this activity. We will store the information securely in line with data protection laws and will not share or publish any personal details.

17. Which of the following describe you?

Please tick (✓) all that apply

- I am a street trader who holds a consent with Buckinghamshire Council
- I am a street trader in Buckinghamshire Council's area who trades in a public freely accessible area but doesn't currently require consent
- I am a peripatetic trader (ice cream van, coffee van or similar) in Buckinghamshire Council's area
- I am a mobile trader who trades in non-public Buckinghamshire Council areas (e.g. private events, ticketed festivals, home deliveries)
- I live in Buckinghamshire
- I represent or own a business in Buckinghamshire unconnected to street trading
- I represent a community or voluntary group in Buckinghamshire
- I am an elected representative in Buckinghamshire
- I represent a Parish / Town Council or Town Committee in Buckinghamshire
- I work for Buckinghamshire Council
- Other, for example statutory authorities and agencies (please give details below):

18. How did you find out about this consultation?

Please tick (✓) all that apply

- Local media (newspaper, radio or TV)
- Social media (e.g. Facebook, Twitter)
- Buckinghamshire Council website or Your Voice Bucks website
- Buckinghamshire Council newsletter

- From Buckinghamshire Council staff
- Through working at Buckinghamshire Council
- Poster
- Word of mouth
- Local Community Board
- Local Councillor
- Local Parish / Town Council
- Other (please give details below):

19. Are you responding as an individual or on behalf of an organisation (e.g. a business or a voluntary group)?

Please tick (✓) one option

- As an individual (go to question X)
- On behalf of an organisation

On behalf of an organisation

20. Please provide the following details:

Name of organisation:

Your job title:

End of survey if responding on behalf of an organisation

More about you

We want to hear from as many people as possible to understand the views and needs across Buckinghamshire. The following questions help us see if the communities we serve have had the opportunity to be heard through this activity.

All questions are optional. You can skip any questions you do not wish to answer.

21. What is your postcode?

We want to understand the views of people living in different areas. You don't have to provide your postcode, but it helps us plan and make considered decisions.

22. What is your age?

Why we ask this: We want to understand the experiences and views of different age groups.

Please tick (✓) one option

- Under 16
- 16 to 24
- 25 to 34
- 35 to 44
- 45 to 54
- 55 to 64
- 65 to 74
- 75 to 84
- Over 85
- Prefer not to say

23. Do you consider yourself to have a disability / disabilities, impairment(s) or long term health condition(s)?

Why we ask this: We want to understand the experiences and views of disabled people, people with impairments and people with long term health conditions.

Please tick (✓) all that apply

- Disability / disabilities
- Impairment(s)

- Long term health condition(s)
- No
- Prefer not to say

24. Are you:

Why we ask this: We want to understand the experiences and views of different sexes.

Please tick (✓) one option

- Female
- Male
- Prefer not to say

25. How would you describe your ethnicity?

Why we ask this: We want to understand the experiences and views of different ethnicities.

Please tick (✓) one option

- Asian - British
- Asian - Bangladeshi
- Asian - Chinese
- Asian - Indian
- Asian - Pakistani
- Any other Asian background - Please give details below
- Black - African
- Black - British
- Black - Caribbean
- Any other Black, African or Caribbean background - Please give details below
- Mixed or multiple ethnic groups - White and Asian
- Mixed or multiple ethnic groups - White and Black African
- Mixed or multiple ethnic groups - White and Black British
- Mixed or multiple ethnic groups - White and Black Caribbean
- Mixed or multiple ethnic groups - Mixed or Multiple Ethnic backgrounds British

- Any other Mixed or Multiple ethnic background - Please give details below
- White - English, Welsh, Scottish, Northern Irish or British
- White - Irish
- White - Gypsy or English traveller
- White - Irish Traveller
- White - European
- Any other White background - Please give details below
- Other ethnic group - Arab
- Other ethnic group - Arab British
- Other ethnic group - Please give details below
- Prefer not to say

Please give other details here:

End of the survey

Thank you for taking the time to complete this survey.

Please return your completed survey by 11:59pm on 26 May 2024.

You can:

- email it to us at licensing@buckinghamshire.gov.uk
- write to us at Street Trading Policy consultation, Buckinghamshire Council, The Gateway, Gatehouse Road, Aylesbury, Buckinghamshire, HP19 8FF