

Appendix 1 – Consultation Responses

Comments received from :	Comments Made	Response to Comments
<p>Wincanton Carnival Association</p>	<p>Page 4, para 3, Exemptions from the need to obtain consent, 1st bullet</p> <p>Council’s implementation of persons trading as pedlars, needs to be improved. They should be included the same as any other street trader – they have mobile units, and do not walk to a carnival event.</p> <p>If the certificates are issued by the police, perhaps talks on the design of the certificate can be held. They currently have no photo, can easily be photocopied, need laminating to prevent fraud. Then it needs looking at whose responsibility it is to enforce what the guidelines are that they have to walk to hawk, and only carry their goods.</p> <p>As a carnival we have no powers to stop them turning up, they cause problems in the traffic flow of the procession, as at times dangerous in how they wheel their trolleys out of the procession vehicles, and the crowds, and so on. It needs establishing who is the authority who controls them, if the police issue the licence, then they say they have no powers to move them on, if it is a licensing issue then SSDC needs to up its game. It is difficult to see what they are charged for their certificate. They should be treated as Street Traders, when they attend carnivals – they trade - not peddle/hawk.</p> <p>Page 5, 5th bullet</p> <p>Insert Carnival wares, i.e. programmes, items such as hawkers</p>	<ol style="list-style-type: none"> <li data-bbox="1451 456 2051 842">1. This section relates entirely to pedlars/hawkers. The legislation that controls the activities of pedlars is the Pedlars Act 1871. The Pedlars Act 1871 contains its enforcement powers in sections 17 to 20. These sections all clearly state that a constable or officer of police has the power for enforcement within these sections. There is no duty, responsibility or authority within this act to allow for local authority enforcement. <li data-bbox="1451 1318 2051 1383">2. Not necessary as selling for non-commercial purposes by carnival organisations or

	<p>sell, but at a much lower price. Hawkers should not be exempt.</p> <p>Page 5, 10th bullet</p> <p>Insert Carnival. Traders who donate to carnival should be exempt from paying the fee. Food traders in Somerset come from a long family tradition of supporting carnival. The hike in fees last year to £57, nearly resulted in us not having Food Traders. They did give a donation, but it must have hit their profit of the evening. In addition, one of the traders supported carnival by supplying food at 50% cost, and so gave even more to the carnival. I believe in other local District councils, the Food Traders on carnival night do not have to pay a fee, provided they make a donation. Alternatively, the council could look at reducing the fee to what it was £12, as they are only there for 3 hours, and not like a street trader trading all days for the same fee. Perhaps the council could reintroduce a reduced rate or even better still a zero rate for these traders.</p> <p>Page 6, para 4, last para</p> <p>After Council's Licensing Manger insert “, and needs to be included in the event's contingency plan,”</p> <p>Page 9 Yellowed paragraphs</p> <p>Should this consent apply to hawkers as well. They speak no English, they do not contribute to carnival. They may even be illegal immigrants. The identification badge/permit has to be of a better design, with photo ID and forger- resistant.</p>	<p>community groups is already covered by an exemption.</p> <p>3. This was discussed at length and members felt that in order to support carnival an exemption scheme could be introduced. This would mean that a carnival could apply for their event to be exempt from the street trading regime. Upon receipt of an application supported by relevant documentation and a nominal fee to cover the cost (to be determined) an exemption certificate could be issued to the carnival.</p> <p>The carnival would then be free to organise their own traders.</p> <p>4. Not necessary</p> <p>5. See point 1 above.</p>
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	<p>Page 9, para 7</p> <p>Hawkers should be issued with a 'Plate for each of their 'units, whether they be converted shopping trolleys or more sophisticated units. '. Issuing of the plate should only be given when the hawker can show they have donated to the charitable event.</p> <p>Page 10, para 5</p> <p>Food Traders have long memories in relation to position at a carnival, even after a 6 year gap. They demand a certain spot and get very aggressive if they do not get their spot. Need to have some wording here which indicate to traders that their pitch is not for ever, and that organisers can chose who they invite to a carnival. I recognise that the wording hers is meant for actual street market type trading.</p> <p>Page12 Section 6, yellow para</p> <p>This would not apply to carnival -the organisers should be free to invite who they wish.</p> <p>Page 12, section 7 Fees</p> <p>Strongly ask that street traders who come on invitation to a carnival be allowed a nil fee charge, provided they have donate to the carnival – they are only there a short time. Some councils do not charge for carnivals. It cost us over £8000 to put on this year's carnival – a lot of expense for 2 hours of fun. We need the support of the traders.</p>	<p>6. See point 1 above</p> <p>7. See pont 3 above which resolves this issue.</p> <p>8. See point 3 above, which resolves this issue for carnivals.</p> <p>9. See point 3 above which resolves this issue for carnivals.</p>
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	<p>Final comments</p> <p>Licensing Officers, with police, should be in attendance at all events where Hawkers, in particular, attend, to enforce licensing measures.</p> <p>The problem of the Hawkers should be tackled and not just ignored. Both police and council say it is not their responsibility. It has to be someone's – they are trading, they are not hawking in the legal sense. They cause danger, and exploit the families that foolishly buy.</p> <p>Exemption of fees could follow practice of other district councils – Mendip for example does not charge food traders for carnival, which helps to cover the costs involved, as the traders donate to the carnival.</p> <p>On behalf of Wincanton Carnival Association</p>	<p>10. See point 1 above.</p>
<p>Yeovil Chamber of Trade</p>	<p>I am writing in response to the Street Trading Policy consultation. I read through the 28 pages of the Street Trading Regulations, currently under consideration, and consulted with affected Chamber retail members, who have provided me with some insight into the proposals.</p> <p>At a time when SSDC Area South are working to encourage growth in the town centre and working positively with stakeholders such as Yeovil Chamber, creating opportunities and the potential for growth, I am dismayed at the apparent potential negative implications of the (district wide?) Street Trading proposals.</p>	

	<p>Yeovil Chamber is the voice of the business community in and around Yeovil, and currently has a growing membership, comprising over 120 member businesses. I currently chair the Love Yeovil Group, and am a board member of Yeovil Vision, both of which exist to bring town centre businesses to the table; encouraging footfall into Yeovil via a programme of events and attractions.</p> <p>The proposed changes to the SSDC street trading policy seem to fly in the face of all the good work currently being carried out by SSDC and other Stakeholders. One business is claiming that the new rules will impose an additional £800 per year, just to carry on delivering food & drink by motor vehicle to other businesses, some of which are located away from shops. Life for retailers is challenging enough, with high business rates and competition from internet trading. Why does SSDC require additional revenue from the business sector, by different means? I could understand (but would not be happy) if business rates were increased, but to apparently create additional policy conditions to generate additional revenue seems underhanded.</p> <p>The regulations apparently give SSDC scope to apply Street Trading legislation to certain areas under private ownership (SSDC definition of the term 'street' includes 'any road, footway, beach or other area to which the public have access without payment'). That definition opens the door for SSDC as that could be interpreted as 'any property that a Company owns that you can walk onto by some route that is not entirely shut off'. That would include supermarket car parks, trading estates, shopping malls, the land YTFC own around their stadium, forecourts – the list is endless.</p>	<p>11. No decision on fees has yet been made, this will be a matter for Licensing Committee once the policy has been agreed.</p> <p>12. Delivery of pre-ordered food would not constitute street trading and would be exempt. It is only where sales are made of non pre-ordered product that street trading consent would be required.</p> <p>13. This is the current legal position in the UK and has been for some while. The definition is one that is set out in the relevant act and had been further decided by the Courts by case law. SSDC have been challenged on this in both the Magistrates' and Crown Court and has been succesful in defending our current policy on appeal.</p>
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The changes would mean that if a Chamber member business had commercial third party operators taking money in areas that meet this definition, even if it is private property owned by that Chamber member, aside from the Chamber member's own procedures the third party operator concerned would legally have to: (a); go through a SSDC Street Trading application process, and (b); would have to pay the Street Trading Fee which currently can be over £50 per day? It also seems to suggest that even if a Chamber member was happy with the third party concerned coming onto their land, SSDC could enforce the Street Licensing system. I am aware of at least one Chamber member business which has already suffered under this system. Their projects and plans designed to bring much-needed footfall into town have collapsed because of the rules and cases where commercial users of their property would have to pay SSDC more for fees than they are paying the resident business. That business will also be making its views known as part of the consultation.

SSDC Area South is investing time and money in Yeovil town centre, and working with business community stakeholders such as Chamber to build confidence and foster the right conditions for town centre businesses to flourish. It would be a shame if the current regeneration work being undertaken in the town centre, and investment by SSDC Areas South, is undermined by these proposed changes to the Street Trading Regulations.

My main question is; what is driving the need for additional SSDC revenue, by these alternative means? The retail community and in particular, Yeovil town centre retail is beginning to fight it's corner, in the face of internet trading

14. Area South have been consulted on the proposed policy.

	and high business rates, building a collective proposition and creating the conditions for prosperity for all in Yeovil. Why create additional financial challenges and red tape?	
Brenda Ford No5 Catering Ltd	<p>I work for Charlie at No.5 Catering and I am responding, on behalf of the business, to the suggested £800 per vehicle levy proposed in your new street trading policy.</p> <p>Why is this levy being brought in at this time and what do SSDC hope to gain by it? I feel the implications of this charge for every vehicle delivering food and drink to business premises in and around the area can only be negative.</p> <p>Most small delivery vehicles operate on a very tight budget and provide a valuable service to people working in areas where there is no easy access to any food and drink outlets. In the case of No5, this service is a fundamental part of the working day for a great many people.</p> <p>To keep such a vehicle on the road the costs leave very little margin already: fuel, wages, cost of production, share of overheads. etc. etc. To impose another £800 would result in many vehicles being taken off the road, jobs lost and a much needed service no longer available.</p> <p>I would appreciate your comments.</p>	15. See point 11, 12 and 13 above.
Tony Smith (1)	<p>Dear Nigel</p> <p>Something has been bothering me since reading through your draft.</p> <p>Was not sure what it was, but bizarrely it has now surfaced.</p> <p>Many, maybe all, market traders use the National Market Traders Federation insurance service to cover both public and employers liability. The cover is excellent and satisfies every market operator I have encountered. However.... your draft seeks to view the appropriate certificate, and there lies the</p>	16. A good point. The proposed policy will be amended to include sight of the traders NABMA membership card as proof of public liability insurance.

<p>Tony Smith (2)</p>	<p>potential problem. Maybe even danger.</p> <p>The Federation arranges a group policy, a Swiss company last time I looked. This annual policy has a "random" start/ finish not remotely likely to coincide with the cover given to insured members on their own specific membership renewal date.</p> <p>In times past, though I have not seen one lately, the Federation sent out a copy of the employers liability certificate, so it could be properly displayed. This however did not necessarily guarantee that the member was covered if he had not renewed his membership, even though the master policy still showed time to run.</p> <p>They never, routinely, send out copies of the public liability certificate, but I can only assume the same system must apply, providing the same difficulty in guaranteeing cover from the presence of a current certificate.</p> <p>Now.... the market world gets round the problem in simple fashion. It never asks for a certificate but instead accepts sight or photocopy of the trader's membership card. This card shows if the membership is current, and until when, and on the reverse details the extent of the cover both for public and employers liability.</p> <p>I have attempted to attach a copy of my own card.</p> <p>Simply put, maybe your draft can include wording to allow NMTF membership cards to be acceptable as though they are a certificate.</p> <p>Little chance of a mistake, and no chance of lapsed cover</p> <p>Sir,</p> <p>Thank you for including me in your mailing list regarding the proposed revised street trading provisions.</p> <p>Aside from a natural aversion to the length and complexity of any regulations, and the rules covering their enforcement, I have little to say regarding either the existing or proposed</p>	<p>17. Members discussed this matter and felt that there was no need for a seasonal consent as the quarterly fee of £425 was reasonable and gave the opportunity to trade for up to 3 months. The previous regime fee of £13 per day, would equate to £390 for only 30 days</p>
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	<p>document, though there are some errors of grammar and it might be more sympathetic not to refer to activities being "caught" by legislation.</p> <p>However,</p> <p>These proposals fail to address the difficulties faced by seasonal traders, operating on limited profit margins, who are effectively excluded by virtue of the much larger fees you ask for short periods of trading.</p> <p>It is worthy of note that the charges for market pitches in Yeovil are some of the highest of any locally, and yet your fees for street trading are around 3 times this amount!</p> <p>I understand your need to recover costs, but if you had more traders, the cost to administer each would diminish in proportion.</p> <p>It is easy to see the problem, somewhat more difficult to find an equitable solution.</p> <p>One way might be to licence the town council, or shopping mall owner, in respect of all pitches within its boundaries, then empower them to examine, approve, and regulate traders they, with even more local knowledge, wish to have in their town, or mall. They could then charge a more modest rate for each pitch.</p> <p>This in some ways goes back to the previous system, and I understand you may prefer centralisation.</p> <p>To keep matters in your hands maybe you can consider some method of "advance approval "of a trader for a period, say 1 year, and this for a fee, say £50, to cover the documentary examination costs, without thereby defining on which specific days he will trade. Those trading days to be specified only by groups for example " the three weeks before Easter plus the four weeks before Christmas "</p> <p>The trader then, giving reasonable notice, being able to select the days he wants, on which he assesses the weather will</p>	trading.
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	<p>permit trade, on which he expects to be able to secure adequate stock, etc.</p> <p>To pay, on giving above notice, a more reasonable daily rate , say £25.</p> <p>Such a system defrays your costs in advance,(even if the trader fails to reappear!) but encourages the trader to go to work on as many days as possible, thus, by apportionment, reducing the impact of his original registration fee upon his day's trade.</p> <p>It is important that such a scheme does not materially change the fees of an annual licence, but should encourage more seasonal traders whose presence is presently sadly lost to the town.</p> <p>Save that he would pay (both elements) in advance this would be similar to the ancient market system of the casual trader joining a casual queue at the start of a charter market, where he would be allowed a pitch if a regular failed to attend, but with the more modern benefit of his " credentials " being adequately scrutinised in advance.</p> <p>I would like to join any public debate you have planned, and welcome any other ideas you may have to encourage more street traders. That both in number and variety.</p>	
Jo Morrison	<p>Having read in the Western Gazette that ‘the public’s views [are] sought over street trading’ and then read about a proposed additional £800 levy for businesses delivering food, I chose to view the consultation documents. Unfortunately, I was unable to find the information about the levy and was unsure what the yellow highlighting referred to in the document. Furthermore, the consultation letter (see below) doesn’t mention anything about any proposed levy. Please can you clarify:</p>	<p>18. Questions answered directly to respondent, please see points 11 and 12 above.</p>

	<p>a) are the changes to be consulted on found solely within the yellow highlighted sections?</p> <p>b) where is the information about the proposed additional levy located within the document?</p> <p>c) is the consultation document about street trading policy that I have viewed, the correct one?</p>	
Wayford Parish Council	<p>Wayford is a small village close to Chard and Crewkerne. Street trading is unlikely to take place in the village itself. However residents of Wayford attend events in both Chard and Crewkerne and possibly in Ilminster.</p> <p>Wayford Parish Councillors are concerned about the impact this new policy will have on community events, particularly the carnivals, which have a short duration of 2 - 3 hours. Mendip District Council reviewed their policy last year but following consultation with organisers of some of these types of events decided to include an exemption for events such as carnivals and locally organised community events.</p> <p>Although there are exemptions in SSDC's policy it is not wide enough and does not cover the short amount of trading at the sort of events described above where the trader will keep some of the profit.</p> <p>Wayford Parish Council would therefore like to see SSDC include an exemption similar to that in Mendip Council's policy.</p>	19. See point 3 above.

<p>Castle Cary Town Council</p>	<p>This is the response from Castle Cary Town Council (CCTC) to the above document concerning Street Trading within South Somerset District.</p> <p>After several discussions and meetings we offer the following concerns and suggestions that we would ask you to consider when finalising the Street Trading Policy for 2017</p> <p>Charitable and Community Exemption Events run for Community or Charitable purposes should be included in the list of exemptions.</p> <p>The reasons for requesting this exemption is that there are several events in the Town, usually held on an Annual basis such as the Town Carnival, Big Christmas etc. These events are organised solely for charitable or community benefit purposes and a significant part of the attraction of such events is the quantity and diversity of street traders who commonly make donations of part of their takings to the organisers.</p> <p>Recent changes to street trading charging tariffs mean that for the relatively short time (typically 3 or 4 hours) that these events last, several traders will not take part. This has already happened with the Town Carnival where there was a 30% drop in the number of traders and a 15% drop in donations from Traders</p> <p>As worded, the policy will apply to The Big Christmas event and the future of such popular community and charitable events would become unsustainable if they are included in the Policy.</p> <p>Householder Exemption Occasional sales by householders from land contiguous with their homes.</p> <p>This exemption is requested to allow householders to hold occasional “garage” sales and the sale of excess garden</p>	<p>20. These are already included in the policy, but there is no exemption where there is an element of private gain.</p> <p>21. See point 3 above.</p> <p>22. This is already included as an exemption in the policy (see page 5 bullet point 9)</p>
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produce from their own land. The imposition of the Policy to these sales would be unreasonable.

Exemption of the Market House Curtilage

There already exists an exemption in the document for the Undercroft of Castle Cary Market House. This exemption is requested for the small cobbled area between the pavement and the railings at the front of the Undercroft.

This exemption is requested as with some events the Undercroft quickly fills with public and traders and the small extra area would prevent this congestion. In addition the cobbled area is commonly used for tables & chairs for the public to use during events and these are sometimes directly served by food and beverage traders in the Undercroft. In the wording of the document this could be construed as “trading” outside the Undercroft and would therefore become subject to the new Policy, this exemption is requested to remove this uncertainty.

General Comments on the Document

Note that passages in “*italics and enclosed by inverted commas*” are quotes directly from the Draft Street Trading Policy Version 4

1. It would be very helpful if a numbering system was used throughout to make referencing the relevant sections of the document simpler

2. Page 6 – “*The Council would not normally grant, a Consent for the sale of goods which conflict with those provided by nearby shops or markets because it could provide an unfair economic advantage to the holder of the Consent*” – this seems very “woolly” and who decides what conflicts, based on what criteria? We understand the aims behind this but consider it too broad and highly subjective and should be more specifically worded, or preferably removed.

3. Page 7 – “*Where the proposed site for trading concerns*

23. Members considered this, but felt that as this area was an open outside area to which the public have free access then an exemption would not be appropriate.

24. Members didn’t feel that this was necessary.

25. Members felt that this should remain as it gave the Licensing Manager the ability to refuse consents that would seek to sell similar items to those already available in the vicinity from established premises.

land owned by this Council or Somerset County Council, as Highway Authority, then permission from the relevant Council must be obtained before an application for Consent is made". This seems reasonable when a third party organisation owns the land concerned but for SSDC owned land could not both applications be rolled up into a single application?

4. Page 9 – *"Consents shall only be issued to persons who have the legal right to work in the UK. Applicants applying for a 3 month consent or longer shall provide proof of this right to the Council where requested. If the applicant is assisted by any persons at their pitch, they shall also supply proof that their assistants have the right to work in the UK. The applicant is required to supply a current photograph of themselves and any assistants; the Council will upon successful application, issue a badge to the holder (and any assistants) which bears their photograph. Badges must be visibly displayed upon their person during the period of trading"* After discussion with the SSDC Licensing Manager it would appear that the whole of this section ONLY applies to applications for 3 months or more. This is unclear from the current wording, particularly the 1st sentence.

5. Page 10 – *"The holder of the Consent shall ensure that any persons joining their employ - whether paid or unpaid has received their badge prior to assisting at the pitch and shall return their badge(s) to the Council when they have left this employment within one month of leaving. The applicant and any assistants shall provide evidence of a suitable background check in the form a basic disclosure to the Council before any consents and/or badges are granted. The disclosure shall not be any older than three months at the time of submission to the Council."* This would appear to be unenforceable for "one off" replacement workers who help on short notice due to illness or emergency. This should be reflected in the wording

26. Members felt that this should remain as it is. Licence requirements for use of SSDC land are quite separate from the issue of street trading consents.
27. Members felt that this was clear enough, in that it only applied to persons requesting consents to trade for 3 months or more.
28. Members felt that this requirement should not be changed. However they did agree that in certain exceptional short term circumstances such as short term illness etc, then this requirement could be waived at the discretion of the Licensing Manager.

	<p>6. Page 11 – “<i>Sufficient time</i>”. This expression (and similar) are used in the document. If possible specific time periods should be quoted. The applicant is in no position to judge what is sufficient time for SSDC to process requests</p> <p>7. Page 18 – First Aid – does this mean that every stall must have the relevant First Aid kit. If not and a suitable central area with a First Aid Kit should be given as an option</p> <p>8. Page 18 – Fire Extinguishers – as with comment above.</p> <p>9. Page 19 – fire extinguishers cannot be attached to a wall on most stalls</p> <p>10. Appendix 3 Page 25 – there are several places where ellipsis (...) are used as placeholders for</p>	<p>29. Members agreed that where the phrase “sufficient time” is used then this should be replaced with the phrase a minimum of 28 days prior to trading.</p> <p>30. This is contained in Appendix One and is clearly stated as not forming part of the policy, it is providing useful information to applicants on other legislative requirements that they should be aware of.</p> <p>31. Noted, but this is a copy of the legislation as written.</p>
<p>Odcombe Parish Council</p>	<p>I was asked to read this document on behalf of Odcombe Parish Council.</p> <p>I found it easy to understand. it contained all the information I expected it to.</p> <p>I cannot see the need to repay a portion of the licence fee if they have breached conditions but that is a minor point.</p> <p>What check is there on how the Licensing manager selects a new vendor for a pitch that falls vacant? There could be allegations of favouritism/bribery if it is a one person decision. is there at least a written record of applications and reasons for the decision?</p>	<p>32. The Licensing Manager is already required to make a written note of reasons for a decision and this is retained electronically within the Licensing IT systems.</p>
<p>Misterton Parish Council</p>	<p>Misterton PC has no comments to make re this consultation – except the length of the document.</p>	
<p>Ilton Parish Council</p>		

	<p>Ilton Parish Council considered SSDC's policy on street trading and would like to make the following comments.</p> <p>Reason for Ilton Parish Council's interest in the policy. - Ilton itself is a small village and does not often host street traders. However it is very close to towns such as Ilminster and South Petherton which do. Residents of Ilton enjoy local carnivals and other community events hosted and organised by the larger surrounding towns.</p> <p>Do you think there is anything missing? - Ilton Parish Councillors are concerned about the impact this policy has had and will continue to have on events such as the Carnival, the Ilminster Midsummer Experience, the Ilminster Christmas Lights Switching-on etc. Events such as these have traditionally invited a number of street traders who will set up for the few hours of the duration of the event, unusually only for 2 - 3 hours. Although the committees which organise these events do not receive any of the profit, traders have usually given a donation. SSDC increased their fees for a street licence quite considerably last year from £18 to £57. As a result a number of traders did not come to the Ilminster Carnival because they felt they could not cover the costs with only a few hours of trading. A number of traders who did come gave the Carnival Committee a reduced donation this year. This resulted in a considerable loss to the Carnival Committee which I understand was somewhere in the region of £250.</p> <p>Mendip District Council reviewed their policy last year but following consultation with organisers of some of these types of events decided to include an exemption for events such as carnivals and locally organised community events.</p> <p>Although there are exemptions in SSDC's policy it is not wide enough and does not cover the short amount of trading at the sort of events described above where the trader will keep</p>	<p>33. See point 3 above in relation to Carnivals.</p> <p>34. The costs incurred to SSDC are no different if the trader trades for 1 hr or 8hrs. the work required to process and deal with the application is exactly the same.</p>
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some of the profit.
The £58 fee is disproportionate for a 2 - 3 hour event.
Do you have any suggestions for improving the policy? -
Include an exemption similar to that in Mendip Council's policy. This reads as follows:
Extract from Mendip District Council's Street Trading Policy
"10. Local Exemptions
The Council has decided to exempt trading that takes place in certain circumstances. This means that the Authority will not ordinarily require its consent for street trading to take place in those situations. To benefit from this exemption, the trading must be carried out with the express written permission of the event organiser or be carried out by the householder concerned. The exemption applies to trading taking place in the following circumstances:-
fetes, carnivals or similar community based and run events, organised for charitable purposes and/ or where there is no private gain by the organisers,
non-commercial or charitable events,

farmers markets, including producer-managed marketplace for local producers to sell their own produce direct to local people sales of articles by householders on land contiguous with their homes,
This local exemption is provided to support both community based and charitable events enabling them to flourish. (The Authority may exempt trading in other similar circumstances, at the discretion of an Authorised Officer of the Council).
However, notwithstanding this exemption the Authority does reserve the right to require consent where it is in the public interest to do so and in circumstances where it sees fit.
Therefore, the Authority will maintain a register of all such

	<p><i>activities. Full details of any trading that would otherwise require consent must be notified to the Authority in good time beforehand. This must be done in writing or by email to the Licensing Team and will ensure that this exemption is only provided in appropriate circumstances.</i></p> <p><i>In addition, the Council will exempt any street trading that takes place on land that is owned and/ or under the maintenance of Clark's Village or its agents. This exemption is provided due to the unique nature of the retail outlet in the Mendip District area and due to the existing checks that are carried out by the landowner or their agent's."</i></p> <p>Ilton Parish Council hope that the Council will think about the impact this could have on local events such as the Carnival and agree to include an exemption for these community based events similar to Mendip's exemption above or include other measures that would help to support them such as a reduction in fees for these short duration events..</p> <p>Yes, I am happy for an SSDC representative to contact me to discuss my response to this consultation exercise in more detail.</p>	
Winsham Parish Council	<p>With regard to SSDC's Street Trading Policy Consultation and following the Parish Council's meeting last week, the Members have asked me to send the following response:</p> <p>Winsham Parish Council concurs with the policy. There are no additional comments.</p>	
Ilminster Carnival Committee	<p>I would like to make the following comments regarding the Street Trading Policy and ask that you give them due consideration when finalizing the policy.</p>	

Ilminster Carnival Committee along with others in South Somerset are concerned about the effect that last year's large increases in street traders permits has had on our carnivals. A number of traders did not come to our event due to the increase which meant we lost their donation to the carnival and a number reduced the donation they gave us.

As you are currently undertaking a consultation on street trading we feel this is an ideal opportunity to voice our concerns and propose a solution. This is something that does affect the larger towns with markets etc., but the recent changes to fees are already having a huge effect on charitable events such as carnivals.

Please see below the paragraph that Mendip added to their policy to help support local events. I hope that this can be shared amongst members and given consideration before any final decision is made. This would be an ideal opportunity for South Somerset to show their support for the traditional events that take place in their district and will enable a fair and consistent approach across Somerset.

I would also like to add that these traders only operate for a short period of time on Carnival night, probably only 3-4 hours and it is felt that the fees are excessive for the amount of time trading as well as the loss of donations to the event organisers due to the higher fees, something we have experienced this year.

35. See point 3 above in relation to carnivals.

36. See point 34 above.

Extract from Mendip District Council Street Trading Policy

10. Local Exemptions

The Council has decided to exempt trading that takes place in certain circumstances. This means that the Authority will not ordinarily require its consent for street trading to take place in those situations. To benefit from this exemption, the trading must be carried out with the express written permission of the event organiser or be carried out by the householder concerned. The exemption applies to trading taking place in the following circumstances:-

- fetes, carnivals or similar community based and run events, organised for charitable purposes and/ or where there is no private gain by the organisers,*
- non-commercial or charitable events,*
- farmers markets, including producer-managed marketplace for local producers to sell their own produce direct to local people sales of articles by householders on land contiguous with their homes,*

This local exemption is provided to support both community based and charitable events enabling them to flourish. (The Authority may exempt trading in other similar circumstances, at the discretion of an Authorised Officer of the Council). However, notwithstanding this exemption the Authority does reserve the right to require consent where it is in the public interest to do so and in circumstances where it sees fit. Therefore, the Authority will maintain a register of all such activities. Full details of any trading that would otherwise require consent must be notified to the Authority in good time

	<p><i>beforehand. This must be done in writing or by email to the Licensing Team and will ensure that this exemption is only provided in appropriate circumstances.</i></p> <p><i>In addition, the Council will exempt any street trading that takes place on land that is owned and/ or under the maintenance of Clark's Village or its agents. This exemption is provided due to the unique nature of the retail outlet in the Mendip District area and due to the existing checks that are carried out by the landowner or their agent's.</i></p> <p>Please contact me if you have any further questions</p>	
David Mills Quedam Centre	<p>This letter is a response to the current consultation process on this matter and should be considered separately to our existing 'appeal' as this letter contains additional information.</p> <p>Applying the street trading licensing system to the Quedam malls serves no one's interests because:</p> <ol style="list-style-type: none"> 1. We have a very strong record on management of activities on our mall yet the rules as drafted would require you to police the already intensively managed Quedam malls. 2. This in turn would leave you with less resource to tackle unlicensed activity elsewhere(in areas where perhaps management is not so intense). 3. In the last part of 2016,as a result of the street licensing system applying to the Quedam, we had a project collapse and situations where operators were paying SSDC considerably more in street trading or market fees than they 	<p>37. Members discussed ths issue and didn't see any reason why the Quedam should be treated differently to any other business trading in South Somerset. If the Quedam wish to manage street trading within the Quedam themselves, then they can apply for a consent in their own right.</p>

	<p>were paying the Centre.</p> <p>4. As a former President of Yeovil Chamber of Trade and Chairman of Love Yeovil (and current Board member of the Yeovil Vision) I feel that applying these street trading regulations to the Quedam is contradictory to the objectives of all of these organisations.</p> <p>This is specifically because no matter how loosely they are applied to the Quedam malls, the street licensing system makes it harder and more expensive for a commercial operator to trade on the Quedam malls than it was just two years ago.</p> <p>I know recently you have kindly suggested ways to make the street licensing system easier to use in the Quedam malls however even if these are accepted, the above issues will still apply.</p> <p>In summary therefore, including the Quedam malls in the street licensing system serves no one's best interests.</p>	
Marie Ainsworth – Area South	<p>I have read through the draft policy and my comments and observations are as follows:</p> <p>I would like something added under the 'site conditions' section, in your words or amended to suit:</p> <p>No trader shall wholly own or possess exclusive rights to a pitch. Should the trader be absent from the pitch for whatever reason this pitch may be used by an authorised markets organiser or as part of an event, details to be agreed prior to said market or event.</p>	38. Agreed policy to be amended to include this.

	<p>Exemptions from the need to obtain a consent: Could consideration be given for an exemption to 'not for profit' groups with a constitution and aims and objectives to regenerate a town or village? for example; to have stalls as part of an event where the trader will be making money for themselves but where the pitch fee benefits the 'not for profit' group?? It could be a way of that organiser to bring in some income to cover other costs of providing entertainment for example. For us here we will likely be covered by our markets rights and ultimately DCLG and allow the likes of the Love Yeovil Marketing Group to run events and take pitch fees. There would of course need to be terms and conditions attached and each wold be judged on its merits.</p> <p>Electricity: Where a street trader has been given consent to use an electricity source owned by SSDC a small charge will be applicable and instructions will be given on the proper use of the supply including health and safety measures.</p> <p>Site conditions: Street traders shall not utilise public bins for their commercial waste.</p>	<p>39. Members discussed this but felt that the street licensing regime already contained adequate exemptions, and further exemptions should not be given where there was any element of private gain.</p> <p>40. Agreed</p> <p>41. Agreed</p>
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