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Response 1: P. Marley

- 1) The notice advertising the application should either have the full application details including plans/maps/photos etc of a link to a portal on council website for viewing. The proposed notice template leaves it impossible to fairly judge an application without all information being made available.
- 2) Local residents/businesses/property owners in close proximity are not included in the consultation list. Surely these are the most likely affected by street traders and should be a high priority for consulting with? These are the people who potentially have to live beside noisy/smelly trade stands, or ones that directly compete with existing business. Who in the council has the expertise & knowledge to understand what trade directly competes with another? There is also the inconvenience of the physical block such traders can cause to the presentation view of existing businesses.
- 3) There seems to be no provision for parking vehicles within the document. It is unfair past events have seen parking of trader vehicles within normally restricted areas. It should be an insistence that all vehicles are parked in usual car parks and not behind/beside tents/stalls etc.
- 4) Some existing traffic restrictions in pedestrianised zones in Taunton would appear to prohibit vehicles, yet every day we see street traders park their vehicles which would conflict with a traffic order. If such abuse continues to be allowed, it brings in to doubt the whole street trading system.
- 5) 14 days consultation is very short - especially if the only way of having knowledge of the application is stumbling across it on a lamp-post.
- 6) If you continue with excluding local residents & businesses from the consultation distribution list, you are likely to have complaints when a new trading operation upsets them for various reasons. How will such complaints be handled?
- 7) It is surely essential that the full plan/map/consent conditions are displayed at all times by the trader for anyone to view.

Response 2: Sarah Milner-Simonds

Feedback from eat:Festivals

2.17 The Council has decided to make the following activities exempt from requiring consent.

...

- Travelling fairs and circuses: traders as part of an established travelling fair or circus.

Why? These are potentially organisations which benefit and represent the local

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community least, and can be the most difficult to scrutinise. Most circuses will involve some level of trading.

We'd suggest that, if keeping this exemption, 'fair' is defined clearly.

It could be argued that this contravenes one of the criteria for approval:

9.1 The criteria include whether the application:

...Creates more trading opportunities for small businesses or otherwise contributes to the economic vitality of the area. The existence of shops and businesses operating in the immediate area will be considered, if appropriate, to avoid, amongst other things, unfair economic advantage.

7.3 To submit a complete application, the person applying must include/upload the following:

- A map and/or plan of the location with the trading position clearly marked (further detail below), preferably to scale.
- A photograph or series of photographs which show clearly the vehicle, stall etc. to be used, including its actual design/artwork. Or in the case of a unit which is under construction, a detailed illustration.
- Evidence that they have been given permission by the landowner(s) if using a pitch or pitches off of the highway e.g. email or letter.
- Proof of public liability insurance.

For an event/market organiser, applying for trading consent for multiple stalls, would you expect photographs and proof of PLI for every trader? Could there be a break point of, say, 12 stalls, above which organisers should collect/collate this info but not need to submit every photo?

9. Decision making criteria

One of the criteria is whether the application:

"Presents a significant risk of nuisance to households and businesses in the vicinity. Whether that is from noise, smells, fumes or light." Plus provisions for waste and litter.

Eat:Festivals has stringent requirements regarding these. Happy to share.

Will there be adequate opportunity to describe the organiser's checks & measures regarding this in the application?

10.2 Consultees will receive details of the application, including maps and plans. Where the applicant is working from their home address will this data be protected from public view?

"10.5 Should a consultee wish to make representations against the application e.g. object,

they must do so within the consultation period, giving reasons to support it which make

reference to the criteria/considerations in section 8."

Should it possibly read "in section 9"?

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Response 3: Jenni Henderson

I wish to comment on the proposal that Street Trading consents would be issued for 3-4 years with the expectation that those applicants would then move into retail outlets.

I have known many street and market traders in the 20 years I have worked in that field. There are very few people who fit that category.

Street trading offers an opportunity of self-employment to a diverse pool of individuals including those with dyslexia, autism and ADHD. It is a community that serves the public in a unique way, creating a friendly and welcoming atmosphere.

We shouldn't just support those who wish to grow their business. There's a workforce on the ground in every sector that underpins our society.

I would ask for flexibility with the proposed trading hours of 9:30 to 4:00. There are days where traders have sold out by 3pm. At times the weather is very harsh and leaving early is the most rational decision.

I understand the need to protect the public from vehicles on the pedestrianised area. The High Street is much quieter after 3pm. For traders, delivery vehicles and those that park next to former Clark's, they drive with care and attention to pedestrians.

Please consider our rights as individuals to continue a profession that we love and would miss considerably if it were no longer ours.

Response 4: Mark Watts

I'm a current street trader in Taunton town centre (Spud-Shack) and have been trading in the same pitch for over six years.

I have a couple of observations based on my and speaking to other traders, their experience, I hope this feedback will be considered and possible tweaks made.

Point 17 ready to trade by 9.30 and packed away after 4.30.

I personally tend to open early as I've built up an early trade, this has normally finished by 2pm, so I tend to pack down after this point. Other traders find they don't do any trade 7 till 11am, but then tend to trade later. If we have to be ready to trade when we are unlikely to have customers we will have more waste food as we often cook food I. Advance of opening, and mean wasted gas etc as food etc has to be kept warm ready or new food cooked even though no customers are likely. I believe this point is in place for health and safety so vehicles are not driving putting pedestrians at risk. If this is the case, maybe it can be reworded to something like 'traders need to ensure the safety of pedestrians, when setting up and packing down' in the town centre we have quite a few traffic wardens etc who ensure traders follow the rules. I know for instance that the police when carrying road safety awareness

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promotions next to my trailer often arrive after 9am and have normally left by 3pm.

18.5 unlikely consent will be given after 3 years.

This is a major concern, when I started trading I was told that as long as I followed the rules then each year my licence would be renewed unless something major changed, ie road development etc where I trade from. I've traded for 6 years, I know others have traded longer ie les on the donuts, the florist, super juice and the hot sausage company (although the later two have changed ownership several times since I started) we have all made investment in our equipment/trailers etc with this understanding, ie if we followed the rules we could keep our business running. Without the certainty that our licence would be renewed future investments in our equipment etc cannot be made, it also would limit being able to secure loans etc to pay for equipment if our licence could be stopped or In effect should be expected.

I wonder why this rule is to be included, if it's so the council can provide start ups maybe a startup zone at the end of the the high street could be considered, which each new started being told before they invest their time and money that it's only going to be awarded upto 3 years, this might suit certain ventures that might be transferable to shop premises, as I know mine and the other established food traders currently operating in Taunton town centre are unlikely to ever be able to make step into a premises, a good example of this is Silvans who trade next to me, they have also opened a restaurant, but it serves different food and at different times ie evening than it's daytime street trading van, ie it's not moving from the van to a restaurant, it's a completely different type of venture .

Response 5: Ben Saunders

To allow any more food wagons into Taunton town is beyond ridiculous, I have much to say on the matter and would be very pleased to be contacted by the a representative from SW&T to discuss it further.

Ben Saunders
Loafers

Response 6: Williton Parish Council

Request A Boards are taken into consideration in street licencing.

Response 7: Emily Vining, Public Health Manager for SWT

I have a few comments/observations (some just typos!) as follows:

2.3 ~~The Local Government (Miscellaneous Provisions) Act 1982 (from here on referred to as 'the Act')~~ The Act defines 'street trading' as being 'the selling or exposing or offering

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for sale of any article (including a living thing) in a street. *(As it already says this is Para 2.2)*

6.4 Where a person's street trading involves ~~selling~~ **providing** food and/or drink, they must register as a food business with the Council, as well as holding a street trading consent. *(Amended as it also includes food being given away!)*

6.5 Once a person is registered, they will ~~at some stage~~ be inspected by a Council Food Safety Officer. After the inspection, they will be given a score between 1 and 5 as part of the national Food Hygiene Rating Scheme (FHRS).

6.6 The Council expects traders to maintain good standards of hygiene. Traders who sell food ~~and/or drink~~ **and/or drink** will, as a condition of their consent, be required to achieve and maintain a minimum food hygiene rating of 3 or above. The Council may decide to refuse to grant a street trading consent or revoke one which has been granted, where the applicant or consent holder has a rating of less than 3.

8.3 Applicants should use the notice template at **Appendix 2**. (This sounds like the applicant has to do the Notice - perhaps 'Applicants will be provided with a laminated (as not sure applicants will have access to a laminator?) Notice, a template can be found in Appendix 2'??)

My other thoughts, having found problems before around H&S, particularly Gas safety. Is there any way we could ask that if they are using LPG they follow safe procedures, and provide a current Gas Safe Certificate (from a competent person) at the time of application?