

Street Trading Consent Application and Renewal Assessment Framework

Street Trading Policy 2020

The assessment criteria within this assessment framework are described more fully in the Policy and the Policy will be used in conjunction with the information below to guide the consideration of specific criteria.

This assessment framework will be used for both applications and renewals except for a renewal occurring within 12 months of the grant of the original application. In this case renewal will normally occur for one further 12-month period if the original terms of the consent have been adhered to and there are no other circumstances that make the original application no longer appropriate e.g. changes in road layout. This will occur without the need for a renewal form to be completed.

A scale of 0 to 5 will be used with 0 being poor evidence and 5 being excellent evidence of meeting the assessment criteria. The final score will be made by the Street Trading Team after analysing the information put forward by the consultees.

Assessment criteria	Specific factors linked to criteria	Score	Comments (Additional guidance in italics)
1. Public safety	<ul style="list-style-type: none"> Adverse comment made by Highway Authority or any other relevant consultee in terms of location 		
2. Prevention of crime and disorder	<ul style="list-style-type: none"> Adverse comment made by Police or any other relevant consultee in terms of increased risk 		

<p>3. Prevention of nuisance</p>	<ul style="list-style-type: none"> • Consideration of proposed activity and how that may impact on neighbouring residences and businesses 		
<p>4. Suitability of applicant</p>	<ul style="list-style-type: none"> • Any adverse unspent convictions • Previous history of reliable payment of fees • Previous history of compliance with any street trading consent 		<p><i>A poor payment history or a history of noncompliance for any consent previously held with Birmingham Council is likely result in a low score.</i></p> <p><i>If the applicant is in debt in relation to a street trading consent with Birmingham City Council at the time of renewal/new application, then it is likely that the renewal/application will not be granted.</i></p>
<p>5. Suitability of trading unit</p>	<ul style="list-style-type: none"> • Compliance with design brief (applicable for consent over 12 weeks in any financial year) • Appropriate size for proposed location • High quality design • Agreed removal of unit after trading • All goods, ancillary equipment and stock kept within unit 		<p><i>Where the unit does not comply with the design brief the application is likely to be refused unless the application is for a food unit where some modifications may be considered for technical operation.</i></p> <p><i>The design brief does not apply to occasional consents or annual consent for a duration less than 12 weeks but should still be used as guidance.</i></p>

6. Power	<ul style="list-style-type: none"> • All units to be compatible with being powered by electricity • If generator is proposed for use outside city centre evidence must be provided that no alternative power supply is available and cannot be made available 		
7. Advertising	<ul style="list-style-type: none"> • Advertising only relates to goods on sale • Advertising is not illuminated and is contained in unit • No "A " Boards etc. 		
8. Barriers	<ul style="list-style-type: none"> • These are necessary and appropriate 		<p><i>Any barriers proposed should not constitute a nuisance or danger under the Highways Act 1980, would not impede the free flow of pedestrians or traffic and would not restrict the pavement so as to inhibit social distancing.</i></p>
9. Hours of Trading	<p>Trading hours promote:</p> <ol style="list-style-type: none"> 1. Preventing crime, disorder and antisocial behaviour. 2. Avoiding disturbance due to noise, smell or other matter. 3. Protecting public safety. 4. Preventing obstruction of the highway. 		

	5. Having regard to location and operating hours of business activity.		
10.Cumulative impact	<ul style="list-style-type: none"> • Except for football trading the trading unit is situated 30m distant from any other trading unit 		<i>It is accepted that this may not be known when new applications are first being made under this policy. All traders will therefore be given a score of 3 where other traders have applied for the same street. As stipulated under section 7 of the policy the applicants awarded the highest score in the assessment framework in a competitive scenario will be chosen and a location identified on that street.</i>
11.Selling the right goods	<ul style="list-style-type: none"> • Quality of goods • Innovative products • Goods do not cause nuisance • Goods do not contribute to crime and disorder • Goods do not have a negative health impact 		
12.Site assessment	<ul style="list-style-type: none"> • Any effect on road safety, either arising from the siting of the pitch or from customers visiting or leaving. • Any loss of amenity caused by noise, traffic, smell etc. • Existing traffic orders e.g. waiting restrictions. 		<i>It is accepted that this may not be known when new applications are first being made under this policy. All traders will therefore be given a score of 3 As stipulated under section 7 of the policy the applicants awarded the highest score in the assessment framework in a competitive scenario will be chosen and a location identified on that street.</i>

	<ul style="list-style-type: none"> • Any potential obstruction of pedestrian, vehicular or disabled access. • Any obstruction to the safe passage of pedestrians and wheelchair users. • Any nuisance/interruption to pedestrian flow or social distancing • The safe access and egress of customers and staff from the pitch and immediate vicinity. • Obstruction of entry to or sight lines to the entrance of retail premises or obstruction of display windows of retail premises. • Public squares will not be appropriate for annual street trading consents longer than 12 weeks. • If land is not HMPE then permission of landowner is required. 		<p><i>The above does not apply to instances where the land is not HMPE and the applicant has the permission of the landowner. If the applicant does not have the permission of the landowner this will lead to the application being refused.</i></p>
<p>Decision/ Additional</p>			

