

Review of Street Trading Policy

APPENDIX TO SUPPORT THE SUMMARY REPORT

Appendices A – D for the review of Street Trading Policy report. The report and appendices are available to view on our [consultation webpage](#).

DECEMBER 2024



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Note: Any personal information supplied to us within the comments that could identify anyone has been redacted and will not be shared or published in the main consultation report or this appendix. Further information on data protection is available in our general consultation’s privacy statement on our [South](#) or [Vale](#) website; some comments received were blank responses; some spelling, grammatical and punctual errors in the original comments raised were corrected in the main consultation report; a full list of unedited comments can be found in this appendix.

APPENDIX A – SURVEY

A copy of the paper comment form is below; it is based on the online survey.



Review of Street Trading Policy Survey

Please return this comment form by **11.59pm on Tuesday 26 November 2024** to Freepost SOUTH AND VALE CONSULTATIONS (no other address information or stamp is needed).

You should have been sent a copy of the current policy, proposed policy and the summary of changes document along with this comment form.

South Oxfordshire and Vale of White Horse District Councils are in the process of reviewing the joint Street Trading Policy. We last reviewed this in 2011, and since then street trading in the districts has become more popular which has identified gaps within the policy.

We are proposing amendments to the policy to help resolve those issues and provide more clarity on street trading in the area. The amendments include updates to community and charity events, markets, single-use plastic, supporting document requirements, and lots more. We are also proposing to add into the policy the advice we currently give to applicants who wish to trade from multiple sites.

You can view a summary of the changes, current and proposed policies available alongside this comment form.

This survey will run from Tuesday 15 October until 11.59pm on Tuesday 26 November 2024.

What happens next?

Once the consultation has closed, we will review the comments raised and publish a summary report on our website. The results will be presented to the councils' General Licensing Committees who will consider these when they make the final decision on the policy.

If you have any questions about this survey or require it in an alternative format (for example large print, Braille, audio, Easy Read and alternative languages) please email jointheconversation@southandvale.gov.uk or call **01235 422425**.

Personal details

If you are responding as a street trader/business we ask you to provide the first part of its postcode, business name and which district you trade in - the summary report will include this information.

If you are responding in your capacity as a council, councillor or council officer, we ask you to provide the name of your council - the summary report will also include this information.

If you are responding as an individual/member of the public, we ask for the first part of your postcode only, you are not required to provide your name or contact details. Any personal information you provide to the council within your comments that could identify you will not be published in the summary report.

The survey includes equality questions at the end. All questions are optional. All information is confidential and will only be used to help us monitor whether views differ across the community. Further information on data protection is available in our privacy statement.

About you

Q1. Are you responding as:

- A street trader/business
- A district, county or town/parish council
- A district, county or town/parish councillor
- A district, county or town/parish officer
- An individual/member of the public
- Other (please specify below):

Q2. So we can understand if we've reached everyone we need to, please tell us the first part of your postcode in the box below, e.g. OX11 7

Q3. Which district(s) do you trade in?

- South Oxfordshire

- Vale of White Horse
- Both
- Other (please specify below)

Q4. What is the name of the business or council you are responding on behalf of?

About this survey

This survey will give you the opportunity to comment on the proposed Street Trading Policy.

We have identified the **key proposed amendments and additions** to the policy, which are listed below:

- Decision Making
- Special Temporary Events
- Multiple Site Traders
- Public Notices for Applications
- Environmental Sustainability (single-use plastic)

Minor amendments and additions are also being proposed to the policy to add clarity and update legislation where required. If you wish to comment on the minor changes/additions, you will get the chance to provide your comments at the end of the survey.

Decision Making

This section of the survey is in relation to decision making. We are proposing to amend the Street Trading Policy to:

- clarify that **any** applications can be referred to the Licensing Panel if there are any objections or substantiated complaints, not just new applications and public objections.
- give the relevant Head of Service at the councils the ability to revoke consents if the site is no longer viable or the consent holder is no longer able to comply with conditions.

The amendments to the policy are to address the current issue that renewal or variation applications with objections do not have a clear route of determination, and also to give council officers the ability to react quickly in cases where there are serious issues with an existing trader.

You can view the proposed wording for this section below.

The Head of Communities is authorised to:

- a. issue street trading consents and attach such conditions as are considered reasonably necessary under the Local Government (Miscellaneous Provisions) Act 1982*
- b. vary the conditions attached to an existing street trading consent when necessary to promote public safety and/or prevent nuisance or annoyance to affected parties.*
- c. refuse any application for a consent that:
 - (i) in the opinion of the Head of Communities does not comply with the council's policy or consent conditions,*
 - (ii) has been subject to objections from Thames Valley Police, Oxfordshire Fire and Rescue Service or Oxfordshire County Council highways on the grounds of public or highway safety.**
- d. refer consents granted to existing street traders to the street trading panel when there has been a substantiated complaint about the trader or the trader has breached the conditions of his/her street trading consent.*
- e. refer any applications for street trading consents to the street trading panel when valid objections have been received or complaints are substantiated.*
- f. revoke a consent if a site is no longer viable or the consent holder is no longer able to comply with conditions.*

Q5. How far do you agree or disagree with this proposed change to the decision making section of the policy?

- Agree
- Neither agree nor disagree
- Disagree
- Not applicable

Q6. If you have any other comments, please provide them below.

Special Temporary Events

We are proposing to include a **new section** to the Street Trading Policy in relation to special temporary events such as a Christmas fayre, which will provide more flexibility for applicants who wish to provide street trading only for a short period of time.

You can view the proposed wording for this section below.

8.1 *For special temporary events, such as a Christmas fayre, the councils may issue special temporary event consents at a reduced fee. It is not expected that such events would last longer than 72 hours, or occur more frequently than once in any four week period.*

8.2 *All applications should be made at least 28 days prior to the special temporary event to ensure there is enough time for the application to be processed, and the standard application process will apply.*

8.3 *The consent will be issued for the duration of that special event only and will be to a named individual who will be responsible for compliance with the conditions of the consent.*

8.4 *The consent holder will be required to keep records of all traders that operate under their consent including the date, trading location, trader name and company name, address, vehicle registration, contact numbers and items being offered for sale.*

8.5 *Special temporary events consents do not provide exclusive control over trading in the designated area.*

Q7. How far do you agree or disagree with the following proposed sections for special temporary events:

	Agree	Neither agree nor disagree	Disagree	Not applicable
Section 8.1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Section 8.2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Section 8.3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Section 8.4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Section 8.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q8. If you have any other comments, please provide them below. If you wish to provide comments on multiple sections, please make it clear which section you're referring to.

Multiple Site Traders

We are proposing to include a **new section** to the Street Trading Policy in relation to multiple site traders. This section will provide clarity for traders who provide a service at a number of different locations throughout the district.

You can view the proposed wording for this section below.

9.1 *Street trading on private land such as pub and social club car parks, and village hall and community centre car parks is growing in popularity. This type of activity falls within the definition of street trading and needs to be suitably controlled.*

9.2 *Where there are multiple traders operating similar businesses from one site, where simultaneous applications are submitted, the consultation may be combined to reduce the consultation fee payable. In addition, further consultations to add to or change the traders at a site will not generally be required unless there has been a material change in the area, or complaints or concerns have been raised in respect of existing traders.*

9.3 *An agent or other nominated person will be responsible for coordinating the consultation process and be the point of contact for all matters relating to the application.*

9.4 *Applicants must follow the remainder of the application process as set out in this policy. Any site-specific conditions issued to other consents for the same site would apply to any consent granted.*

9.5 *Each trader must pay a consent fee before the consent is issued.*

Q9. How far do you agree or disagree with the following proposed sections for multiple site traders:

	Agree	Neither agree nor disagree	Disagree	Not applicable
Section 9.1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Section 9.2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Section 9.3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Section 9.4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Section 9.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q10. If you have any other comments, please provide them below. If you wish to provide comments on multiple sections, please make it clear which section you're referring to.

Public Notices for Applications

Currently, we are responsible for displaying street trading notices for new sites in consent locations across the districts. The new proposed policy will ask applicants to

display the notice and provide evidence of this to us, for greater consistency with other legislation.

You can view the proposed wording for this section below.

Residents will be alerted to street trading applications via a yellow A4 notice erected by the applicant at the proposed consent location. The relevant town or parish council and district ward councillors will be consulted on applications for street trading consents in their area.

Q11. How far do you agree or disagree with this proposed change?

- Agree
- Neither agree nor disagree
- Disagree
- Not applicable

If you have any other comments, please provide them below.

Environmental Sustainability (single-use plastic)

We are proposing to add a **new section** to the Street Trading Policy in relation to environmental sustainability as follows:

Food traders will be expected to use biodegradable materials for packaging of food served wherever possible and all single-use plastics should be avoided. Consents for traders utilising any single-use plastics will only be granted where the applicant can demonstrate there is a justified reason for their use.

This section has been included in the policy to emphasize the importance of ensuring street trading has minimal impact on the local and global environment, including packaging, waste minimisation, recycling and waste disposal, sustainable sourcing of food and drink and confirming the single-use plastic ban/restrictions.

In addition, the Street Trading Policy will also include a definition of single-use plastics and a brief explanation in connection with new legislation.

Single-use plastic includes single-use plastic plates, cutlery, expanded and extruded polystyrene food and drink containers.

Supply of the following single-use plastic items is banned:

This includes single-use plastic plates, cutlery, expanded and extruded polystyrene food and drink containers.

Supply of the following single-use plastic items is banned:

- *polystyrene food and drink containers*
- *drinks stirrers*
- *cutlery*

Supply of the following single-use plastic items have restrictions:

- *plates, bowls and trays (a plate filled at the trading van would be acceptable) – NB this does not include polystyrene which is banned, as above*
- *straws (must be kept where customers cannot see them or help themselves to them, only give straws to customers that request them and not offer them to customers either verbally or in writing)*

More information can be found at **www.gov.uk/guidance/single-use-plastics-bans-and-restrictions**

Q12. How far do you agree or disagree with the proposed inclusion?

- Agree
- Neither agree nor disagree
- Disagree
- Not applicable

If you have any other comments, please provide them below.

Minor amendments/additions to the Street Trading Policy

Minor amendments and additions are also being proposed to the Street Trading Policy to provide more clarity on street trading in the area and update legislation where required.

You can view the proposed minor amendments/additions in the proposed changes document available alongside this comment form.

Q13. If you have any comments on the proposed minor changes provided in the document, please provide them below. If you wish to provide comments on multiple sections, please make it clear which section you're referring to.

Our commitment to equal access for all

We are committed to making sure that residents have equal access to all council services. Please help us to keep track of how successfully we are achieving this by ticking the appropriate boxes below.

All questions are optional. All information is confidential and will only be used to help us monitor whether views differ across the community.

Q14. What is your sex?

- Female
- Male
- Prefer not to say

Q15. Is the gender you identify with the same as your sex registered at birth?

- Yes
- Prefer not to say
- No (please specify below)

Q16. How old are you?

- Under 16 45-54 Prefer not to say
 16-24 55-64
 25-34 65-74
 35-44 75+

Q17. What is your ethnic group?

White

- English, Welsh, Scottish, Northern Irish, British
 Irish
 Gypsy or Irish Traveller
 Roma
 Any other white background (you can specify below)

Asian or Asian British

- Indian
 Pakistani
 Bangladeshi
 Chinese
 Any other Asian background (you can specify below)

Black or Black British

- Caribbean
 African
 Any other black, black British, Caribbean or African background (you can specify below)

Mixed or Multiple Ethnic Groups

- White and Black Caribbean
 White and Black African
 White and Asian
 Any other mixed or multiple background (you can specify below)

Other Ethnic Group

- Arab
 Any other ethnic group (please specify below):

Q18. Do you have any physical or mental health conditions or illness lasting or expecting to last 12 months or more?

- Yes
- No (skip to the end of the survey)
- Prefer not to say (skip to the end of the survey)

Q19. Do any of your conditions or illnesses reduce your ability to carry out day to day activities?

- Yes, a lot
- Yes, a little
- Not at all

Q20. How did you hear about the Review of Street Trading Policy?

- District Council social media accounts (e.g. Facebook, X (Twitter), Instagram)
- Other social media accounts
- Nextdoor
- Email
- Letter
- Our website
- Another website
- Word of mouth
- Parish Council
- Other (please specify below)

How to send this form back to us

Please return this comment form by **11.59pm on Tuesday 26 November 2024** to **Freepost SOUTH AND VALE CONSULTATIONS** (no other address information or stamp is needed).

APPENDIX B – ENGAGEMENT COMMUNICATION

A copy of the email notification sent out to street traders/businesses, town and parish councils and councillors in South Oxfordshire and Vale of White Horse is provided below.

[View this email in your browser](#)



South Oxfordshire
District Council



Vale of White Horse
District Council



Join the Conversation

Review of Street Trading Policy Survey

Dear << Test First Name >>

South Oxfordshire and Vale of White Horse District Councils are in the process of reviewing the joint Street Trading Policy. We last reviewed the policy in 2011, and since then street trading in the districts has become more popular which has identified gaps within the policy.

We are proposing amendments to the policy to help resolve those issues and provide more clarity on street trading in the area. The amendments include updates to community and charity events, markets, single-use plastic, supporting document requirements, and lots more. We are also proposing to add into the policy the advice we currently give to applicants who wish to trade from multiple sites.



This survey is running from **Tuesday 15 October until 11.59pm on Tuesday 26 November 2024.**

Click here to take part in the survey

Please note, this is a unique survey link just for you and is connected to your email address. If you would like to forward this email to anybody else, please refer them to the [public link to the survey](#).



If you are unable to complete the street trading policy survey online, have any queries about the survey or require it in an alternative format (for example: large print, Braille, audio, Easy Read or alternative languages) please call the licensing team on 01235 422556.

Data protection: Please refer to our privacy policy regarding how your personal data is used for this consultation, available on our websites: [South Oxfordshire](#) and [Vale of White Horse](#). If you would like to know more about the council's data protection registration or to find out about your personal data, please visit: [Vale of White Horse data protection webpage](#) or [South Oxfordshire data protection webpage](#).

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe](#)

A copy of an article published in the Economic Development team's newsletter is provided below.

South Oxfordshire and Vale of White Horse District Councils are reviewing their joint Street Trading Policy for the first time in over a decade and they want your input! The councils are proposing updates to ensure it encourages the vibrant and expanding street trading scene as well helping to tackle the environmental impact of single-use plastics.

If you are a street trader, or host street traders at your premises, we want to hear from you! Just visit southandvale.gov.uk/StreetTrading

APPENDIX C - MINOR AMENDMENTS/ADDITIONS TO THE STREET TRADING POLICY

A copy of the minor amendments/additions to the Street Trading Policy is provided below.

Policy Section	Name of Policy Change	Summary of Policy Change
Glossary	Activities not requiring consent	Additional reference to the Highways Act 1980 added for clarity
Glossary	Street	Additional reference to privately owned land as per relevant case law
3.1	Amended review period	There is no statutory review period for this type of policy, so we have clarified that we aim to review the policy every five years.
4.12	Removed grandfather rights section	Not relevant to this policy as relates to a transitional arrangement in 2014
6.1	Markets	Wording change to provide clarity on the exemption in the legislation
7.1	Community and charity events	Added in a requirement for such events to be notified to the council and clarified that a temporary event notice need only be submitted if required under the Licensing Act 2003
10	Mobile street trading	Clarified that mobile street traders will not generally be subject to the consultation process
11.1	Consultees	Added in examples of the bodies consulted, which may vary depending on the location and type of trader.
11.2 (b)	Crime and disorder and safeguarding	New section to replace previous section on public order with wider range to ensure protection of the public
11.3(b)	Consultation fee	Change wording from application fee to consultation fee – to clarify the work this fee covers [consent fee which is payable by all applicants is detailed in 11.5 of the proposed policy]
11.3 (c) 11.6 (c) 11.9 (c)	Requirement to provide a basic DBS certificate	Added requirement to provide a basic DBS certificate to ensure applicants are safe and suitable to work as a street trader as they could come into contact with lone children and vulnerable adults

11.3 (d) 11.6 (d) 11.9 (d)	Requirement to provide proof of right to work	Added requirement to provide proof of right to work to ensure applicants are permitted to work in the UK before a consent is issued.
11.3 (e) 11.6 (f)	Landowner permission	Amended to confirm that applications for pitches on highway and mobile street trading consents do not require landowner permission.
11.3 (i) 11.6 (h) 11.9 (g)	Electrical/gas safety certificates	No valid reason to insist certificates should be no older than 28 days as long as within the recommendation from the professional body/competent person.
11.8	Renewal applications	Added in guidance on the time required for council officers to process a renewal application before the consent expires
11.10	Transfer	Removed information on the transfer of consents as there is no legal provision to do this (mention in Fees section of policy also removed, and conditions in Annexes 1 and 2).
11.11	Sub-letting of trading vehicle/pitch	Added clarification which refers to the condition of the consent that would be breached by sub-letting.
11.12	Determination of applications	Confirm that all decisions are made on the merits of the individual case having regard to the application, relevant policy and guidance, and any objections or concerns received. Some duplication also removed from this section in general.
11.16	Mediation	Clarify that if changes to the application and or/conditions can be agreed with all parties which address any concerns, then a consent may be issued with those amendments.
12.1 and 12.2	Fees	Clarification in respect of what fees cover and that refunds are not payable where consents are surrendered (latter also amended in conditions in Annexes 1 and 2).
13.2	Conditions	Confirm that Annex 1 conditions of the policy would apply to multiple site traders and special temporary consents

Annex 1 (6) and Annex 2 (10)	Added single use plastic ban/restriction legislation and updated food hygiene regulations	Added the law and a link to the guidance – also detailed in glossary under single use plastic and 11.2 (j)
Annex 3	Guidelines on the suitability of applicants	New section – To provide clarity on whether an applicant is suitable to hold a consent which may be informed by the contents of their DBS disclosure or comments received from other sources.

NB Where sections have simply moved or there have been minor changes to wording for clarity, this is not included in the above table as a change. References to the Head of Service have been updated also.

APPENDIX D – EQUALITIES DATA

What is your sex?

Respondents were asked what their sex is, 57% are males and 33% are females.

	Total	Percent
Female	16	33%
Male	28	57%
Prefer not to say	4	8%

Is the gender you identify with the same as your sex registered at birth?

86% of respondents said that the gender they identify with is the same as their sex registered at birth.

	Total	Percent
Yes	42	86%
Prefer not to say	5	10%
No (please specify below)	1	2%

How old are you?

28% of respondents are aged between 65 to 74 years old, followed by 22% from 55- to 64-year-olds.

	Total	Percent
25-34	1	2%
35-44	4	8%
45-54	9	18%
55-64	11	22%
65-74	14	28%
75+	6	12%
Prefer not to say	3	6%

What is your ethnic group?

75% of respondents are from the following ethnic group: White - English, Welsh, Scottish, Northern Irish, British.

	Total	Percent
White - English, Welsh, Scottish, Northern Irish, British	37	75%
White - Irish	1	2%
Any other White background (you can specify below)	3	6%
Mixed or Multiple Ethnic Groups - White and Asian	1	2%
Any other Mixed or Multiple background (you can specify below)	1	2%
Any other ethnic Group (you can specify below)	1	2%

Prefer not to say	3	6%
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Other (please specify below)

- *Why do you need to know this? - stop ticking boxes.*
- *Anglo-Austrian*
- *Jewish (non - orthodox)*

Do you have any physical or mental health conditions or illness lasting or expecting to last 12 months or more?

67% of respondents do not have a physical or mental health conditions or illness lasting or expecting to last 12 months or more.

	Total	Percent
Yes	12	24%
No	33	67%
Prefer not to say	3	6%

Do any of your conditions or illnesses reduce your ability to carry out day to day activities?

Of the 24% that have a physical or mental health conditions or illness, 12% said their conditions or illnesses reduce their ability to carry out day to day activities by a little.

	Total	Percent
Yes, a lot	3	6%
Yes, a little	6	12%
Not at all	4	8%

How did you hear about the Review of Street Trading Policy?

The majority of respondents heard about the Review of Street Trading Policy via email (75%), followed by the council's social media account (14%).

	Total	Percent
District Council social media accounts (e.g. Facebook, X (Twitter), Instagram)	7	14%
Other social media accounts	2	4%
Nextdoor	1	2%
Email	37	75%
Letter	3	6%
Our website	2	4%
Another website	0	0%
Word of mouth	2	4%
Parish Council	3	6%
Other (please specify below) <ul style="list-style-type: none"> • <i>I am a district councillor not replying 'on behalf' of the council</i> 	3	6%