

Street Trading

Have your say!

2017

Please read the consultation information and give us your views by 5pm on Wednesday 26 April 2017 by answering this questionnaire.

Send your completed questionnaire and any other written comments to Jamie Buckley, Communications, East Devon District Council, Knowle, Station Road, Sidmouth, EX10 8HL.

1. Which one of the following best describes the capacity in which you are completing this questionnaire:

Please select one answer only

- A street trader
- A local resident
- A visitor to East Devon
- A local business owner with fixed premises within East Devon
- As an organiser of street trading or the official representative of an organisation that arranges events involving street trading. Please note we are asking each organisation to just complete one questionnaire on behalf of your organisation. You and other members of your organisation can complete separate questionnaires with your own personal viewpoint if you wish to.
- The official representative of an organisation, such as a Town Council. Please note we are asking each organisation to just complete one questionnaire on behalf of your organisation. You and other members of your organisation can complete separate questionnaires with your own personal viewpoint if you wish to.
- Other - please tick and write in the box below:

2. Fill in the box below with the relevant information. If you are completing this questionnaire as:

- a local resident, or visitor to East Devon, which town or village do you live in?
- a local business owner with fixed premises in East Devon, which town(s) or village(s) is your business based in?
- as a street trader, which town or village are you based in?
- as an official representative of an organisation, what's the name of your organisation?

A - The standards street traders would have to meet

The process would be carefully managed to make sure the quality of the street trading is of a high standard. When we consider applications to street trade, we would take into account the following factors:

- The type of goods or services being sold.
- What they are selling or providing and whether this is likely to be the same as other nearby businesses.
- Fast food sellers will not usually be allowed within 500metres of a school.
- Site safety. The location shouldn't create extra risks to the public in terms of road safety, obstructions and fire hazards.
- Trading hours. Normally daily trading hours will be limited to between 8am and 10pm as a maximum. In the case of hot food and fresh produce sellers hours will be determined on a case by case basis.
- Comments on the application from people and organisations during the application's consultation period.
- It should not present a risk to public order.
- Does the street trading compliment the area where it is? Taking into account the type and layout of street trading, what it looks like and the area it is in. Creating layouts where pitches face existing businesses to create a thoroughfare, rather than having their backs to existing businesses.
- Impact on highways / traffic.
- Avoiding nuisance to nearby residents and businesses in terms of noise, smells or fumes.
- On lay-bys and trading estates no other street trading will be allowed within 500metres of an existing street trading licence.
- Meeting all the relevant legal requirements (including food safety).
- The suitability of the person applying to street trade.

We feel this means we would be able to actively and positively manage street trading and consider each application on its own merits, retaining control and promoting quality, whilst being more flexible and encouraging business.

2. Do you agree with all of the factors that would be taken into account?

- Yes
- No - please move onto question 3
- Unsure - please move onto question 3

If no, please tell us which factors you would remove or change and tell us why:

3. Please tell us about any extra factors you think should be taken into consideration, and tell us why you feel they should be taken into account:

B - Consultees

The following people and organisations would be asked for their views on street trading applications:

- Businesses and residents that occupy properties in the immediate vicinity of the proposed street trading.
- East Devon District Council Ward Members.
- Relevant Parish or Town Councils.
- Police, Fire and Highways authorities.
- East Devon District Council Food, Health and Safety or Pollution Teams.
- The landowner of the site proposed to be used for street trading.

4. Do you agree or disagree with the list above of people and organisations who would be asked for their views on street trading applications?

- Agree - please move onto question 5
- Disagree
- Unsure - please move onto question 5

If you disagree, please tell us about any people and / or organisations you would remove or change and explain why:

If you disagree, please tell us about any people and / or organisations you would add to the list to be consulted and explain why they should be added:

C - Timescales

We think it would normally take us about a month between receiving a street trading application and letting the applicant know whether their application has been successful or not. This would mean the people and organisations asked for their views on the application would be given two weeks to reply to us.

5. Would this timescale cause you, your organisation or your business any problems?

- Yes
- No - please move onto question 6
- Unsure - please move onto question 6

If yes, please tell us about the problems it would cause you and suggest improvements to the timescale:

D - The proposal overall

Having listened to the results of the consultation on an initial proposal, we are now proposing to designate the whole of the district as a consent street, meaning street traders would have to apply to us for a licence to trade. Except in Sidmouth, where we are proposing no change to its general ban on street trading apart from during Folk Week.

Applications to street trade would be assessed by us, taking into account a wide variety of factors, and street traders would either be given or refused a licence to trade. A variety of consultees will be told about each street trading application, asked for their views and their views will be taken into consideration.

Please note that this proposal does not apply to Honiton High Street and a part of Axminster town centre, as they have ancient charters that allow their weekly markets to take place. The charters exempt them from being controlled by this more modern legislation.

6. Do you agree or disagree with our proposal to make the whole of East Devon (apart from Sidmouth) a consent street, meaning all street traders would have to apply to us for a licence to trade?

- Agree
- Disagree
- Unsure - please move onto question 7

If you agree, please tell us why you think this proposal is a good idea. Including how it could benefit you, if it would:

If you disagree, please tell us why and how you would improve our current proposal, what alternatives you would rather see happen or tell us why you would rather it stayed the same as the current arrangements:

E - Policy and application guidance

This questionnaire picks out some of what we feel are the key points from our proposed new street trading policy, but we want your comments on the whole draft policy and any other comments you have please.

7. Any other comments, or any comments on the rest of the draft policy and application guidance:

F - About you

8. Have you been involved in any street trading in the last 12 months:

Street trading includes outdoor events, street stalls, outdoor markets, festivals, food vans at the side of the road. Anything where someone is selling goods or services on the streets or in outside pedestrian areas or open spaces.

Please tick all that apply

- As a stallholder / street trader
- As a visitor to, or customer of street trading
- As a business owner near street trading
- As an organiser of street trading
- None of the above

9. Have you answered this questionnaire:

- As an individual
- As an organisation or business - please move to question 11

10. Do you have a long-standing illness, disability or infirmity that limits your day to day activities in any way?

- Yes
- No - please move onto question 11

If yes, please tell us the nature of your disability:

Please tick all that apply

- Mobility (physical disability)
- Mental health
- Blind or visually impaired
- Learning disability
- Progressive disability or chronic illness, for example MS
- Deaf or hearing impairment
- Other (please write in below)

G - Your details

11. You will find the results and information on what we are doing with the results here:

www.eastdevon.gov.uk/consultation-and-surveys/street-trading-consultation

Alternatively please type in your e-mail address below and we will e-mail you directly with the results and information on what we are doing with the results:

This information will be treated in accordance with the Data Protection Act and will only be used to contact you for the purpose outlined in this question.

12. We may want to contact you to find out more details about your answers to this questionnaire, please leave your name and either an e-mail address or phone number in the box below:

This is optional. Your contact details will be treated in accordance with the Data Protection Act and only be used to contact you to find out more about your answers to this questionnaire.

Thank you for taking the time to take part in this consultation.

Please send your completed questionnaire and any other comments to us, to arrive by Wednesday 26 April 2017. Send it to Jamie Buckley, Communications, East Devon District Council, Knowle, Station Road, Sidmouth, EX10 8HL.