

Appendix 2

Amendments to the Street Trading Policy and Information Pack to create one Policy document.

Executive Summary	<p>Added in its entirety – with information taken from the separate Street Trading Consent Information Pack regarding SKDC designating all streets a consent area.</p> <p><u>From old policy:</u> Included: Section 2 – Legislation –2.2, 2.3, 2.5 Section 3 – Application Process – 3.1</p>
1. Introduction	<p>Added in its entirety – for consistency with other Licensing Policies that have recently been updated.</p> <p><u>From old policy:</u> Included: Section 1 – General Info - 1.1 Consultation - 1.2 Section 2 – Legislation - 2.2 Section 8 – Exemptions – 8.1</p>
2. Information Sharing and Data Protection	Added in its entirety
3. Whistleblowing	Added in its entirety
4. Integrating other Guidance, Policies and Strategies	Added in its entirety
5. Who should apply?	<p>Added in its entirety – information taken from the application form and updated to include right to work and that both trading from a specified location as well as mobile traders must apply.</p>
6. New Street Trading Consent Application process	<p>Removed: 3.3 – payments for shorter periods payable by cheque 3.4 - in old policy - Four-week holiday, charging will now be for a full 52 weeks (pro-rata if not working every day).</p>
	6.2 – Added that the process is online or can be downloaded/submitted by post.
	6.3 – The relevant fee must accompany the application.
	6.4 – Added that a trading consent is granted to an individual applicant and is required to be present at the trading site.
	6.5 – Added that an assistant can be named on the application, if the applicant cannot be present. If an alteration/change of name is required, a variation charge will be payable.
	<p>6.6 – Added in the need to provide:</p> <ul style="list-style-type: none"> • Proof of right to work • Clarified that a photograph of the stall is required • Plan or map of location to be traded from

	<ul style="list-style-type: none"> • Permission from landowner to trade if private land • Added in third party & public liability insurance (£5m) required • Valid MOT certificate (if a vehicle) • Food hygiene qualification (no older than 3yrs) if a food stall • Current valid gas safety certificate (if applicable) • Basic Disclosure and Barring Service (DBS) certificate.
	6.8 – Newly established food traders advised to contact EH before submitting Street Trading application.
7. Consultation	7.1 – Added in Lincolnshire Fire and Rescue as another authority we may consult.
	7.1 – Added in the 10-working day consultation period for all other consultees we may approach (starting the day after receipt of the application).
	7.3 – Added in that consultees may wish to undertake their own risk assessments and impose conditions irrespective of whether street trading previously agreed.
	7.4 – Consultation on renewal or mobile trading application may be carried out with a selection of consultees depending on the merits of the individual circumstances.
8. Renewal of an application	8.2 – Extended previous renewal docs within a month, to 6 weeks in advance of expiry (to enable possible consultation).
	8.3 – Consultation will be undertaken as outlined in Section 7.
	8.4 – If documents are not provided 6 weeks before expiry and a delay in consent being renewed, the consent holder must cease trading once the consent expired, until it is renewed.
	8.5 – Added in that if renewal not submitted before expiry of existing consent it will be treated as a new application and could result in the location being allocated to another trader.
	8.6 – Added in that it is the consent holder's responsibility to submit their application in good time to enable consultation and consideration to be undertaken.
	8.7 – Added reasons that a consent for grant or renewal will not usually take place.
9. Fees and Charges	9.1 – Added that fees are per the Councils Fees & Charges, removing the previously out of date amount.

	9.2 – Added in the relevant fee must accompany the application
	9.3 – Included that fee is 3 months advance and billed quarterly thereafter in advance or annual fee in advance.
	9.4 – Added in that mobile traders must pay an annual fee & it's not refundable (to avoid seasonal traders cancelling for a refund) the fee recognises seasonality i.e. Ice cream traders etc.
10. Hours of trading	10.1 – added in that the trading hours will be determined on a case-by-case basis dependent upon location and other factors.
	10.2 – added in what trading hours will seek to promote.
11. Markets and Fairs	11.1 – Added in what is considered a market or fair.
	11.3 – Clarified the full definition of market and fairs is in Appendix 1.
12. Stamford Precinct	Added in its entirety, previously Stamford Pedestrian Precinct was excluded from the Street Trading Policy, so it consolidates all Street Trading information.
13. Decisions	13.2 - Explanation that the licence would be granted or refused. If refused the administration will not be refunded.
	13.3 – Explanation of what the consent will include i.e. Street, days of operation and articles permitted to trade
	13.4 – Outlining that if an application can only be granted if substantially modified that it will notify the applicant and give 5 working days to accept or decline the modified terms.
14. Standard conditions	Added in its entirety referencing the Conditions in Appendix 3.
15. Refusal or withdrawal	15.2 – added the grounds for refusal
	15.3 – added General Grounds took out any grounds that aren't referred to in the LGMPA, they have been put in the Appendix 3 conditions. Added c), d), and e).
	15.4 – Added reasons the consent may be revoked in its entirety.
	15.5 – Added in its entirety actions that can be taken instead of revoking a consent.
	15.6 – Added what would happen if a consent is revoked re fees paid
	15.7 – Added in no refund if a consent is revoked for mobile traders in relation to fees paid.
16. Consent Surrender	Added in its entirety.
17. Enforcement Policy and Practice	Added in its entirety and reflects other policies for consistency.
18. Appeal Procedure	Added in its entirety.

19. Policy Review	Included from previous policy (1.4) but updated so that if no significant amendments required and a 5yr review is not deemed necessary or is delayed that the policy may remain in force.
20. Advice and Guidance	Updated existing (1.5 in old policy) to reflect current contact preferences and website assistance.
Appendix 1 – Definitions	Added in its entirety
Appendix 2 – Assessment criteria	Added in its entirety, incorporating the previous policy criteria
Appendix 3 – Standard Conditions	Incorporated all the original policy conditions, added 18-20 and General Conduct 21-25, Protection of Young People 26-27, Noise Nuisance 28-29, Health & Safety 30-32 and that failure to comply may result in enforcement action
Appendix 4 – Stamford Pedestrian Precinct	Added the map of Stamford Pedestrian Precinct