Consent Street Trading Policy Review Public Consultation 2023

Summary Overview 49 responses to the consultation

Do you agree with Proposal?			
	Yes	No	Not sure
Member of the public	13	10	1
Existing Trader	1	3	1
Potential Trader	4	2	
Interested Parties	1	4	1
Other	3	5	

Members of the Public – In Agreement with Proposal - Responses to Consultation

Have you been involved in any street trading in the last 12 months	Do you agree, Tell us why	What should be included/excluded from the current conditions	Officer Comments / Actions
As a visitor to, or customer of street trading	YES - It will make it a fair opportunity for trade for everyone. Provided the fees charged are reasonable.		
None of the above	YES		
None of the above	YES - More opportunity for traders/local businesses to operate in various locations and gives members of the public more variety and choice within their communities.	Not that I can think of at present.	
As a visitor to, or customer of street trading	YES		
None of the above	YES		
As a visitor to, or customer of street trading	YES		
None of the above	YES	Exclude rights to play music/use microphones/voice enhancers.	This could be added to a consent as an additional condition if any complaints / issues after a consent granted.
None of the above	YES		

Have you been involved in any street trading in the last 12 months	Do you agree, Tell us why	What should be included/excluded from the current conditions	Officer Comments / Actions
None of the above	YES - I actually thought this was already the case and I am surprised if its not.	Pedlars should be excluded.	Pedlars are excluded from the CST regime, this is detailed in legislation and policy, email to respondent to advise.
None of the above	YES		
None of the above	YES - I think its a very good idea as traders know what is expected of them. I hope the peddlers are dealt with and turned out of the town centre. They turn up every time they know there will be a crowd, i.e., xmas light switch on, fireworks, SIRF etc. selling their cheap dangerous toys for extortionate amounts which break within10 mins.	Stop the peddlers selling, give the local traders a chance to trade.	Pedlars are excluded from the CST regime. However, the regime will provide increased enforcement tools to deal with those pedlars not 'peddling' and trading from a fixed location.
None of the above	YES		
As a visitor to, or customer of street trading	YES - To prevent over development and extensive spill over onto public paths which can impact on those with disabilities.	No street trading installations to be allowed without consultation with council officers and a code of conduct to ensure clear public passage.	Clarification on accessibility added to draft policy to meet accessibility legislation all trading locations will need an access route of minimum of 1.5m past the location.

Members of the Public - Not in Agreement with Proposal - Responses to Consultation

Have you been involved in any street trading in the last 12 months?	Do you agree with the proposal? Tell us why, and include any improvements or alternative suggestions?	Do you have any suggestions of what should be included/excluded from the current conditions attached to street trading?	Officer Comments / Actions
As a visitor to, or customer of street trading	NO		Has not provided any details why or alternatives to consider.
As a visitor to, or customer of street trading	NO - This will harm many of the small independent traders who provide such an important part of our communities.		No contact details provided.
None of the above	NO - For people that sell honey from the door, they are generally small scale hobbyists. They tend to be retired people who spend a great deal of time both developing associations, teaching people, and doing good for the environment. They tend to sell off excess honey quite cheaply and seldom make any profit given the time taken to produce the honey, required equipment. This is another bureaucratic move from the council to try and collect small money which will result in fewer people taking up the hobby and therefore harm personal webbing of those practicing beekeeping. Better to spend you time and effort in removing the drugs free m our area which is devastating our area.		Selling goods door to door is not within the scope of the consent street trading regime. Email to respondent.
None of the above	NO - Private land/property does not constitute a street so why would a street trading licence be required.		Private land is included in the CST regime, if public have access.
None of the above	NO - Potential impact on people selling their own property from outside their own property, particularly cars. My suggestion would be to exclude residential areas from this change.	No	Selling vehicles from the roadside, is included in the policy, but compliance will be aimed at repeat or commercial sellers.

As a visitor to, or customer of street trading	NO - I enjoy going to local fairs that have local small businesses that would not be able to afford premises, and charity stalls. I have bought many good items over the years and do want to support small local businesses rather then buy things from the internet. I also want to support our charities, and these stalls are an excellent way of doing this. Whilst buying items, it is a chance to donate to the charities in other ways. For small craft businesses for instance, as well as charities, the bureaucracy involved would be quite off-putting. I don't think I have bought anything that I could buy in a shop in the borough. The rules in the proposals would be very restrictive indeed, and I see no need for DBS checks on such stalls that would not need them otherwise if indoors.	I think small businesses and charities/churches/general voluntary sector organisations should be excluded. We surely want to support such in Stockton Borough? I am pleased that a stop could be put to any trader having a stall that impedes pedestrians on a pavement. It would be good if shops could be stopped from putting out advertising material on the pavement causing problems too.	Non profit / charity trading is covered in detailed in the updated draft policy document. Advertising such as A boards is not covered in this policy and responsibility for this lies with the Highways, Transport and Design Team.
As a visitor to, or customer of street trading	NO - Will place huge burdens on organisations such as schools, churches and community groups who are trying to both fundraise & create community spirit to complete onerous applications - potential for groups to unwittingly overlook the requirements to do so is also significant. There is no rationale in the policy for the requirement of a DBS and in what ways this offers any protection. Someone giving free food or sweets away does not require a DBS but could be deemed more of a risk in terms of their intent than a trader with signage and overt purpose.	Exclude DBS check Exclude public spaces such as church car parks, school fields, community shared spaces.	Non profit / charity trading is covered in detailed in the updated draft policy document. No contact details provided to obtain further details. Reasoning and further information on DBS requirements has been added to the draft policy document
As a visitor to, or customer of street trading	? - clear whether there will be any unintended negative consequences affecting local community / voluntary/ faith groups and schools/ colleges holding fundraising / charity events and activities It does not mean it is a good thing because other local authorities have decided to do it. How long has it been operating in those other area, and what evidence is there of how this has made a massive difference in the other places that have already adopted this approach? - It sounds like it could create a lot of and extra expense for the groups mentioned above if they have to apply/pay for consent. If this is so, it could deter people from a lot of positive and much needed fundraising activity/events Including the whole Borough is likely to be very hard to consistently enforce Including the whole Borough is very likely to create circumstances where people are deemed to	Community /Voluntary/ Faith Groups and Schools / Colleges	Held a hour meeting with respondent, addressing some of these points. Non profit / charity trading is covered in detailed in the updated draft policy document. The respondent also refers to a pilot scheme, the full regime will be reviewed within 12-18 months of operation. No contact details provided to obtain further details.

be breaking the law and committing a criminal act because of being in the borough rather than because they are

causing a genuine nuisance or problem in the community. -It seems like a potential back door' to raise extra funds by charging fees to local voluntary /community groups, charities, and schools/colleges - that are not traders. - There could be a deluge of reports, complaints about breaches of this, and end up with a massive backlog of 'cases' to be dealt with; or some people face the consequences of failing to comply, whilst others get away with it; - It will be extremely difficult to sure that the public and businesses/organisations know and understand the consent system and process and how it applies to them. - It has not been demonstrated that this is actually seeking to address a genuine and significant problem, or just giving greater control and power to the council that is not needed or necessary? - It has not been demonstrated that this proposal is an effective and proportionate action / response to address the issue being described in the report. - The consultation is described as "critical to ensure any changes to the street trading resolution are clear and transparent for businesses. members, responsible authorities and the public" - yet the consultation process has been very limited and relatively short, and it does NOT make sure that the public and businesses have enough information and understanding about the proposal to properly understand its implications; and then properly participate in it. The words 'clear' and transparent' do not appear to apply - It appears to be a 'tick box' exercise rather than genuine attempt to consult and engage with those who will be impacted by its implementation. - It should be piloted and tested in a smaller area to ensure it is appropriate, effective in achieving the aims BEFORE it is rolled out across the whole borough.

As a visitor to, or customer of street trading	NO - Because there will probably be a cost implication to obtain the license. In the current climate so many businesses are struggling. If the cost has then to be transferred to customers there may be a fall in customer numbers if prices rise again to cover this cost. This in turn may lead to the closure of a business on already struggling high streets.	I need to re read the draft policy to check whether this might affect things such as preloved sales in community centres or garage sales such as that developed in Saltburn. I wonder why this policy is being introduced at this stage when business owners are already struggling. The damage this policy may cause and the possible increase in empty premises and loss of local markets.	Selling goods inside a community centre is not within the scope of the consent street trading regime. Email to respondent to advise.
None of the above	NO - I have concerns about the charges for this and the amount of paperwork needed and worry it would put off the smaller traders and community groups/ volunteers. These groups and people are important for the vibrancy of our borough. Smaller traders such as food producers make a positive contribution to food sustainability and the environment. They also showcase key local products that could make our area stand out. How would the costs affect groups such as schools and their fund raising activities- it could take funds away from services already under funding pressures? There should be an expectation that for example food providers have food hygiene training and it would be useful to know what is meant by a sliding scale of costswould training, and support be part of this cost?	Process needs to very simple.	Non profit / charity trading is covered in detailed in the draft policy document. Application process will online and follow the current pavement licence application process. No contact details provided.
None of the above	NO - I believe this needs to be scalable, if street trading consent comes at a financial burden a small start up or charity may not find it viable to embark on trading or raising funds.		No contact details provided.

Existing Traders - Responses to Consultation

Have you been involved in any street trading in the last 12 months	Do you agree with proposal? Tell us why, and include any improvements or alternative suggestions	What should be included/excluded from the current conditions	Officer Comments
Wood Fired pizza trailer operating from Billingham Beck Valley Country Park	YES - As previously discussed, I believe a street trading licence adds professionalism and also security for members of the public purchasing food or other from street traders. I think it is also important to protect the chosen location for the street trader from others who opt not to carry out operations correctly.	Pitch protection for street traders.	The CST regime will give existing traders protection over pitches not currently available. In addition, any existing trader would form part of a new grant application consultation process and their comments taken into account.
I set up Norton Green Market to bring something new to the residents of Norton	I won't say Yes or No as to be honest without talking through conditions I have confusion I agree with your intention to create a street trading environment which compliments the area of trading, is sensitive to the needs of residents and nearby businesses, and which promotes consumer choice and community values, whilst ensuring the safety of the public and the prevention of nuisance. Norton Green Market was setup with similar ethics. We don't sell on the street; our businesses sell from private land which we understand could be affected.	To support small independent businesses who can not even attempt to rent premises on the over inflated commercial landlord rented premises on the high street. To bring our community together, reduce isolation and help support the local economy. Lots of the businesses in attendance are in the borough and through trading support the High Street. Our event is held on private land. Its community led and as such we also use the market to support community groups at no cost. We are on private land, if you were to charge us a fee to have stall holders then this would be passed onto the stall holders which would cause a greater financial burden at a time where they really don't need it. I cannot charge entry fee as my insurance goes up. Charging an entry fee for a regular market also would affect interest and footfall. I would not consider organising a market if there were increased financial costs to us as an enterprise. I totally agree on the need to protect rate paying businesses but here in Norton most don't, and we are supportive of businesses and bring new things that actually help them with trading. My issue is your	Email exchange with respondent to discuss concerns. Non profit / charity trading is covered in detailed in the updated draft policy document. Arranged a visit to next event 11/11/23

		enforcement on private land and see schools and other events affected.	
As a stallholder / street trader; As a visitor to, or customer of street trading	NO - Many street traders operate as hobby businesses others may be start ups with both of which have can have little income. complicating the process will only make it more difficult for traders and inevitably more expensive to be a trader and lead to less diverse trade.	private land should not be considered public access for street trading purposes. Public access should be taken into account when a market is initially purposed. Many markets are run as community support events, paying to access them is counter to that very idea.	Non profit / charity trading is covered in detailed in the updated draft policy document.
Handmade furniture and homewares using local and sustainable materials. As a stallholder / street trader	NO - This will mean many markets have to discontinue, which in turn would hugely affect the trade of small local businesses and certainly cause some to close completely which would again massively affect the area and the money spent locally.	Stop trying to make money out of already struggling small businesses.	The CST regime will provide greater opportunity for markets in areas previously prohibited.
Bee Farmer producing Honey and Hive products from our home address. We sell both from the Front Door and Farmers Markets on private land. As a stallholder / street trader	NO - Best improvement would be to scrap the whole idea. This will cause the small local Farmers Markets to shutdown and put small traders like myself to go out of business.	I sell at a number of farmers markets on private land in the Stockton Borough forcing them to register as street traders and pay a fee would only deter these popular markets. The market organisers have to recoup the cost of the fee this canp only be done by 2 methods. 1. Charge the stalls a higher fee for the pitch. This additional cost would put vendors off from attending the farmers markets and the additional cost would have to be passed onto the customers by putting prices up. 2. The Market Organisers could charge an entrance fee, but this would have the knock-on effect of reducing footfall and increasing the organisers public liability insurance costs to the organiser. Again, any increase in costs would have to be passed onto the stall holders. Additionally like a lot of other Beekeepers in the area I sell to people who turn up at my front door of my house asking to buy honey this	Door to door or doorstep selling is not covered by the CST regime. The CST regime will provide greater opportunity for markets in areas previously prohibited.

proposal would mean that because they are coming onto private land to buy my Honey I would have to register as a street trader. Which means incurring additional cost. If I decide not to register as a Street Trader, people will still turn up at my door asking to buy Honey and what can I do, turn them away and tell them I can't sell to them because of the rules set by Stockton Council? All the farmers markets attend insist that I have Public Liability Insurance and a 5 star food hygiene rating as part of their insurance, this proposal is just going to add an extra layer of unnecessary bureaucracy. We make very little profit as it is, and the additional cost would probably put me out of business. Farmers Markets on Private Land. People selling goods of their own production from their own front door.

Potential Street Traders - Responses to Consultation

Have you been involved in any street trading in the last 12 months	Tell us why, and include any improvements or alternative suggestions	Officer Comments
Local honey producer, Eaglescliffe Stockton on Tees As a stallholder / street trader	NO - Basically the local council should help and promote local businesses and start ups not give them extra stealth tax to pay shocking I will look at starting my business over the border if this is brought in. Don't bring in this stealth tax!	Need further details on operation, email sent asking for contact number.
Micro business - bakery. Attend farmers markets, community events, fates etc. around Stockton, including Norton, Grange field, Billingham. As a stallholder / street trader; As a visitor to, or customer of street trading	NO - I don't agree as I feel it is just creating more red tape for a micro businesses such as mine. There are already so many hoops to jump through including food hygiene rating, PLI etc. and this is adding yet another thing and I really can't see any benefit for someone like myself who attends community events - it just seems like its to bring in money to the Council with the collection of fees. In addition, I believe it may put off organisers of community events from organising events with stalls - these people are often volunteers and again this is just something else to make putting on an event harder. Surely, we want to encourage these kinds of events that bring communities together and generate spending in the local area. The policy states - The Council is also committed to improving the support provided to small businesses, ensuring there are no unnecessary burdens placed on them - when requiring license applications is an unnecessary burden in itself. I think the Council needs to better explain the reasoning behind this proposal.	Non profit / charity trading is covered in detailed in the updated draft policy document. No contact details provided.
Barista Coffee trailer selling quality coffee from local roasters, hot and cold drinks and locally made produce/snacks. I am based on private land within my own farm, but I am looking for a pitch in the borough.	YES - By having all the information and access to it in one place, I hope it would make it easier to apply and keep everyone equal and the same standards.	Agree with proposal, CST will streamline the current application process as consent to trade on Council land will be including in one application.
Florist on private land	YES	
Coffee van selling gourmet coffee and cake/flapjacks/confectionary/snacks was hoping to take a round around the offices around the Council of Europe Blvd area. As a visitor to, or customer of street trading	YES - I think it makes sense to 'Police' what is being sold on the streets to prevent people being scammed and also to protect homeowners from nuisance. I also think it's important for existing businesses to not be crowded out. I think it sounds like a sensible and considered way forward.	

I would like to look at trading location	YES - Anything which opens the Borough up to trade and give traders security of locations and	Explore how existing street
in Norton and Yam	access to events is welcome. Access to council events organisers, and preferential treatment	traders can link into events
As a stallholder / street trader;	given to traders already trading in Borough at events, if we are already contributing to the area	and be given more
As a visitor to, or customer of street	economy, we should be given first refusal at events could there be a link to business start ups	opportunity to get involved
trading	and grants.	in events.

Interested Parties - Responses to Consultation

Have you been involved in any street trading in the last 12 months	Tell us why, and include any improvements or alternative suggestions	Tell us more, and include any improvements alternative suggestions	Officers Comments
Small scale Beekeeper who sells honey locally	NO - It will stop any beekeeper selling products at any farmers markets.	Please exempt small scale beekeepers.	
Parish Councillor	NO - This proposal would cause additional expense, delay and administrative burden on small private enterprises and would be a deterrent to entrepreneurship.		
School Governor, School has fetes etc. which are attended by members of the public with no fee required.	NO - Additional bureaucracy for school staff. Parent.volunteers may not have DBS. The school has safeguards in place regarding parent helpers on the premises. Food e.g., cakes may be sold - is food hygiene certificate required?	The policy should give more specific and adapted regulations for voluntary organisations. School premises should be exempt.	Need further information on events. email sent for contact details 16/10/23.
I am writing as a member of Stockton Fairtrade Borough Partnership. We have stalls that sell Fairtrade goods on a non profit making basis.	NO - Our stalls have been or planned to be at events in Ropner, Preston and John Whitehead Park. Village greens, outside places of worship. It is not clear in the proposal if it would cover marquees erected on such land. Some of these places would not be legally able to charge admission (such as a village green), and some it would be physically impossible because of the number of different access points. Having an admission charge could put people off from looking round stalls, thus not being able to look at what is on offer. There would be a lot of additional bureaucracy for us as a small group. Fees to be fixed by the Council to cover its costs are yet to be fixed. They might be nil if the	It does not cover such as a Fairtrade stall, where any profit is donated to a relevant charity. "Fairtrade" changes lives by changing trade. We transfer wealth back to farmers and workers in developing countries who deserve a decent income and decent work.". The policy needs to exclude organisations like ourselves.	Held a hour meeting with respondent, addressing some of these points. Non profit / charity trading is covered in detailed in the updated draft policy document.

	proceeds are to be for organisations like ourselves, but they might not, and any assurances by the current administration of the council might be changed by any future administration. Giving organisations no right to appeal is heavy handed and extremely undemocratic. The proposal has blanket coverage, and the Council could fix its own criteria for giving or withholding consent. If anyone of us running a stall it would be an extra administrative burden and possible cost to have a DBS check, and a severe barrier to having anyone help at the stall, even if for a very short time. No DBS check would be required for a stall exactly the same that was indoors. The proposal asks that if there will be the provision of food in any form on a stall, applicants must also have a food safety certificate. But the only food being sold is pre-packaged and sealed, not opened by anyone on the stall, so this is yet another barrier to us being able to have a stall. Stockton is a Fairtrade Borough, and these proposals would severely curtail our ability to have a stall at many events.	
Registered charity operating with and on behalf of colleagues in the VCSE sector	? - Would it be possible to extend the consultation period please? Colleagues in the community have commented to me that the consultation period has been short	Hour meeting with respondent discussing concerns.
Cleveland Fire Service	YES - Under the Public Safety header it is stated that the Council would expect a minimum of 1.5m of unobstructed highway/walkway on at least one side of the proposed trading unit/location. Would this be referring to roadway or path as Cleveland Fire Brigade would require 3.1m to pass through?	1.5m is public accessibility not vehicle accessibility. Discuss with fire.

Other - Responses to Consultation

Have you been involved in any street trading in the last 12 months	Tell us why, and include any improvements or alternative suggestions	Do you have any suggestions of what should be included/excluded from the current conditions attached to street trading.	Officer Comments
Small business selling from home address. As a visitor to, or customer of street trading	NO - The costs involved are more than I take in a year selling honey. I keep bees as an environmental positive. I sell honey which helps towards the costs. I have a site that us used by the national bee unit to monitor pest and disease. The cost of a license is more than the money I make selling honey. The money I raise I put back into the beekeeping. This proposal will make it impossible for me to keep bees.	Businesses with small turnover should be excluded.	The CST regime will not cover door to door or doorstep selling of honey. Email to respondent to advise 16/10/23.
Elected Member of Egglescliffe Parish Council, assisting with community events involving it & voluntary bodies. As a stallholder / street trader; As a visitor to, or customer of street trading	NO - The effect of the proposals, including the bureaucracy & fees, is excessive & oppressive in the light of the perceived harms (which are not quantified) of not introducing these controls to the whole Borough. It is not stated why existing problems cannot be handled under other legislation. The Report to Licensing Committee says, Human Rights Implications Consideration must be given. The restrictions imposed on the owners & occupiers of off-highway open spaces are an interference with their property disproportionate to the needs of a democratic society. Administrative convenience for the Council (e.g., when circumstances require a change in areas controlled) or synergies with other Council policies are insufficient to restrict freedoms. I suggest that the Council revisit the proposals in the light of evidence whether they are necessary. There will be a heavy burden of bureaucracy on the voluntary & community sector organising fundraising events. There is no guarantee yet that application & consent fees will be affordable or nil. While the effects of the Act may be avoided by charging admission, this may discourage attendance. In some places (e.g., village greens) charging admission may be impracticable or not legally possible. It is not stated why a Basic Disclosure Certificate (DBS) would be required.	The following phrases need rewording: CST5 electronic communications apparatus kept in united for the purposes of that network CST16 The Consent Holder shall ensure that a competent person in units all generators The 1st bullet point of SPECIAL CONDITIONS FOR MOBILE ICE CREAM TRADERS should apply only when the 2nd bullet point applies. Under All Traders Supporting Documents a Basic Disclosure Certificate must be not more than 6 month old under Suitability of the Applicant dated within 12 months The certificate must meet the requirements of the application type at the time of submission is nowhere explained. The term assistants appears in several places. As it is in inverted commas I would expect a definition, but there is none.	Held a hour meeting with respondent, addressing some of these points.

Resident	Street traders do not deal with under-18's or vulnerable adults to a greater or lesser extent than other traders, so this requirement would discriminate against street traders. Has the Council checked whether people can apply for a DBS check solely because they want to be a street trader?		
Resident	INO		
Part of a number of voluntary, non profit making, and charity sector who has or helps at stalls on land with public access free of charge. As a stallholder / street trader; As a visitor to, or customer of street trading	NO - I am writing as a member of a number of organisations in the voluntary sector. Note that the whole of the consultation period is within the school holidays so many organisations have not had meetings to be able to discuss the impact of the proposals. As I understand it street affected include a road, footway, or other area to which the public have access without payment. This would mean such as parks, village greens, open spaces that are both publicly and privately owned, areas around churches, car parks, school playing fields places like Yarm High Street. Some of these would not be legally able to charge admission, and some it would be physically impossible because of the number of different access points. Having an admission charge could put people off from looking round stalls, thus having an impact on fund raising. There would be a lot of additional bureaucracy for small voluntary organisations that are needing to raise funds. Also, fees to be fixed by the Council to cover its costs are yet to be fixed. They might be nil if the proceeds are to be for charity or a non profit making organisation, but they might not, and any assurances by the current administration of the council might be changed by any future administration. Giving organisations no right to appeal is heavy handed and extremely undemocratic. The proposal has blanket coverage, and the Council could fix its own criteria for giving or withholding consent. There may well be different circumstances not covered by the legislation that would	There is no provision at all for the voluntary, community non profit making sector. This needs to be specifically excluded in the policy.	

	need to be taken into account. If anyone running a stall, including anyone assisting in the stall will have to have a DBS check this is going to cause a huge problem for organisations where stalls and helpers do not need a valid DBS check.	
	I note that the proposal has 2 different times for a DBS check to be valid, both 6 and 12 months. The proposal asks that if there will be the provision of food in any form	
	on a stall, applicants must also have a food safety certificate. But there are times when the only food being sold is pre-packaged and not touched by anyone on the stall, so this is yet another burden on the voluntary sector.	
Town Council. As an organiser of street trading	NO - On behalf of the Town Council this was discussed at the Services & Engagement Committee meeting on 19th September 2023. Members object to this proposal due to the negative impact on the local voluntary sector, extra costs, and administration time on smaller not for profit organisations.	
Organiser of events in Ropner Park which include traders. As a visitor to, or customer of street trading	YES - Traders will then have to operate using the same guidelines.	
As a visitor to, or customer of street trading	YES - Traders will then have to operate using the same guidelines.	
Councillor	YES – hard copy of comments provided to Licensing	