

How much do you agree with the following statement "The draft policy is clearly written and easy to understand"?	Please indicate what improvements you think should be made to the draft policy to make this clearer and easier to understand	Do you agree with the additional exemptions to be allowed within the draft policy?	Are there any additional exemptions that should be considered or removed from the draft policy?	Do you have any comments regarding the conditions to be attached to any street trading consent?	Do you agree with the transitional period for already established street traders?	Are there any additional considerations or suggestions that you believe should be taken into account in this draft street trading policy?	Are you responding as a:	Council responses
Agree	all seems fine	Strongly agree		none	Agree	confirm street trading permit per application not transferable	Member of the public	Page 19 condition 21 states that: 21. The Consent Holder shall not sub-let his / her stall / vehicle / unit to another person. A Street Trading Consent cannot be transferred or sold to another person except that the Consent may be transferred to a member of the Consent Holders immediate family in the event of the Consent Holders death or incapacity on payment of a fee.
Agree		Strongly agree			Strongly agree		Community Group Representative	None
Neutral		Strongly agree			Neutral		Local Charity	None
Agree	none	Agree		no	Agree	no	Other business owner	None

Responding as:	Comments	Responses
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Agree	Although I understand you have to be thorough with your explanations it would be nice to have a basic section outlining in simple terms the proposal in short term to see before having to read 38 pages with legal explanations too	Agree		No	Strongly agree	<p>In current circumstances a lot of food premises are struggling to stay afloat and continuing their business. Fees imposed right now I don't think will help situations. Many restaurants and cafes have closed and street traders of this nature are struggling. Covid hit hard and people were just getting on their feet again when cost of living hit. Food prices have now stabilised and things were getting back to normal when the single use plastics ban were imposed. The costs of the recyclable alternatives are double if not triple the price which again has hit hard and profits are low. Imposing a fee right now I feel would be detrimental to many small businesses that are trying to regain a maintainable business profit margin</p>	Street trading business	<p>The Council is entitled to recover the 'reasonable and proportionate' costs associated with the grant or renewal of a licence/consent. Reasonable charges may also be recovered in respect of street cleansing, collection of refuse, etc. rendered by the authority to that licence holder. The current fees are £260 application fee with a £80 maintenance fee totalling £340. These fees will be kept under close review as the licensing regime is implemented to ensure that appropriate cost recovery is being maintained.</p> <p>Currently across Essex, fees vary significantly. For example, for a mobile vehicle to trade from a static location during the day for 1 year, Thurrock charge £650 - £1,400, Castle Point charge Street Trading 1 day £500.00 Street Trading each additional day/night £75.00 Street Trading weekly £75.00 whilst Chelmsford charge £123.50.</p> <p>Where consent is surrendered or revoked, the Council would be under a duty to refund a proportion of the licence fee.</p>
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Responding as:	Comments	Responses
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								Other fixed unit business locations are subject to business rates.
Strongly agree	None - the policy was very clear	Strongly agree		No comment	Strongly agree	No	Responsible Authority	None

Responding as:	Comments	Responses
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Responses by email:

Responding as:	Comments	Responses
Essex County Council Highways	<ul style="list-style-type: none"> • The Network Assurance Team on highway.licences@essexhighways.org should be on the consultation list to obtain consent for using the public highway • Essex County Council state £10 million public liability insurance on all their licences within the terms and conditions • Street Trading should not be allowed on any parking restrictions, within 15 metres of any junction, on or opposite a vehicular access • A clear marked plan showing the exact location (preferably a street plan) should be submitted with the application. 	<ul style="list-style-type: none"> • Email address noted and will be on the consultation list for Essex County Council Highways • Pages 9, of the Policy along with page 22 Condition 23 amended to £10 million in line with Essex County Council Highways terms and conditions • Added to Conditions on Page 20 as an additional condition and on Page 11 of the policy • On page 23 & 26 in the sample application form under the section – Location where you wish to trade does require a description and an enclosed plan with exact location marked on it.
Environmental Health	<ul style="list-style-type: none"> • How are we going to decide whether a location is suitable (don't know if that is possible) e.g., shouldn't be in residential roads (don't think we have any – but we don't want any!) – glad to see nuisance covered – but there is also the planning side 'not suitable in this area'. I have also had justified complaints from businesses paying business rates having food vans rock up for free parked nearby selling similar food. Maybe we should also consider that element. In a way this scheme does address that - in that they will be paying <i>something</i> – but probably 	<ul style="list-style-type: none"> • Each individual application will be consulted on, including Essex County Highways, Essex Police, Environmental Health, Planning and any other consultee that officers consider appropriate. Along with a notice at the location for locals to also be consulted on. There is a fee attached to these applications

Responding as:	Comments	Responses
	<p>a small fraction of the business rates paid.</p> <ul style="list-style-type: none"> • We have a few on private land in industrial estates or pub car parks – other car parks – will they be covered? • Point 14. On food hygiene training (personally I love the fact that you have been prescriptive in determining reputable providers of Level 2 food hygiene courses) – but there are so many providers now that it may be considered unfair. You later go on to determine that training must be current (I was going to raise that as certificates are often 10+ old) – it may be worth being prescriptive here and saying must be refreshed every 3 years in line with CIEH recommendations. • p.21 you forgot the ‘etc’ in the Health & Safety at Work etc Act 1974. 	<ul style="list-style-type: none"> • If there is free access to members of the public without payment of a fee to enter the grounds (see exemptions) they will be covered under this Policy • Added to Page 9 of the Policy, Page 30 in the application • Page 21 amended to include “etc”
<p>Environmental Health Practitioner</p>	<ul style="list-style-type: none"> • The exemption for those currently holding or applying for a premises license. – am I understanding this right, it doesn’t apply to them, they will never need the new consent? New premises license applications will? • “Relevant safety certificate for vehicle or stall” clarification on what certificates this refers to. 	<ul style="list-style-type: none"> • Proposal to require a street trading consent application to be applied for at the time of a new premises licence application but at no additional cost. Those that are currently trading to apply for street trading consent but at no additional cost to the premises licence annual fee. • For example valid MOT etc

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	<ul style="list-style-type: none"> • “Permission of land owner if not Bas council land” I though ECC don’t give permission and does that mean they also need a street trading license if trading on private property located along side a street? • “below 3 rating not permitted to trade” Love this but what about the practicalities if they fall below 3. Will they have a time period to improve before a license is revoked and they can’t trade? • “Food handlers min CIEH level 2 in catering” I know it also mentions RSPH and RIHH but there are many other providers which are actually more common than those bodies now. • “Valid WTN” they only get a WTN when oil is collected so may not have for several months. • “Guidance on products” does that mean a restriction can be put in place to sell or not sell certain products, and therefore perhaps assist in the situation where a van conflicts with a fixed premise it is parked out front of? • “Notify who employed to operate” practicalities of defining who is operating compared to the licence holder. Is the operator simply the person left in charge? Another condition already states it can’t be sub let. 	<ul style="list-style-type: none"> • See above response. Essex County Council Highways are statutory consultees to an application • Proposal to agree a time period with Environmental Health on a case by case basis dependant on circumstances • See previous response • Records and notices to be kept for inspection to show compliance • This is a possibility however each application is considered on its own merit and will need to take into account competition law • This wouldn’t be a sub let this would be person or persons employed or left in charge.

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<p>Essex County Fire and Rescue Service Protection (South West Area Command) Basildon & Brentwood</p>	<ul style="list-style-type: none"> • If a holder or their employee is requested to move the stall/vehicle by an authorised Council Officer, a Police Officer, an Officer of the Essex Fire or Ambulance Service, he/she shall immediately comply with that request. • Where containing any gas cylinders, that those gas cylinders (LPG) should be stored / used in the fully upright position at all times. The cylinders should where necessary be tethered in that position to a rigid supporting structure to prevent the possibility of being inadvertently moved or overturned • Where any gas system is provided that it complies with the Gas Safety (Installation and Use) Regulations 1998 • Flame and fire-retardant material must be used in the construction of the individual stalls. • Stall holders are reminded that their stall will come under the requirements of the Regulatory Reform (Fire Safety) Order 2005 and the person/company/business responsible for the stall will be required under this order to undertake a fire risk assessment. • The significant findings of that assessment are to be recorded. • The completed assessment must be maintained available for inspection by the Fire & Rescue Service/Event Organiser or Council Officers at all times. 	<ul style="list-style-type: none"> • All conditions requested have either been amended or added to the conditions on pages 20 – 23 It should be noted however that the responsibility to meet this conditions are that of the consent holder and the specialist knowledge of some of these conditions lies with Essex County Fire and Rescue Service Protection.

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	<ul style="list-style-type: none"> • Correctly rated Residual Current Devices / Circuit Breakers (RCD's/RCCB's) to be placed as appropriate within all mains electrical provision to prevent possibility of electric shock / exposed metal components from becoming electrically energised. • No fire hydrant indicator plate or fire hydrant pavement cover shall be obstructed, or access to it restricted at any time by the activities of the stall holder(s). 	
Licensing Consultant	We have no objection to or adverse comments to make about the Draft Street Trading Policy	None required
Street trading business	I have read policy and think it is a very good Idea we have been trading over 20 years	None required