

Proposed changes to Lichfield District Council's Street Trading Policy

Page/ para ref	Current Wording	Proposed Change	Rationale
4	Temporary Street Trading - this type of consent is for short periods of time for a designated pitch	No more than 30 consents to be issued per year	There is no definition of what temporary means and this is required to effectively regulate this.
9 12.0	Proposed additional wording	Where an application for a special event is made after street trading consents have already been issued for the same location, the street trading consents will be honoured and the special event organiser will be required to allow for the traders in the location and trading hours as set out in their consent	There is currently no wording in the policy to reflect this position.
10	<p>Deadline for applications</p> <p>Events involving more than 2000 persons or events with less than 2000 persons if there is increased risk – at least 3 months before the event</p> <p>Events involving less than 2000 persons where there is no increased risk</p>	<p>A list of proposed traders and their proposed locations must be provided no later than 6 weeks before the date of the event.</p> <p>Any applications received within 10 working days of the event cannot guarantee to be processed</p> <p>Any changes received within 10 working days of the event cannot guarantee to be processed</p> <p>Applications should be made via the council's on-line form and the required documentation uploaded as required</p> <p>Applications should be made via the council's on-line form and the required documentation uploaded as required</p>	<p>With the exception of one event organiser the current deadlines have not been complied with and this has resulted in a significant number of applications coming in a few days before an event, resulting in additional staffing having to be brought in and impacting on other licensing activity.</p> <p>This proposed deadline reflects the fact that the licensing team need to be able to stagger their response to applications and can accommodate a small % of late applications.</p> <p>If agreed than these deadlines would need to be complied with by all organisers.</p>

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10	<p>Deadline for applications</p> <p>Events involving less than 20 traders</p>	<p>A list of proposed traders and their proposed locations must be provided no later than 10 working days before the date of the event.</p> <p>Applications must be received within 8 working days of an event.</p> <p>Any applications received after 8 working days of the event cannot guarantee to be processed</p> <p>Any changes received within 10 working days of the event cannot guarantee to be processed</p> <p>Applications should be made via the council's on-line form and the required documentation uploaded as required</p>	As above
10	<p>Criteria to be met by event organisers • Wording deletion –</p> <p>The event organiser and the event When determining whether the special event application is authorised the Council will take into consideration the past experience the Council has of the event organiser, this will include compliance with conditions and policy, complaints and any other relevant matter. We will also consider how successful previous events have been in supporting to council objective of having a vibrant and prosperous</p>	Delete last sentence - The organiser of the event may be asked to evidence this.	The organiser generally has to rely on evidence which is not fully robust.

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	economy. The organiser of the event may be asked to evidence this.		
10	<p>Economic benefit to the district</p> <p>Proposed heading change</p> <p>The council expects a ‘Special Event’ to have economic benefit to the district and support the Council’s objective of having a vibrant and prosperous economy. In order to encourage more visitors and promote a greater visitor spend in our district the Council expects these special events to be more than a market. As well as street trading stalls we would expect the event to normally include some sort of entertainment, attraction or promotion to encourage visitors to the event and surrounding area. The amount expected will be proportionate to the size of the event and determined on a case by case basis. If the Council believes that this has not been done adequately the application may be refused. Lichfield District Council would like to attract a variety of events to the District and to ensure that the events are varied. Restrictions may be put in place to reflect this limiting the number and certain types of stalls e.g. the number of food and drink stalls at a garden festival.</p>	<p>Proposed change of heading to:</p> <p>What makes an Event Special</p> <p>First sentence – change to:</p> <p>The council expects a ‘Special Event’ to benefit the district and support the Council’s objective of having a vibrant and prosperous economy.</p>	<p>The organiser cannot reliably identify the economic impact as events are dependent on a number of factors outside their control, including the weather. Going forward the council will also have more reliable information about the economic benefit of previous events from the research commissioned.</p>

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10	Proposed additional wording	<p>Environmental impact</p> <p>The event organiser application form will include a request to provide information about the impact of the proposed street trading activity on the local environment and the plans being put in place to minimise the environmental impact of the event.</p>	To ensure that any potential negative environmental impacts have been considered and there are plans in place to mitigate these.
11	<p>Accounts – Proposed heading and wording change</p> <p>The applicant must submit the full accounts for the previous year this event took place. Also budget for the event must be submitted including all costs incurred.</p>	<p>Proposed change of heading to Financial Viability and wording as below:</p> <p>The applicant must show the financial viability of the event through a business plan which identifies the costs of the event, any income through sponsorship and how costs are to be recovered. Any income and expenditure from previous events will also evidence financial viability.</p>	Information from the event accounts has not proved helpful and what is required is evidence that the event is financially viable.
11	Map - a map showing the location of the stalls must be provided at least one month before the event	<p>A map showing the location of the stalls must be provided at least 6 Weeks before the event for events involving more than 2,000 people and for events involving less than 2000 people. The quality of the map required will be agreed with the licensing authority depending on the event and location.</p> <p>For smaller events with 20 stalls or less a map is required at least 10 working days before the event.</p>	Having a map showing the location of the stalls is necessary for safety assurance and to process street trading consents. 4 weeks does not give enough time if there are any issues that need addressing.
12	<p>Waste</p> <p>Proposed wording change</p>	Change 15 consents to 20 consents	

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			For consistency and to reflect that no significant issues have arisen from smaller events
12	<p>Bidding for special events</p> <p>Proposed change</p> <p>Proposed change</p> <p>During the bidding process a number of factors will be considered including:</p> <ul style="list-style-type: none"> • Organiser's past performance in organising previous events • Previous compliance • Economic benefit • Complaints and compliments • Ability to meet deadlines <p>Proposed additional wording</p>	<p>Proposed deadline date to be moved to 1st August in 2019 and 1 April 2020 thereafter (subject to the outcome of the Events Management Review)</p> <p>Add – financial viability</p> <p>Once an event organiser has been advised that their bid for a special event has been accepted, they will have 28 days from being notified to complete an application for a special event and pay the deposit if required.</p>	<p>This allows special events organisers more time to plan events</p> <p>Needs to part of the bidding assessment</p> <p>This is to ensure that the event is going ahead and can be promoted via the events calendar. It also means that if there is a late expression of interest for an event and no application is received from the successful bidder, the date event can be offered to another organiser.</p>
13	Additional fees for special events – Deposit	It is proposed that the deposit requirement is changed from events with 15 stalls or less to events with over 20 stalls.	The current deposit requirements take no account of risk – e.g. the risk from a craft market is significantly less than a food event.

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		<p>For events where no food and drink is being sold a 50% reduction will be made to the deposit required</p> <p>The deposit is refundable if the event is cancelled, except where costs have already been incurred by the council – e.g consents have been issued.</p>	<p>For an event with 15 stalls or less there are cost implications of collecting and refunding a £150 deposit.</p> <p>An additional street trading condition has been put on street trading consents requiring traders serving hot food to put drip trays under their stalls so any breaches of this condition can be actioned through enforcement. Consent conditions also require traders to dispose of their own waste.</p>
13	<p>Consent Fees for special events</p> <p>For special events pitch fees the trader will incur the one day fee and then a lower daily fee for any additional days they wish to add to the consent.</p>	<p>The fees for the one day fee and a subsequent day are set out on the council’s website – link to be added to policy</p> <p>For traders not selling food or alcohol a lower fee will apply, this takes account of the processing and enforcements requirements relating to these consents.</p>	<p>There are fewer checks required in processing consents where food or alcohol is not being sold and the compliance and enforcement requirements are minimal. The fee will be revised to take out these costs.</p>
13	<p>Incorrect or incomplete application - fees</p> <p>council request further information to complete application Public Liability Insurance Late applications</p>	<p>Proposed deletion.</p>	<p>These fees were introduced to act as a deterrent to some traders who persistently submitted incorrect or incomplete applications (including out of date or incorrect Public Liability Insurance) and also address late applications. Whilst the team have had to deal with incomplete and late applications, applying these fees would be disproportionate</p>

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			to the additional work required and the on-line application process helps reduce this risk.