

APPENDIX B

STREET TRADING POLICY – SCHEDULE OF RESPONSES

	POLICY	RESPONSE RECIEVED	RESPONSE FROM AUTHORITY
1.	3.3 Anyone wishing to trade from a street in a designated area will be required to make an application to the Council.	I think this seems to be a popular trend and more young people are wanting to do it – I think the more we can encourage the better, although I would say stay away from areas that already have buildings for restaurants, cafes, anything similar to what may come in as street vendor. Also some of the streets that you have designated as possible to apply for I think could be dangerous for street trading, ie Hale Road to Ashley Road in Altrincham/Hale border, its very busy, and any street food vendor would need consideration for space required around them.	<p>The proposals in the Policy are to ensure that street trading is conducted fairly; safely and in accordance with regulation; that it does not cause an obstruction of any street or danger to any persons using it; and does not cause nuisance or annoyance.</p> <p>Therefore, the Council will always consider matters such as size of unit, articles being sold, footfall, location and nature of the area.</p>
2.	8.4 The Council may, at its discretion, reduce the fees detailed in Appendix 3 for a charity or where an applicant is operating on behalf of a charity. The applicant must provide evidence of their charitable status . such as their registered charity number, other evidence in writing that they are acting on behalf of a registered charity or any other information requested by the Council as appropriate. All other	<p>The reason we wish to object is we believe the proposals may impact on our ability (possibly shutting us down altogether) to operate our fundraising and food bank donation stall on matchdays. This would be to the detriment of our organisation, the local food banks we support and the many local members of the community who benefit from the food bank support or are members and use the stall or support through match day purchases.</p> <p>If it shuts down the operation of our stall the local</p>	<p>In response to the concerns raised it is proposed to amend paragraph 8.4 of the Policy to exempt those businesses registered as Community Benefit Societies from the requirement to pay a fee.</p> <p>It is considered appropriate that even where a business is street trading on a non-profit basis it should be subject to the same vetting procedures as those that trade for profit. There may still be concerns about the suitability of the person(s) trading; or that the trading may cause</p>

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<p>requirements in relation to the application and Street Trading terms or conditions remain.</p>	<p>community loses out.</p> <p>It is not clear to me whether we would be required to have a licence or prohibited from operating our stall altogether? Even if we were offered a licence the fees would make the operation of the stall uneconomic. We are not a commercial entity and have a small turnover on matchdays which covers our operation costs with a small amount of funds raised as surplus. We are primarily there as a contact point and match day presence and to accept foodbank charity donations.</p> <p>We have previously been assured that this policy is not aimed at organisations like us operating in the way we do but that is not clear to me based on reading the draft policy and the list of prohibited streets? I would really appreciate some clarification on the potential impact on us if you are able to assist with that?</p> <p>We have run a match day stall for 20 years without any issues being raised up until now. We are a non-profit Cooperative and Community Benefit Society and we use the stall to raise a small amount of funds through sale of merchandise primarily to our own members while also operating as a fundraising and collection point for donations to local food banks (Stretford and South Central Manchester). We have raised many thousands for our local foodbanks - approximately £60k to date.</p>	<p>an obstruction or a nuisance. Therefore, whilst it is proposed that there is a discretion to reduce the fees for charities; those acting on behalf of a charity or Community Benefit Societies; all other requirements in relation to the application of Street Trading terms or conditions would remain. This means that anyone wishing to trade on the streets in Trafford (whether on a non-profit or profit basis) must do so with a valid Street Trading Consent or Licence.</p> <p>The term “Street” includes any road, footway or other area to which the public have access without payment.</p>
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		We therefore ask you not to proceed with the proposed changes or at the very least to exempt non-profit organisations from being impacted.	
3.	8.4 The Council may, at its discretion, reduce the fees detailed in Appendix 3 for a charity or where an applicant is operating on behalf of a charity. The applicant must provide evidence of their charitable status . such as their registered charity number, other evidence in writing that they are acting on behalf of a registered charity or any other information requested by the Council as appropriate. All other requirements in relation to the application and Street Trading terms or conditions remain.	<p>Firstly, let me make clear that I have never done this, nor do I ever intend to. My interest is solely in respect of ...</p> <p>I really think your proposal is taking a sledgehammer to crack a nut.</p> <p>It seems an incredibly draconian step to extend these fees to encompass such premises-it almost smacks of persecution?</p> <p>I do object to it.</p>	See response at 2. above.
4.	8.4 The Council may, at its discretion, reduce the fees detailed in Appendix 3 for a charity or where an applicant is operating on behalf of a charity. The applicant must provide evidence of their charitable status . such as their registered charity number, other evidence in writing that they are acting on	<p>I am happy with this in principle for businesses</p> <p>Will there be any concessions made for the voluntary sector?</p> <p>For example a park group holding a fun day with stalls</p> <p>I wouldn't like to stifle this sort of activity.</p>	<p>In response to the concerns raised it is proposed to amend paragraph 8.4 of the Policy to exempt charities and those acting on behalf of a charity from the requirement to pay a fee.</p> <p>It is considered appropriate that even where a business or individual is trading on</p>

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	<p>behalf of a registered charity or any other information requested by the Council as appropriate. All other requirements in relation to the application and Street Trading terms or conditions remain.</p>	<p>Thanks</p>	<p>a non-profit basis they should be subject to the same vetting procedures as those that trade for profit. There may still be concerns about the suitability of the person(s) trading; or that the trading may cause an obstruction or a nuisance. Therefore, whilst it is proposed that there is a discretion to exempt from the fee charities; those acting on behalf of a charity or Community Benefit Societies; all other requirements in relation to the application of street trading terms or conditions would remain. This means that anyone wishing to trade on the streets in Trafford (whether on a non-profit or profit basis) must do so with a valid Street Trading Consent or Licence.</p>
<p>5.</p>	<p>4.2 Traders who may be certified as pedlars but who do not trade in a manner consistent with that designation, for example by trading from substantially static positions using trolleys or display devices, will be asked to apply for a Street Trading Licence or Consent. Enforcement action may be taken against those who continue to trade as a Street Trader but without obtaining the relevant Licence or Consent.</p> <p>The term "Street" includes any</p>	<p>hi just wondering what has changed from last season and if you will remove all the peddlers that are everywhere or police it I already pay for being on private land where the owner has Curtilage to sell outside his property so I'm confused as what we are paying for as peddlers just plot up any where they wish for I believe to £25 a year many thanks</p>	<p>The Council is committed to improving controls on illegal hawkers and peddlers to protect legitimate Street Traders. However, the mobile nature of this activity in the context of 76,000 people arriving and leaving in a short space of time makes this a particularly difficult task without considerable expense. The Council will continue to work with the Police to ensure all of the agencies co-ordinate to maximise the effectiveness of enforcement activity.</p> <p>See also response at 7. below.</p>

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	road, footway or other area to which the public have access without payment. The holder of a Licence may require the permission of the landowner or other person to trade on any private land which constitutes a street for these purposes.		
6.		I would like to mirror the concerns ... are having Please can we exclude charities and community groups from this when it is a not for profit activity?	See response at 2. above.
7.	4.2 Traders who may be certified as pedlars but who do not trade in a manner consistent with that designation, for example by trading from substantially static positions using trolleys or display devices, will be asked to apply for a Street Trading Licence or Consent. Enforcement action may be taken against those who continue to trade as a Street Trader but without obtaining the relevant Licence or Consent.	I am writing to object to the proposed Street Trading Pitch fees that you intend to introduce for the following reasons: 1. We already pay a substantial rent to our landlord – and trade according to the law and in collaboration with and alongside our fellow traders and feel that a consent fee of £1,076 on top of our rent is grossly unfair and would be deemed as trading inequality. 2. We currently hold a street trading license so do not fall into the category of traders who 'trade on private land without consent, directly or adjacent to traders on public land who are required to obtain a street trading license'. 3. How would paying for 'Trading consent' support and sustain street trading in Trafford by ensuring that street	Trafford Council prohibits street trading on certain streets and requires street trading consents to be obtained for the sale of articles from public land. The Council does not currently require a Street Trading Consent or Licence to be obtained where sales are made from private land. The Council has reviewed its policy and its aim to support and safeguard the sustainability of street trading in Trafford by ensuring that Street Trading procedures are consistent, appropriate and fair and in line with best practice nationally.

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		<p>trading procedures are consistent, appropriate and fair and in line with best practice nationally, when we have already achieved this by obtaining a street trading license and are subject to regular checks to ensure procedures are implemented and adhered to already? We would also request that you demonstrate transparency and accountability for the 'considerable expense' expected to 'improving controls on illegal hawkers and peddlers to protect legitimate Street Traders'. Please can you advise where these figures can be obtained?</p>	<p>It is not considered fair or appropriate that traders should be able to trade from private land without consent, directly adjacent to traders on public land who are required to obtain a street trading consent or licence. Many of these traders are located in the area around MUFC and Lancashire County Cricket Club (LCCC) on land which will adjoin licence streets.</p> <p>The legislation allows the Council to require consent to be obtained for the sale of articles from private land to which the public have access without payment and this would be consistent with the approach taken throughout GM and nationally. The policy therefore proposes that traders on private land should be required to obtain a street trading consent.</p> <p>The Council's responsibility is to ensure that street trading is carried out safely and legally and is not responsible for the charges imposed by private landowners on those who trade on their land.</p> <p>The Council spends a considerable amount of money enforcing Health and Safety, Trading Standards, Illegal Trading, Illegal parking, Traffic flow etc, all of which is to the benefit of existing Traders. The Council also has to clean and take away the litter generated by Street Trading (see below). The current charges,</p>
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8.		<p>I myself have been trading on private land at old Trafford for numerous Years I pay rent and fees to the land owner and it does not fit to pay the council as well I object to the law you are trying to enforce regarding having to pay for a licence as well in uncertain and struggling times</p>	<p>See response at 7. above.</p>
9.		<p>We have reviewed the Council's Proposed Street Trading Policy 2023 (Version: 2.0) and have discussed this with our client and with you on the telephone. Our client notes that the Council has taken account of its previous representations in relation to the Council's Proposed Street Trading Policy 2022. It notes that Sir Matt Busby Way is</p>	<p>It is not proposed to change the Policy to give grandfather rights to traders who currently trade on private land without a licence. One of the aims of the Policy is to allow the Council to apply the rules and conditions contained within the Policy to those who trade on private land in the same way as</p>

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		<p>no longer to be a prohibited street, which is welcome, as the Council will be able to issue Street Trading Licences on this street.</p> <p>Our client is concerned that the Council has not specified in the Policy where permitted pitches will be located in Zone A. It currently has an agreement with ... to trade on its land ... on matchdays and it would also be prepared to pay a fee to the Council for a licence to continue to trade in this location. However, it is concerned that, if adopted, the new Policy could be used to prohibit trading on the ... private land. If the Policy is used to prevent trading on private land in this location, then our client's existing business could be extinguished.</p> <p>We therefore feel that the new Policy should acknowledge that certain operators have historically traded on private land in the vicinity of Old Trafford and that these traders should be given priority to obtain a Street Trading Licence for their current pitches. ... would also like to point out that it has traded on the ... land for 10 years without any complaint and it would therefore be most unfair for the introduction of a new Street Trading Policy to be used to prohibit its trading in this location in the future. Our client would welcome a discussion with the Council about how pitches can be allocated in this location so that the issue of trading on private land can be regularized.</p>	<p>for those who trade on the public highway.</p> <p>Therefore, whilst it is not the intention of the Policy to prevent those who currently trade on private land from continuing to trade at those locations; they would be required to apply for a street trading licence or consent and the application would be assessed in accordance with the determining factors outlined in the Policy. It would not seem appropriate, for instance, to allow a trader to continue to sell an item which is prohibited under the policy under grandfather rights; or for a trader that who has caused nuisance in the past when trading on private land to continue to trade at that location.</p>

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10.		<p>As a current street licence holder I appreciate the opportunity to comment on the proposed policy for street trading in Trafford, thank you!</p> <p>The policy in the main is comprehensive and clear, however I would like to mention a couple of points that need to be considered for inclusion either in the main body of the document or as a public Q & A type document. I think the council need to look at this policy from both angles, the local government and the public or proposed street traders perspective.</p> <ol style="list-style-type: none">1. What are the licensing departments service level agreements e.g application submitted what is the turnaround time for a response? A licensee emails the street trading licence department how quickly can they expect a reply and if this doesn't happened how does a member of the public raise this and who too?2. Who are the accountable people at the council who make the decisions, these people need to be named with contact details attached?3. What is the escalation process if a member of the public/proposed licensee does not agree with an outcome or decision and feels they have justifiable reasons?4. Is there going to be an appeals type process?	<p>The Council will provide detailed instructions on how to apply for a consent; the time-frames involved and the decision-making process. The information will be provided on the Council's website and will be sent to all those who may be impacted by these proposals prior to the implementation of the Policy.</p>
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