



Tuesday 2 September 2025

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

Suspension of the Street Trading Policy 2022

Report Author

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Purpose of Report

To update the Licensing Committee on a decision to suspend the Street Trading Policy

Recommendations

The Committee is recommended to:

1. Note the decision to suspend the Council's Street Trading Policy and the work being undertaken to refresh the Policy.
2. Agree to receive a draft revised Street Trading Policy for information within six months.

Decision Information

Does the report contain any exempt or confidential information not for publication? No

What are the relevant corporate priorities? Connecting communities
Enabling economic opportunities
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 Within the Council's fees and charges structure for financial year 2025/26 the cost for obtaining a street trading permit ranges from £11.25 to £26.00 per day for a static trader and £347 annually for a mobile trader.
- 1.2 Due to difficulties around the enforcement of the current Street Trading Policy and the application process, the take up in the current financial year has been low and the income received amounts to £707.25. Therefore, the impact of suspending the Street Trading Policy for a six-month period to facilitate an improved process will have a minimal impact on the Council's finances. Subsequently, if the renewed policy leads to increased take up this could recover the lost income for the suspended period.

Completed by: David Scott – Assistant Director of Finance and Deputy s151 Officer.

Legal and Governance

- 1.3 The decision to suspend the Council's Street Trading Policy has been undertaken by the Chief Executive using emergency powers. Within the Council's Constitution the Chief Executive is authorised to take any and all actions considered appropriate in an emergency to protect and/or further the best interests of the Council, the District of South Kesteven and/or the public subject to:
 - a) Consultation with the Leader of the Council or in his absence the Deputy Leader and any appropriate Cabinet Member
 - b) A report of the action taken and the reasons behind it being presented to the next meeting of the Cabinet, Council or relevant Committee
 - c) Informing the Opposition Group Leader of the action that has been taken

Completed by: James Welbourn, Democratic Services Manager

2. Background to the Report

- 2.1. Street trading is controlled in accordance with the provisions contained in Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. This schedule was adopted by South Kesteven District Council on 1 September 2006.
- 2.2. Accordingly, all streets within South Kesteven have been designated as Consent Streets. Therefore, anyone wishing to trade on a street, highway or private land to which the public have access without payment, must hold a Street Trading Permit.

3. Key Considerations

- 3.1. The Council's current Street Trading Policy (the Policy) was adopted by Cabinet on 21 June 2022. This replaced the previous policy and included the provision of an enhanced application process. Currently to support an application the below criteria and evidence must be satisfied:
 - Proof of right to work in the UK
 - One passport photograph
 - A photograph of the trading unit, stall or vehicle
 - A location plan or map identifying the position of the trading site
 - Written permission from the landowner if the site is privately owned
 - Evidence of insurance of at least £5 million
 - An MOT certificate if a vehicle is to be used
 - If the business involves the sale and preparation of food the vehicle must have been inspected and received a food hygiene rating
 - A current valid gas safety certificate for the vehicle or stall if applicable
 - A basic Disclosure and Barring Service Certificate (DBS) for the stall operator and each employee
- 3.2. The current application process for a street trading permit is six weeks from the date of application.
- 3.3. Since the Policy was introduced take up has been low and it has proved difficult to enforce. The size and rural nature of the district means there is a reliance on event organisers and traders to make an application for a permit, as enforcement action would require a significant level of resources.
- 3.4. The Council has also received feedback that the street trading application process is overly complicated when compared to the process used in other districts. Currently the Policy applies to all trading whether this is by a commercial retailer or to charitable events. Particularly in the case of charity events, where there may be multiple stalls, it is difficult and expensive to satisfy the application criteria and obtain a permit.

3.5. The Policy is not being consistently applied. Therefore, a decision was made by the Chief Executive to suspend the existing Policy for a period of six months from 25 July 2025. This will allow a review is undertaken with a view to presenting a refreshed draft Street Trading Policy for consideration by Members of the Licensing Committee.

4. Other Options Considered

4.1 Due to the issues outlined within this report the 'do nothing' option was discounted.

5. Reasons for the Recommendations

5.1. The Council's Constitution provides that when the Chief Executive makes a decision using emergency powers that a report of the action taken and the reasons behind it are presented to the next meeting of the relevant Committee.

5.2. Members of the Licensing Committee are requested to consider a further report within a period of six months to receive information on the proposed refreshed Street Trading Policy.

6. Consultation

6.1. The Leader of the Council, the Cabinet Member for Governance and Licensing and the Leader of the Opposition were all consulted before the decision was made and were in agreement with the action taken.

7. Background Papers

7.1. [Street Trading Policy](#)