



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Cabinet

Tuesday 7 April 2026

Report of Councillor Philip Knowles
Cabinet Member for Corporate
Governance and Licensing

Street Trading Policy

Report Author

Ayeisha Kirkham, Head of Public Protection

 ayeisha.kirkham@southkesteven.gov.uk

Purpose of Report

To approve the adoption of the Street Trading Policy for South Kesteven District Council.

Recommendations

Cabinet is asked to approve and adopt the Street Trading Policy.

Decision Information

Is this a Key Decision?	No
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Effective Council
Which wards are impacted?	All Wards

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 There are no direct financial implications associated with the recommendations in this report. The costs associated with delivering the Licensing service are recovered through licensing fees which are reviewed annually by the Council.

Completed by: David Scott – Assistant Director of Finance and deputy S151 Officer

Legal and Governance

- 1.2 Whilst each individual licensing application or enforcement decision will be judged on its own merits, a Policy ensures a transparent and consistent approach to licensing that will reduce the opportunity for challenge through the Courts.
- 1.3 Advice on the inclusion of a Basic Disclosure and Barring Service (DBS) check has been sought from Legal Services Lincolnshire. They have confirmed a Basic DBS identifies unspent convictions only (as defined by the Rehabilitation of Offenders Act 1974), these being convictions that have not yet reached the rehabilitation period and therefore must still be disclosed. The basic DBS does not include spent convictions; cautions, reprimands or warnings; any barred list information (that is part of Enhanced checks; or Local police intelligence) and is the correct level of disclosure for a person undertaking this role. There are authorities that request a Basic DBS and others that do not.
- 1.4 Legal Services Lincolnshire have confirmed that as the Policy provides protection to traders, consultation should be undertaken to assess and manage the impact should the Council decide to remove this in its entirety.

Completed by: James Welbourn, Democratic Services Manager

Equalities, Diversity and Inclusion

- 1.5 An equality impact assessment has been undertaken for the proposed updated Street Trading policy. No significant negative impacts have been identified. See Appendix 1.

Completed by: Heather Green, Licensing Manager.

2. Background to the Report

- 2.1 Under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, a Local Authority may regulate street trading in their area. Street trading is the selling or exposing or offering for sale of any article (including a living thing) in any street. The Council adopted these provisions for the whole of the district on 1 September 2006, designating all streets within the district as 'Consent Streets'.
- 2.2 The existing Street Trading Policy was approved by Cabinet in June 2022. It provides a framework upon which the Council delivers its statutory function in relation to street trading activities. Given the size and rural nature of the district the Street Trading Policy has proved difficult to enforce and there has been a reliance on event organisers and traders to apply for a street trading permit. This has resulted in the take up being low.
- 2.3 Feedback was also received that the street trading application process was overly onerous, the application process taking approximately six weeks. In addition, the policy did not provide any provision for a one-off event permit to be issued.
- 2.4 A review has been undertaken to ensure it reflects current guidance and continues to be fit for purpose following receipt of feedback from users of the Policy and from Members. Whilst the review was undertaken the current Policy was suspended, with effect from 25 July 2025.
- 2.5 In October 2025 a consultation exercise was undertaken in relation to the Street Trading Policy. Following this the proposed changes have been discussed at the following meetings:
- The Licensing Committee on the 15 December 2025.
 - The Joint Meeting of the Environment Overview and Scrutiny Committee and the Rural and Communities Overview and Scrutiny Committee held on 10 December 2025.
 - A Street Trading Workshop for Members, held on the 14 January 2026.
 - The Joint Meeting of the Environment Overview and Scrutiny Committee and the Rural and Communities Overview and Scrutiny Committee held on 24 February 2026.
- 2.6 Following the above considerations, the main areas that have been changed in the Policy relate to:
- Designating specific streets as consent areas as opposed to the whole of South Kesteven. This change will ensure that effective patrols and enforcement can be undertaken.

- Removing private land (30m from the centre of a road) from the definition of Street.
- Removing DBS checks as a requirement of the application process.
- Introduction of a one-off event consent to assist and encourage local events, reducing the requirement for every street trader to hold a street trading consent within an event.
- Amending the consultation requirements, to enable more discretion as to when and who are consulted, dependent upon the duration of the consent and location. This will assist with issuing consents in a timely manner.

2.7 The Street Trading Policy proposed for approval and adoption is within Appendix 2 to this report.

3. Key Considerations

3.1 There is no statutory requirement for a local authority to adopt a Street Trading Policy nor to designate any areas or streets as consent locations.

3.2 However, a policy and confirmation of the adopted consent streets provides clarity and a framework which reinforces effective practices, aids transparency and consistent decision making by Officers and Council Members.

4. Other Options Considered

4.1 Cabinet may decide to remove the Street Trading Policy in its entirety. Which would mean no-one within the District of South Kesteven would require consent to trade. However, to do this, a full public consultation should be undertaken to understand the impact of the businesses and residents within the district, and the full impact of this decision would need to be considered.

5. Reasons for the Recommendations

5.1 The Policy and proposed updates support the Council in fulfilling its duties associated with street trading. Reviewing the Policy has provided an opportunity to update the intention and enforceability of the Policy.

6. Consultation

6.1 Public consultation has been undertaken between Wednesday 8 October 2025 and 22 October 2025.

6.2 There is no legal duty placed upon the Council to consult on the Street Trading Policy. Prior to 2022 only relevant stakeholders were consulted, however, as the Policy can impact the public, businesses in the locality and users of the Policy it was considered good practice to continue with wider consultation.

7. Background Papers

- 7.1 [Agenda for Joint Meeting of the Environment Overview and Scrutiny Committee and Rural and Communities Overview and Scrutiny Committee 10th December, 2025](#)
- 7.2 [Agenda for Licensing Committee on 15th December, 2025](#)
- 7.3 [Agenda for Joint Meeting of the Environment Overview and Scrutiny Committee and Rural and Communities Overview and Scrutiny Committee 24th February, 2026](#)

8. Appendices

- 8.1 Appendix 1- Equality and Diversity Impact Assessment
- 8.2 Appendix 2- Street Trading Policy