

# **REVIEW OF STREET TRADING POLICY 10/06/26**

**REGULATORY SERVICES COMMITTEE  
10 JUNE 2026**

PART I

**REVIEW OF STREET TRADING POLICY  
(DoF)**

**1 Summary**

- 1.1 In line with council policy, officers are required to review the Street Trading Policy (“the Policy”) every 3 years and make changes where necessary. The current Policy was first adopted in February 2024 along with a schedule of new fees and changes to the list of prohibited / consent streets. It was subsequently reviewed with minor amendments in July 2024.
- 1.2 This report provides a review of the Policy with minor amendments suggested.
- 1.3 No changes are proposed to the ‘List of current prohibited / consent streets’.

**2 Recommendation**

- 2.1 That members of the committee agree to Option 1: *to agree to the changes and adopt the amended Policy.*

a) to agree the amendments to the Policy namely:

Section 2.3.2 to include “Activities which take place on Council owned land\* (including land owned by a district, parish or borough whereby written consent has been obtained in writing from the relevant Council) including but not limited to:

- Council parks and green / open public spaces such as Commons along with their associated carparks

\*This exemption excludes highway land which is maintainable at public expense.

b) Authorise officers to adopt the amended Policy.

**3 Details**

- 3.1 In line with council policy, officers are required to review the Street Trading Policy (“the Policy”) every 3 years and make changes where necessary. The current Policy was first adopted in February 2024 along with a schedule of new fees and changes to the list of prohibited / consent streets (see Appendix II of the Policy attached at **Appendix 1**), the latter of which was approved via a resolution, as required by legislation. More recent minor amendments were made to the Policy in July 2024 to enable applicants the ability to obtain an individual street trading consent and for markets to be established by a local authority (i.e. parish) in their area, via the Food Act 1984. Since the changes to the Policy, various parishes have established their own markets.
- 3.2 Historically the Council resolved to apply Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 meaning it could manage street trading by

designating streets as 'consent streets', 'licence streets' or 'prohibited streets'. The Council can, at any time, pass another resolution to not apply Schedule 4.

- 3.3 Since the initial adoption of the Policy and subsequent amendments, officers have attempted to strike a balance between regulating street trading and facilitating its benefits to local communities, acknowledging that in some cases the process can be seen as overly bureaucratic.
- 3.4 Street trading is defined as the selling or exposing or offering for sale of any article in a street, which can include any road, footway or other area for example a public or business park or green to which the public have access without payment.
- 3.5 There are two current types of streets in Three Rivers:
- 1) **Consent street** – enables trading from a street, subject to obtaining consent from the Council
  - 2) **Prohibited street** – a street which is prohibited from street trading (offence if takes place)
- 3.6 A 'Licensed Street' could also exist, which is a street considered appropriate for a formalised market, but where there is strict control. There are no licensed streets in Three Rivers.
- 3.7 The Policy covers:
- static street traders are those who trade from a single fixed location
  - mobile street traders are those who trade from a vehicle at various locations in the district, remaining on location for a limited duration of time to carry out a transaction, before moving on to another location.
- 3.8 At previous committee meetings it was agreed to:
- Add a significant list of exemptions for markets/events whereby they take place on Council land (including all green spaces, car parks etc), school premises, community/charity based events whereby the primary aim of the profits go towards a community initiative or charity, activities from within the curtilage of a dwellinghouse or private land;
  - Include a new range of fees such as an annual consent fee; renewal of annual consent fee; occasional/seasonal consent (lasts for 30 days at specified location); 'one off' market/event consent and 'one off individual street trading consent';
  - Removing the requirement for a basic disclosure and replacing with a self-declaration form;
  - Reviewing all consent, licence and designated streets – making all streets within the District consent streets other than classified / major roads.
- 3.9 The above changes were incorporated into the first adopted version of the Policy.
- 3.10 Overall, the Policy is considered to work well. Nevertheless, as part of the on-going review officers consider that a further exemption is appropriate (see paragraph 2.3.2 of the amended Policy - see **Appendix 2**). This exemption

would mean that applicants would no longer need to apply for a street trading consent if it is related to land owned by a council (including district/borough and parish), subject to their written consent. This would not however include land on a highway maintainable at public expense (those roads maintained by Hertfordshire County Council). This exemption is considered appropriate on the basis that sufficient suitability checks would be undertaken by the relevant local authority in securing their initial written consent which would therefore overcome the need to submit similar information to Three Rivers.

- 3.11 No other material changes are considered at the current time, other than to update section 2.3.2 as highlighted above.
- 3.12 No changes are required to the 'List of current prohibited / consent streets' at this time.
- 3.13 If members were to make suggested changes to the list of current prohibited / consent streets, a separate public consultation would be required whereby a resolution would later need to be adopted by the council.
- 3.14 Given the extent of changes made to the Policy it is not considered that a public consultation would be necessary. Nevertheless, if members were to propose additional changes, a different view might be taken. In the past, officers have consulted for a minimum of 6 weeks.
- 3.15 If no changes other than those set out by officers were to take place, the members could therefore adopt the amended Policy immediately following the Regulatory Services Committee.

#### **4 Options and Reasons for Recommendations**

##### **4.1 Option 1:** to agree to the changes and adopt the amended Policy.

a) to agree the amendments to the Policy namely:

Section 2.3.2 to include "Activities which take place on Council owned land\* (including land owned by a district, parish or borough whereby written consent has been obtained in writing from the relevant Council) including but not limited to:

- Council parks and green / open public spaces such as Commons along with their associated carparks

\*This exemption excludes highway land which is maintainable at public expense.

b) Authorise officers to adopt the amended Policy.

##### **4.2 Option 2:** to agree to changes as set out at Option 1 but subject to 6-week consultation

a) To agree the amendments to the Policy

b) Commence a 6-week public consultation exercise on the revised Policy

- c) Following the expiry of the public consultation that details of the consultation responses and any amendments to the Policy following the consultation will be presented to a future Regulatory Services Committee for agreement; or
- d) In the event there are no amendments or responses from the public consultation which materially impact the revised Policy as consulted on, that the Head of Regulatory Services in conjunction with the Chair of the Regulatory Services Committee makes minor changes to the Policy, if required, and then for the revised Policy to be formally adopted by Full Council on 24 February 2026.

**4.3 Option 3:** to agree to changes as set out at Option 1 as well as other changes requested by members of the committee, subject to agreement as to whether a public consultation would be necessary. If no public consultation is necessary, to adopt the amended Policy including the requested changes.

**4.4 Option 4:** Decide not to agree amendments to the Policy.

## **5 Policy/Budget Reference and Implications**

**5.1** The recommendations in this report are within the Council’s agreed policy and budgets. It is not considered that the changes requested would materially affect the budget.

## **6 Financial Implications**

**6.1** There are specific fees for Street Trading Consents. A further exemption may reduce income received. To be monitored though budget monitoring.

## **7 Legal Implications**

**7.1** No specific implications identified.

## **8 Sustainability and Climate Assessment**

**8.1** A sustainability impact assessment has been undertaken resulting in a score of:

<b>Climate and Sustainability Impact Assessment Summary</b>	
Homes, buildings, infrastructure, equipment and energy	2.50
Travel	2.67
Goods and Consumption	3.00
Ecology	0
Adaptation	0
Engagement and Influence	3

<b>Total Overall Average Score</b>	<b>1.9</b>
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**9 Equal Opportunities Implications**

9.1 An EQIA is not required for the report.

**10 Impact Assessment**

10.1 The proposed changes would not result in any detrimental impacts towards any protected group.

**11 Community Safety Implications**

11.1 The Police would be consulted for all submitted applications for street trading consents.

**12 Public Health implications**

12.1 None specific.

**13 Customer Services Centre Implications**

13.1 CSC staff will be made aware prior to the Policy being adopted.

13.2 The Customer Service Centre will be advised of any public consultation and to sign post customers to our website, 'Have your say' function.

**14 Communications and Website Implications**

14.1 If agreed the Policy will be displayed on the TRDC website and will be published via TRDC social media platforms.

14.2 The council's Digital Team will be made aware of any Policy consultation (if necessary) and will assist in utilising the 'Have your say' function on the website.

**15 Risk and Health & Safety Implications**

15.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

15.2 The subject of this report is covered by the Regulatory Services service plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan(s)

Nature of Risk	Consequence	Suggested Control Measures	Response (tolerate, treat, terminate, transfer)	Risk Rating (combination of likelihood and impact)
<p><b>Option 1:</b> to agree to the changes and adopt the amended Policy.</p> <p>Amended policy is adopted and further exemptions apply which result in public safety concerns.</p>	<p>Concern expressed about further exemptions; public safety concerns.</p>	<p>Ensure policy is clearly publicised; ensure written consent process in place with other Councils on exempted land; review any complaints received regarding exempted events.</p>	<p>Treat</p>	<p>4</p>
<p><b>Option 2:</b> to agree to changes as set out at Option 1 but subject to 6 week consultation.</p> <p>Amended policy is not adopted resulting in delays to implementation and continued uncertainty for event organisers.</p>	<p>Continued requirements for event organisers; uncertainty for event organisers</p>	<p>Ensure existing Policy is clearly publicised and enforced accordingly.</p>	<p>Tolerate</p>	<p>2-4</p>
<p><b>Option 3:</b> to agree to changes as set out at Option 1 as well as other changes requested by members of the committee, subject to agreement as to whether a public consultation would be necessary. If no public consultation is necessary, to adopt the amended Policy including the requested changes.</p>	<p>Continued requirements for event organisers; uncertainty for event organisers</p>	<p>Officers to make the necessary changes and bring back to the relevant Committee at their earliest opportunity (if such changes require further consultation)</p>	<p>Tolerate</p>	<p>2-4</p>

<b>Option 4:</b> <i>Decide not to agree amendments to the Policy.</i>	Uncertainty for event organisers; complaints regarding excessive administrative tasks	Officers to advise against this Option but if it is agreed, that members be made aware of complaints from event organisers.	Tolerate	2-4
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15.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

<b>Very Likely</b> ..... <b>Likelihood</b> ..... ↓ <b>Remote</b>	<b>Low</b> 4	<b>High</b> 8	<b>Very High</b> 12	<b>Very High</b> 16
	<b>Low</b> 3	<b>Medium</b> 6	<b>High</b> 9	<b>Very High</b> 12
	<b>Low</b> 2	<b>Low</b> 4	<b>Medium</b> 6	<b>High</b> 8
	<b>Low</b> 1	<b>Low</b> 2	<b>Low</b> 3	<b>Low</b> 4
	<b>Impact</b>			
	<b>Low</b> .....	<b>Unacceptable</b>		

**Impact Score**

- 4 (Catastrophic)
- 3 (Critical)
- 2 (Significant)
- 1 (Marginal)

**Likelihood Score**

- 4 (Very Likely (≥80%))
- 3 (Likely (21-79%))
- 2 (Unlikely (6-20%))
- 1 (Remote (≤5%))

15.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

Report prepared by: Lorna Curtis, Lead Licensing Officer and Matthew Roberts, DM Team Leader

**Data Quality**

Data sources:

Data checked by: Matthew Roberts Team Leader, Development Manager

Data rating:

<b>1</b>	<b>Poor</b>	
<b>2</b>	<b>Sufficient</b>	
<b>3</b>	<b>High</b>	<b>X</b>

**Background Papers**

**APPENDICES / ATTACHMENTS**

**Appendix 1:** Street Trading Policy 2024

**Appendix 2:** Street Trading Policy (amended, tracked changes)

**Appendix 3:** Sustainability and Climate Assessment

