

HIGH PEAK BOROUGH COUNCIL

Report to The Executive

26 April 2018

TITLE:	Minor Amendments to Street Trading Consent Policy to include Charitable Events
PORTFOLIO:	Councillor Kemp – Executive Councillor for Tourism, Regeneration and Licensing
OFFICER:	Alicia Patterson - Operations Manager (Regulatory Services)
WARD:	Non specific

Appendix 1 - Street Trading Consent Policy

Appendix 2 - Amended Street Trading Consent Policy

1 Recommendations

- 1.1 That The Executive considers the amendments to the current Street Trading Consent Policy to include provision for charitable events as detailed below.
- 1.2 That The Executive approves the amended Street Trading Consent Policy attached at Appendix 2.

2 Executive Summary

- 2.1 The Council's licensing section have been approached by a number of event organisers and have been asked for a concession to recognise their charitable events and reduce or waive the current cost of the street trading fees to enable the events to continue within the Borough.
- 2.2 On 1st October 2008 the Council re-designated the streets in High Peak in accordance with Schedule 4 of the Local Government (Miscellaneous Provision) Act 1982 and introduced a Street Trading Consent Policy to provide a transparent framework for the decision making process, and to ensure that the system operated within the constitutional arrangements.

- 2.3 The current Street Trading Consent Policy was introduced in 2014 but does not make provision for charitable events within the Borough. It is proposed, therefore, that the Council's policy is amended to allow for charitable events to receive a Street Trading Consent without a charge being applied.
- 2.4 It is proposed that the following additional paragraphs be added to the Council's Street Trading Consent Policy:-
- If the event is charitable and all of the profit from these stalls or units will be donated to the charity then a Charitable Street Trading Consent can be applied for. Please apply at least 21 days prior to the event taking place. There will be no charge for these consents. Your charity will need to be registered with the Charity Commission to qualify for this consent, or you will need to supply a detailed account of donations to registered charities within six weeks of the event.
 - If the event is charitable and all of the profits go to the charity, but you have invited itinerant traders to come to the event to provide food and refreshments to persons attending the event, then these traders will need their own Street Trading Consent.

3 Options

To approve the proposed amendments to the Street Trading Consent Policy or consider further changes.

4 Implications

4.1 Community Safety - (Crime and Disorder Act 1998)

The appropriate enforcement of licensing legislation in partnership with agencies is a key tool in assuring the maintenance of community safety.

4.2 Workforce

None arise directly from this report.

4.3 Equality and Diversity/Equality Impact Assessment

This report has been prepared in accordance with the Council's Diversity and Equality Policies.

4.4 Financial Considerations

The discharge of inspection and enforcement functions have been included within previous budget calculations for the services.

4.5 Legal

The requirements of the various licensing legislation places a duty on licence holders under the criminal law. In enforcing the conditions relating to this legislation the Licensing service has powers to undertake prosecutions relevant to the offences identified.

4.6 Sustainability

None arise directly from this report.

4.7 Internal and External Consultation

As detailed in the report.

4.8 Risk Assessment

As detailed in the report.

Mark Trillo
Executive Director (People) and Monitoring Officer

Background Papers	Location	Contact
N/A	Licensing Office, High Peak Borough Council	Alicia Patterson – Operations Manager