

DELEGATED

Report to General  
Licensing Committee

24 March 2026

**REPORT OF ASSISTANT  
DIRECTOR OF REGULATED  
SERVICES AND  
TRANSFORMATION**

**Consent Street Trading Policy Review 2026**

**Summary**

The whole Borough has been designated as a consent area for the purposes of street trading. The consent street trading policy, documents detail how the regime is managed. The policy document has been reviewed following a valid petition and a public consultation.

**Recommendation(s)**

1. That Members consider and comment on the petition.
2. That Members consider and comment on the changes made to the policy document in response to the petition and the public consultation.
3. That Members make a recommendation to council to exclude certain events from the street trading regime **or** retain oversight of events by making a recommendation to council to add proposed policy wording which defines commercial, charity and hobby trading at events.

**Detail**

1. The consent street trading regime has been in place since 1 March 2024. There has always been a commitment to review the policy. A copy of the draft policy document is attached as Appendix 1.
2. The revised policy document includes several changes as detailed in Appendix 2.
3. Responses to the public consultation is attached as Appendix 3.
4. In response to the public consultation and the petition it is proposed to not exclude events from the consent street trading regime, retain oversight at events, and add the additional suggested wording, defining commercial / charity and hobby traders at events:

**Proposed Definition: Commercial / Charity / Hobby Traders**

**Commercial Trader**

A Commercial Trader is any individual, business, or organisation that engages in street trading on a commercial basis, where the primary purpose of the activity is to generate income, profit, or other financial gain.

A person or organisation will normally be considered a Commercial Trader where one or more of the following apply:

- They sell goods or services with the intention of making a profit
- They rely on trading for part of their income
- Trade regularly or systematically as part of a business operation at multiple markets, events, fairs, or locations
- Operate under a business name, brand, or commercial identity
- They advertise or promote their activity as a business
- They purchase stock or materials with the intention of resale for profit
- They hold (or should hold) business insurance or registration (e.g. public liability, ltd company, sole trader status)

*(These traders must be declared on the application, and count towards the total number of traders requiring consent to trade at the event)*

### **Charity Traders**

A Charity Trader is an individual or organisation trading solely to raise funds for a registered charity, community group, voluntary organisation, school, or non-profit body, where no personal or organisational profit is made.

Individuals or organisations trading solely to:

- Raise funds for a registered charity, community group, or non-profit organisation
- Provide goods without personal or organisational profit
- Operate under a charitable status or exemption

*(These traders should be declared on the application, **but will not count** towards the total number of traders requiring consent to trade at the event)*

### **Hobby Traders**

A Hobby Trader is an individual who trades occasionally typically selling items they have created themselves where the activity is not operated as a business.

Individuals whose trading activities are:

- Occasional, informal, or irregular
- With little or no personal profit e.g. to sell or display crafts or personal creations as a pastime
- Not part of a business or commercial enterprise and do not hold commercial insurance or business registration
- It is not promoted as a business and does not form part of their income

*(These traders should be declared on the application, **but will not count** towards the total number of traders requiring consent to trade at the event)*

## **History and Background**

5. Local Authorities have a legal discretion to regulate street trading in their area.
6. Certain trading is exempt from street trading control by the legislation. This includes the Councils weekly markets in Stockton , Thornaby and Billingham. Traders at these

markets are subject to a separate application, vetting and fee regime with the markets team.

7. Markets / events held in the Borough, where there is a commercial gain / profit from the trading, require a temporary event street trading consent. This can be applied for by the event organiser or an individual trader and covers 72 hours of trading at temporary locations.
8. A full list of temporary event street trading consents which have been granted since the beginning of the regime can be found at: [www.stockton.gov.uk/licensing-registers](http://www.stockton.gov.uk/licensing-registers)

### Additional Information

9. A petition titled "Remove the levy charged on local and community markets by Stockton Borough Council" was submitted to the Council by Mr Peacock, who is the lead petitioner. Following validation on 8 September 2025 in line with the Council's Petition Scheme, the petition was confirmed to contain approximately 1,065 valid signatures, exceeding the 1,000-signature threshold set out in paragraph 5 of the Scheme for referral to a meeting of full Council.

10. The petition reads:

*'Remove the levy charged on local and community markets by Stockton Borough Council.*

*We the undersigned request that Stockton-On-Tees Borough Council alter the new rules to the "Street Trading Consent" and exempt all community events including, but not limited to:*

*Ingleby Barwick Community Market*

*Ingleby Barwick Family Fun Weekend*

*Ingleby Barwick Christmas Light switch on*

*Thornaby Show*

*Billingham Show*

*Norton Green Community Market"*

11. The six markets / events listed within the petition have commercial traders attending and therefore require a temporary event street trading consent under the current regime.
12. The petition was considered at full council on 19<sup>th</sup> November 2026, where it was moved by Councillor Norma Stephenson, seconded by Councillor Nail Innes that the petition be referred to General Licensing Committee for further consideration:  
[Agenda for Council on Wednesday 19th November 2025, 6.00 pm - Stockton-on-Tees Borough Council](#)

13. Mr Peacock the lead petitioner responded to the public consultation but declined the invite to the committee hearing today.

### **Legislation and Policy Considerations**

14. Street trading is covered by the Local Government (Miscellaneous Provisions) Act 1982 Schedule 4.  
[Local Government \(Miscellaneous Provisions\) Act 1982 \(legislation.gov.uk\)](#)
15. On the 21 January 2024 the Council agreed the resolution in accordance with Paragraph 2(1) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 following full public consultation to designate the whole Borough as a consent area for the purposes of street trading.

### **Members' Options**

16. Detailed in recommendations.

### **Ward(s) and Ward Councillors: Not ward related**

17. The Council agreed the resolution in accordance with Paragraph 2(1) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 following full public consultation to designate the whole Borough as a consent area for the purposes of street trading.

### **Financial Implications**

18. The Fees associated with consent street trading are set to cover the costs incurred by the council in administering the licensing scheme. The fees are reviewed annually and do not form part of the Councils approved Budget and Medium Term Financial Plan.
19. Locally set fees are a vital means of ensuring both that costs can be recovered, reducing the risk of a subsidy or overpayment.

### **Legal Implications**

20. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000, Schedule 1 lists licensing functions under the Local Government Miscellaneous Provisions Act such as Consent Street Trading as a non-executive function.

### **Environmental Implications**

21. Through the maintenance of a strategic licensing policy there will be opportunities to further improve the environment, to the benefit of all. The policy also includes environmental considerations in the applicaiton process and in conditions attached to consents.

### **Community Safety Implications**

22. The administration and enforcement of the licensing regime should assist in reducing crime and disorder.

### **Background Papers**

Appendix 1 - Draft Consent Street Trading Policy Document

Appendix 2 – Summary of changes

Appendix 3 – Consultation responses

[www.stockton.gov.uk/licensing-registers](http://www.stockton.gov.uk/licensing-registers)

[Agenda for Council on Wednesday 19th November 2025, 6.00 pm - Stockton-on-Tees Borough Council](#)

[Local Government \(Miscellaneous Provisions\) Act 1982 \(legislation.gov.uk\)](#)

Name of Contact Officer: Leanne Maloney-Kelly

Post Title: Trading Standards & Licensing Service Manager

Telephone number: 01642 526566

Email address: [leanne.maloney-kelly@stockton.gov.uk](mailto:leanne.maloney-kelly@stockton.gov.uk)