

Review of the Street Trading Policy and Application Guideline

Consultation Output Report

South Gloucestershire Council

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1. Key Findings

- Just over half of respondents (54%) said the application guidelines were clear on how to gain consent for street trading
- The majority of respondents (86%) would like to keep block consents
- The majority of respondents disagreed with the proposal to extend administration fees (79%, with 65% strongly disagreeing); the main reason given was that it would prevent community events from taking place
- Almost half of respondents (49%) have no opinion about the change from quarterly to annual payment periods. 27% agreed, and 23% disagreed, with their main reason being that annual charges might be less manageable to small, seasonal traders or one-off events

2. Consultation purpose, methodology and response

Research Objectives

The purpose of this consultation was to seek views from local residents and organisations on the Council's street trading policy and its application guidelines.

The reviewed policy contained two main proposed changes; an annual fee instead of quarterly, and the extension of the administration fee to cover community and non-commercial events.

Methodology

The consultation was open from 17th January 2019 until 20th March 2019

The consultation process was supported by a dedicated consultation webpage which hosted all consultation documents, an online survey and a paper survey to download. The online consultation system sent out a notification to registered users informing them of the consultation and providing links to this information:

<https://consultations.southglos.gov.uk/consult.ti/ST19>

As part of the consultation we also welcomed comments made online, by letter, email, or over the telephone and these contact methods were promoted on consultation literature.

Consultation information was sent to Town and Parish Councils, South Gloucestershire councillors and local voluntary and community organisations. Notifications were also sent to a range of other stakeholders and interested parties. All libraries and One-Stop Shops were also notified of the consultation details and asked to cascade the information to any interested parties.

A survey was available in online and paper format throughout the consultation.

Response

The consultation received a reasonable level of engagement, with 208 unique views of the webpage, 103 downloads of the draft application guidelines, 94 downloads of the draft policy and 84 downloads of the summary of changes. The survey received 218 responses, with 208 online submissions and 10 paper surveys completed. The council also received 3 emails, but no letters or telephone calls.

General Caveats

The results of this consultation may not be statistically representative of the views of South Gloucestershire residents due to the nature of the consultation methodology used. The level of response, information gathered and views obtained still provide a useful indicator of wider opinion and any important issues that will need to be considered.

Due to the software used and the different response options open to respondents, it was possible for people to submit more than one response. This has been monitored during the consultation period and analysis and while there were a very small number of identical comments submitted consecutively, it does not appear to be a significant issue affecting the overall response.

Any obvious duplicate comments, personal information and comments that can identify individuals, have been removed from the comments analysis.

Percentages used in this report have been rounded and may not add up to exactly 100%. For some survey questions, respondents could select more than one response which also means that percentages or number of responses, if added together, can total more than 100% or more than the number of responses received.

We have included all responses received direct to us as part of this consultation, and where our attention has been drawn to them, comments made via social media, have also been included. However there may have been other comments made in other media which we are not aware of. While there were too many comments to show all of them in full, a list of full comments are available upon request.

This report was produced by South Gloucestershire Council's Corporate Research & Consultation Team.

Further information about this report is available from the Corporate Consultation Officer:

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3. Survey Analysis

3.1. Overall Response

Just over half of respondents (54%) said the application guidelines were clear on how to gain consent for street trading, with only 9% saying the guidelines were unclear.

Table 1 Q1 “How clear are the Application Guidelines on what to do in order to gain street trading consent for an event?”

Response	% of Respondents
Very clear	12%
Quite clear	42%
Not sure	37%
Not very clear	4%
Very unclear	5%

Base: all respondents (n=215)

6 respondents specified what they felt needs clarifying, with about half of responses giving particular areas, while the other half felt the whole document was unclear. Responses can be seen in Table 2.

Table 2 Q2 “If you feel the Application Guidelines are not clear, please tell us which part(s) needs to be clarified”

All
For community events this is a complete non-starter. I have annotated the requirements below · One copy of a map (subject to copyright) showing the proposed trading site - CLEAR · One colour photograph of the proposed trading unit to be used - CAN'T BE DONE GIVEN WILL BE COLLECTION OF UNITS AND SOME CRAFT STALLS FOR EXAMPLE FOR BLOCK LICENCE · An original copy of Third Party and Public Liability Insurance for the proposed trading unit (at the point of application an original quote will be accepted but no consent will be granted without an original certificate of insurance being seen) - THIS HAS CHANGED. INSURANCE USED TO NEED TO BE PROVIDED IMMEDIATELY BEFORE THE EVENT NOT AT THE POINT OF APPLICATION. FOR COMMUNITY EVENTS WITH MANY TRADERS WHICH WILL BE COVERED MOSTLY (BUT NOT ENTIRELY) BY OWN INSURANCE THIS IS VERY ONEROUS INDEED. · Written permission for toilet provisions for all trading unit staff to use - CLEAR · Written permission from the landowner (if applicable) - CLEAR · Proof of address (original bank statement or utility bill) - PRESUMABLY FOR ORGANISER ONLY? NOT CLEAR · Proof of right to work in the UK (for documents required please see Appendix A) - NOT CLEAR FOR BLOCK CONSENT. IF A CHARITY TRUSTEE IS APPLYING FOR A COMMUNITY EVENT, WHAT DOES THIS MEAN? HAS BEEN IGNORED IN THE PAST BY THE COUNCIL BUT NEEDS CLARITY AS TO WHEN IT MUST BE PROVIDED FOR SUCH INSTANCE · For trade waste, original proof of a contract set up with a registered trade waste collection contractor - CLEAR · It is also a requirement that applicants must affix a (yellow) notice of the application in the immediate vicinity of the proposed trading site upon submission of the application. This must remain in place until the application is determined. (Blank yellow notices can be requested from the Licensing Service) - CLEAR
How to apply for consent
Not clear why it's even needed.
The guidelines are orientated around traders and does not take into account community groups. No issue with the law and want block trading and one off community events to continue, no issue with being charged for subsequent events (the first being free). The concern is the amount of licensing being asked for (£600-700). In terms of community based groups, there are limits to how the cost recovery can be achieved especially in the case of the Friends of Page Park where the location is public. If all visitors are charged to enter the event, ie having people taking the money at each gate and this can be as little as 1p each then there is no requirement for any licence at all. BUT in SGC Parks Rules and Regulations it states that no member of the public can be charged to go in a public park or on a green space. The council have said this could be considered to accommodate a community event but members of the public, not wanting to be part of the event but just want to visit the green space must be allowed in free. Once in there is little way of segregating people. The need to license v allowing access to public spaces seem to be in conflict and impractical to really implement at Page Park which has multiple entrances. A solution is needed to allow community groups to hold more than one event but not get caught up in costs that are not sustainable in building up the community with Page Park being the place to make that happen.
There is nothing in the guidelines describing the use of a one off annual community/charity event.

Base: respondents who gave suggestions for clearer guidelines (n=6)

Almost all respondents (97%) felt that one-off community events should be exempt from being classed as street trading

Table 3 Q3 “Should one-off community events be exempt from being classed as street trading? (Being exempt means that they do not currently have to apply for a street trading consent and pay the fee)”

Response	% of Respondents
Yes	97%
No	2%
Not sure	1%

Base: all respondents (n=218)

The majority of respondents would like to keep block consents (86% vs. 5% who would prefer to remove them).

Table 4 Q4 “Would you prefer block consents to be kept or removed?”

Response	% of Respondents
Keep block consents	86%
Remove block consents	5%
Not sure / no opinion	10%

Base: all respondents (n=218)

The majority of respondents disagreed with the proposal to extend administration fees (79% vs. 12% agree), with 65% strongly disagreeing.

Table 5 Q5 “To what extent do you agree with the proposal to extend the administration fee (in order to recover the Council's costs) so that it covers the following types of events (currently not charged for)?”

Response	% of Respondents
Strongly agree	4%
Tend to agree	8%
Not sure / no opinion	9%
Tend to disagree	14%
strongly disagree	65%

Base: all respondents (n=218)

The most common reason why respondents disagreed with the proposed change to fees was the belief this would prevent community events from taking place (74 comments), and that it was very important to support such events because they brought a great deal of value to residents' quality of life.

Community voluntary groups enhance the quality of people's lives, encourage social cohesion and encourage people to value their local open spaces and they are unable to afford such high costs when already having to pay for events security, performers, hire of equipment. These costs would prevent us putting on events and effect negatively sustainability of the park as money made by our voluntary events goes back into improving the park.

A number of respondents mentioned that it was already expensive to put on events, especially if they are non-profit, so the cost was too large and would prevent small events or stalls (43 comments). This was felt to be especially true for one off events (6 mentions)

Because community events are usually run by local people volunteering their time and efforts free of charge in order to bring the community together. These type of events rarely make a profit and any monies that are made are usually ploughed straight back into the community to support future events of a similar nature.

I feel that if the council were to start charging for these type of events this would really put people off getting involved in community events. When people are trying to do their best for the community by giving their time and efforts freely the council should support them not charge them!

Some respondents specified that it would be reasonable to charge commercial events as it would come out of their profits, but not fair to charge community or charity events, especially if they were not charging attendees (19 mentions).

Any event that is for a community or charity benefit should not pay the fee but any commercial venture, including Farmers Markets should pay.

17 respondents mentioned that charging charity or fundraising events takes money away from the community or positive actions the charity / group was aiming to achieve.

As they are not for profit or use the money for community projects seems charging them would give them less funds and may stop these events. Many of the groups use the money to improve our local environment where the council does not have the funds and therefore provide services the council does not.

Table 6 Q6 If you disagree please tell us why

Theme	No. of mentions
Will prevent community doing things for themselves for free / council should support community spirit by not charging / community events v. valuable	74
Already expensive to put on events - would deter / too expensive for small events	43
Ok for commercial events but not ok for free, community or charity	19
Will take money away from charities / fundraising	17
Don't believe costs are necessary / it's that expensive for council. Money making scheme	9
Not fair for one-off events	6
Residents already pay council tax	5
Street traders would pass on higher costs to consumers	3
Will prevent small traders and damage high street	2
Parks should be exempt	2
Could take a deposit that isn't returned if the event does cost the council money (e.g. Clearing litter afterwards)	1
Disagree - no reason given	1

Base: respondents who disagree with proposed extension of charges (n=127)

Almost half of respondents (49%) have no opinion about the change from quarterly to annual payment periods, and there is only a small difference between the minority who disagree (23%) and those who agree (27%).

Table 7 Q7 "The Council is proposing to change the payment period for street trading licences from quarterly to annually. To what extent do you agree with this change?"

Response	% of Respondents
Strongly agree	2%
Tend to agree	25%
Not sure / no opinion	49%
Tend to disagree	10%
Strongly disagree	13%

Base: all respondents (n=216)

The main reason respondents disagree is that the annual charge might be less manageable to small, seasonal traders or one-off events if badly timed with when they raise their funds (14 comments); 6 individuals specified the types of traders or organisations that would find this most difficult. Related to this, the second most frequent comment was that the cost was too large (8 mentions).

Most income whether from commercial ventures or community events comes in over the year. To expect an organisation to pay for street trading licences on an annual basis is unhelpful. After all you currently allow your council tax payers to pay over 10 months, so why expect street traders to pay annually rather than quarterly.

Table 8 Q8 If you disagree please tell us why

Theme	No. of mentions
Better if cost is spread over monthly / quarterly instalments	14
Cost too large	8
Not fair for one-off events / seasonal traders	6
Not fair / disagree	2
Would cause group to cease	1
Charge not fair when we are fundraising to help parks / paths which saves council money	1

Base: all respondents who disagree with annual charges (n=27)

3.2. Profile of survey Respondents

Table 9 Type of Respondent: Q9 Are you responding as?

Respondents	%
Base	214
A local resident	92%
A South Gloucestershire Council employee	0%
A parish or town council	1%
A local business	3%
A voluntary, community sector organisation	7%
Other	3%

Table 10 Type of Other Respondents: Q9a Other, please specify

Please specify:

Live near Page Park

Live close to Page Park

Page Park Friends

trustee of a charitable organisation but not on the organisation's behalf.

Local resident

I'm a local resident who enjoys community events and I volunteer my time to run a stall and donate a

Live near and attend lots of events in the Park

I live opposite PAGE Park and enjoy the social activities and fun raising and community cohesion

a retired resident who enjoys these events bringing the community together

Town Councillor

SGC Cllr

Resident and Community Volunteer

Involved with a couple of local Friends Groups.

Local resident

I work for a charity providing support to your residents and community events

I work for a charity based organisation but also live in south glos

Independent business owner trying to support my family and the community

Westerleigh Parish Council

A member of the Friends Of Page Park and South Glos Parks and Green Spaces Forum

Local resident

As a volunteer in a specific local activity.

i live in staple hill.

an individual who lives in Broad St and enjoys the park and the events put on there.

Live in south glos for 52 years till present

Highway Authority

Table 11 Organisations who respondent: Q9b If you are responding on behalf of an organisation, please specify

Comments
Friends of Page Park
Juice Community Project CIC
I help run a local service that depends on volunteers. Barking Mad North Bristol.
Imperial Winterguard
Abbotswood Action Group
Thornbury In Bloom
Friends of Page Park
Friends of southey park
Westerleigh Parish Council
Pucklechurch Parish Council
Highways England

Table 12 Q12 Your age:

Respondents	%
Base	209
Under 16	-
16- 24	1%
25 - 44	40%
45 - 64	34%
65 - 74	14%
Over 75	7%
Prefer not to say	4%

Table 13 Q13 Your gender:

Respondents	%
Base	206
Your gender:	
Female	65%
Male	30%
Prefer not to say	6%

Table 14: Ethnicity Aggregate based on Q15 “Your Ethnicity”

Respondents	%
Base	182
BAME and White	4%
Other	
White British	96%

Table 15: Q14 Do you consider yourself to be disabled?

Respondents	%
Base	206
No	86%
Prefer not to say	9%
Yes - Physical impairment	2%
Yes - Sensory impairment	-
Yes - Mental health condition	-
Yes - Learning disability/difficulty	0%
Yes - Long standing illness or health condition, such as cancer, diabetes, chronic heart disease or epilepsy	2%
Yes - Other (please state)	0%

4. Other representations

3 emails were received regarding this consultation

Respondent	Comments
Yate Town Council	<p>We strongly oppose this proposed additional cost and bureaucracy on events which have happened for many years quite satisfactorily, and whilst we strongly support this rule on the highway and land controlled by South Gloucestershire Council, we consider it inappropriate to regulate fairs and community stalls on privately owned land such as the Yate Heritage Centre.</p> <p>Regulating street traders is a good thing, on the public highway. But this goes well beyond this and regulates trading on Yate Town Council owned land.</p> <p>As we read the Policy, it defines 'Street' as including 'any other area to which the public have access without payment'. It bans any trading on any of them without a licence. We could apply for block consents for 'fetes, carnivals and similar events', but then become responsible for all traders and we must in our block consent include third party and public liability insurance covering all traders, or individual insurances for all traders - and give 8 weeks notice.</p>
Highways England	<p>Good afternoon,</p> <p>We make the following comments on your Street Trading Policy 2019:</p> <p>Refer to the following sections and clauses.</p> <p>Section 1.3c – we would like to discuss the proposal of exempting street trading activities on the A46 between M4 J18 and Nimlett MP 12.7 to 5.2. Highways England considers it needs to exercise greater control of trading on its highways, however please see comments below.</p> <p>Section 5 - Thank you for including us a consultee. We would like to discuss how we engage with South Glos Council if the application affects our route but we are minded to object and how we engage if we don't want to object.</p>

	<p>Section 6 item 3 - We're interested in litter and associated fly-tipping. How do you establish our views and our evidence on a highway that is not within your control. We can see advantages and disadvantages of including our network within your consent area. We want to provide the best service to the applicant, Highways England customers and the licensing team and would like to discuss which would be the best process to undertake for the licensing and Highway authority.</p> <p>Section 7 – is it worth considering road worthiness of the vehicles as they move on and off site at the end of each day</p> <p>Section 8 – our reading of the guidance is section 8 wouldn't apply to us as we would be involved earlier in the process, please confirm</p> <p>Section 9 – 9.5 ours views on section 6 are included at this stage</p> <p>I look forward to hearing from you as we are very keen to continue working with South Glos. I've made some excellent progress with Hayley Brock and Gary Meddick on improving litter clearance on the A46. And we see licensing as part of this improvement.</p> <p>Kind regards, Hollie</p>
<p>Wick and Abson Parish Council</p>	<p>I can confirm Wick and Abson Parish Council discussed this consultation at our February Council meeting and would like to advise we have noted the consultation and have no further input.</p>

Appendix – copy of survey



Review of the Street Trading Policy and Application Guidelines

South Gloucestershire Council is currently reviewing its Street Trading Policy, and is keen to receive the views of local residents and organisations on the current policy and the proposed changes. The draft policy and guidelines can be viewed at: www.consultations.southglos.gov.uk/consult.ti/ST19 or at local libraries and One Stop Shops

To have your say please complete this survey by **20th March 2019**

- Q1 How clear are the Application Guidelines on what to do in order to gain street trading consent for an event?
- Very clear
 Quite clear
 Not sure
 Not very clear
 Very unclear
- Q2 If you feel the Application Guidelines are not clear, please tell us which part(s) needs to be clarified:
-
- Q3 Should one-off community events be exempt from being classed as street trading? (Being exempt means that they do not currently have to apply for a street trading consent and pay the fee)
- Yes
 No
 Not sure
- Q4 At the moment, we provide 'block consents' which allow event organisers, if they wish, to apply on behalf of all the individual trading activities, instead of requiring each trader to get their own licences. Each trader is then issued with an individual consent.
- Would you prefer block consents to be kept or removed?
- Keep block consents
 Remove block consents
 Not sure / no opinion

Q5 To what extent do you agree with the proposal to extend the administration fee (in order to recover the Council's costs) so that it covers the following types of events (currently not charged for): *Non-commercial car boot sales, Farmers Markets, Fairs / Carnivals and other similar community based and run events*

- Strongly agree
- Tend to agree
- Not sure / no opinion
- Tend to disagree
- strongly disagree

Q6 If you disagree, please tell us why:

Q7 The Council is proposing to change the payment period for street trading licences from quarterly to annually. To what extent do you agree with this change?

- Strongly agree
- Tend to agree
- Not sure / no opinion
- Tend to disagree
- Strongly disagree

Q8 If you disagree, please tell us why:

About You

Q9 Are you responding as?

- A local resident
- A South Gloucestershire Council employee
- A parish or town council
- A local business
- A voluntary, community sector organisation
- Other

Please specify:

If you are responding on behalf of an organisation, please tell us its name.

Q10 Have you ever applied for a Street Trading Consent?

- Yes
- No

Q11 Please tell us your full postcode:

This section is really important as it helps us to gain a better understanding of the needs of different service users, the views of different people and how they could be impacted by any changes. This information will remain confidential and will be used for analysis purposes only. Your personal information will not be published and individuals will not be identified.

If you are responding on behalf of an organisation you do not need to answer these questions.

Q12 Your age:

<input type="checkbox"/> Under 16	<input type="checkbox"/> 45 - 64	<input type="checkbox"/> Prefer not to say
<input type="checkbox"/> 16- 24	<input type="checkbox"/> 65 - 74	
<input type="checkbox"/> 25 - 44	<input type="checkbox"/> Over 75	

Q13 Your gender:

<input type="checkbox"/> Female	<input type="checkbox"/> Male	<input type="checkbox"/> Prefer not to say
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Q14 Do you consider yourself to be disabled?

No

Prefer not to say

Yes - Physical impairment

Yes - Sensory impairment

Yes - Mental health condition

Yes - Learning disability/difficulty

Yes - Long standing illness or health condition, such as cancer, diabetes, chronic heart disease or epilepsy

Yes - Other (please state)

Other, please tell us:

Q15 Your ethnicity:

<input type="checkbox"/> Arab / Arab British	<input type="checkbox"/> Mixed/Multiple Ethnic Groups – White & Asian
<input type="checkbox"/> Asian/Asian British – Bangladeshi	<input type="checkbox"/> Mixed/Multiple Ethnic Groups – White & Black African
<input type="checkbox"/> Asian/Asian British – Indian	<input type="checkbox"/> Mixed/Multiple Ethnic Groups – White & Black Caribbean
<input type="checkbox"/> Asian/Asian British – Pakistani	<input type="checkbox"/> Mixed/Multiple Ethnic Groups – Other (please state)
<input type="checkbox"/> Asian/Asian British – Chinese	<input type="checkbox"/> White – English/Welsh/Scottish/Northern Irish/British
<input type="checkbox"/> Asian/Asian British – Other (please state)	<input type="checkbox"/> White – Irish
<input type="checkbox"/> Black/African/Caribbean/Black British – African	<input type="checkbox"/> White – Other (please state)
<input type="checkbox"/> Black/African/Caribbean/Black British – Caribbean	<input type="checkbox"/> Other ethnic group (please state)
<input type="checkbox"/> Black/African/Caribbean/Black British – Other (please state)	<input type="checkbox"/> Prefer not to say
<input type="checkbox"/> Gypsy or Traveller of Irish Heritage	

Other, please tell us:

Thank you for taking the time to respond to this survey, please return this survey or any comments before **20th March 2019** by post to: *South Gloucestershire Council, Corporate Research & Consultation Team, Council offices, Badminton Road, Yate, BRISTOL, BS37 5AF*

Any personal information that you have supplied will be held by South Gloucestershire Council in accordance with the Data Protection Act. This information will only be used as part of this exercise and personal information will not be published or passed onto any other organisation.