

BROMSGROVE DISTRICT COUNCIL

LICENSING COMMITTEE

7 SEPTEMBER 2026

Street Trading Policy Review

Relevant Portfolio Holder	Councillor K. Taylor
Portfolio Holder Consulted	No
Relevant Head of Service	Simon Wilkes – Director of Worcestershire Regulatory Services
Report Author	Hazel Powell – Principal Licensing Officer Contact email: Hazel.Powell@worcestershire.gov.uk Contact Tel: 01562 738 054
Wards Affected	Wards
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	N/A
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

Members are asked to:

- i. **Approve the undertaking of a twelve-week public consultation in respect of the draft street trading policy included at Appendix 1; and**

2. BACKGROUND

- 2.1 Street Trading is governed by the Local Government (Miscellaneous Provisions) Act 1982. This legislation enables Local Authorities to control street trading by designating areas as consent streets, licence streets, and prohibited streets.
- 2.2 Street Trading refers to the selling of any article (including a living thing) on a public highway or other publicly accessible area. Sales by pedlars, or as part of a market, or in trunk road picnic areas, do not constitute street trading

3. OPERATIONAL ISSUES

- 3.1 On 11th September 2017 the Council resolved to designate all streets in the District (as existing at the time of the making of the resolution and in the future) as consent streets with effect from 1st December 2017.
- 3.2 At that time the Council also introduced and published a Street Trading Policy and a set of standard licence conditions, which are attached to all issued licences.

- 3.3 The street trading policy sets out the Council's position on how it administers applications for street trading licences. The policy was designed to balance the benefits of street trading (consumer choice, local economy) with the needs of the wider community, such as protecting existing businesses, residents, customers, pedestrians and road users, whilst permitting well run businesses to provide services that are in demand and contribute to the local economy.
- 3.4 Since 2017 there have been no amendments to the street trading policy. Whilst the policy has proved effective, a recent review of the policy has been undertaken, to ensure that it remains current, valid, enforceable, and reflects the present-day needs of the district.
- 3.5 The Council's street trading policy should be clear and effective, so the review has tried to ensure that it is meeting this intended goal and has also tried to address changes that have taken place since its introduction in 2017.
- 3.6 In line with the above, officers have reviewed the current policy and prepared a draft revised updated street trading policy at **Appendix 1** which contains several amendments and introduced new additional sections.
- 3.7 To provide clarity on the amendments to policy a colour code has been adopted. Text in black typeface is wording from the current policy (although it may have been moved from the original location within the document). Text with blue typeface reflects sections of the current policy where the wording has been updated with only minor alterations. Text with red typeface identifies new sections/requirements of the policy.
- 3.8 Some of the changes and additions to the policy include:
- Introduction of local exemptions
 - Greater detail on different types of consents
 - Introduction of temporary/occasional street trading
 - Updated application requirements
 - Revision of consultation periods
 - Introduction of on-line application consultations
 - Introduction of applicants/assistants suitability criteria
 - Introduction of section of applicants responsibilities
 - Revision of section on complaints and enforcement
 - Additional conditions for mobile traders and food operators
- 3.9 A more detailed record of the changes made to the proposed policy are given as **Appendix 2**.

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- 3.10 It is proposed that a public consultation on the draft street trading policy be undertaken for a twelve-week period. This will include direct engagement with key stakeholders, including the Chief Officer of West Mercia Police, Hereford and Worcester Fire and Rescue Services, Worcestershire County Council (Public Health), existing licence holders, and Bromsgrove District Councillors.
- 3.11 In addition to targeted stakeholder engagement, the consultation will be made available for public comment via the Council's website, and a small number of hard copies left in identified locations. It will be promoted through social media channels and via the local press to ensure broad awareness and participation.
- 3.12 The preferred option being put forward is for Members to consider the proposed amendments and additions to the street trading policy and to approve the draft revised policy attached at Appendix 1, for the purpose of a twelve-week consultation with relevant stakeholders.
- 3.13 The results of the consultation will then be reported back to the Committee for consideration before the draft revised street trading policy is finalised and approved.

4. FINANCIAL IMPLICATIONS

- 4.1 The costs of reviewing the Council's Street Trading Policy and undertaking consultation will be met from existing budgets held by Worcestershire Regulatory Services and the Council.

5. LEGAL IMPLICATIONS

- 5.1 The Local Government (Miscellaneous Provisions) Act 1982 as amended allows local authorities to adopt provisions concerning the control of street trading. Under the Act there is no legal requirement for the Council to have a policy on how it proposes to control street trading under the Act.
- 5.2 However, it is considered best practice for a Council to adopt such a policy to encourage consistency and transparency in the way that its functions are carried out. It is also considered best practice to review any such policy adopted from time to time.
- 5.3 It is also considered best practice to carry out consultation on any such policy review, to minimise the risks of any legal challenge to any aspects of that policy.

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6. OTHER - IMPLICATIONS

Relevant Strategic Purpose

- 6.1 *Run and grow a successful business* - Supporting businesses through the licensing process by helping them to understand their responsibilities, which will enable them to prosper, and positively add to the District's business trading offering.
- 6.2 *Communities which are safe well-maintained & green* - Supporting businesses through the licensing process by helping them to understand their responsibilities. Supporting the balance of local economic vitality with public safety and visual amenity.

Climate Change Implications

- 6.3 No implications identified.

Equalities and Diversity Implications

- 6.4 Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 6.5 Having undertaken an initial equality impact assessment Officers will await the results of the consultation and carry out a full assessment if required.

7. RISK MANAGEMENT

- 7.1 It is considered best practise to have in place a clear and transparent policy that sets out the approach the Council takes in respect of Street trading and regularly review the policy to ensure that it remains fit for purpose.
- 7.2 It is also considered best practice to carry out consultation on any such policy review, to minimise the risks of any legal challenge to any aspects of that policy.

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 – Proposed draft street trading policy

Appendix 2 – Policy changes tracking