



SHAVINGTON
CUM
GRESTY

**Shavington-cum-Gresty Council
Planning Committee meeting**

Main Road,
Shavington, Crewe
CW2 5DP

www.shavingtononline.co.uk

1 February 2024

To: **Members of the Planning Committee**

Dear Councillor,

You are summoned to attend the meeting of the **Planning Committee** to be held at **7:00PM** on **Wednesday 7 February 2024** at **Shavington-cum-Gresty Village Hall, Main Rd, Shavington, CW2 5DP.**

Your sincerely,

Simona Garner
Parish Clerk

AGENDA

1	To receive and consider apologies for absence
2	To note declarations of Members' interest
3	To confirm and sign the minutes of the Planning Committee Meeting hold 10 January 2024 (attached)
4	Public Participation <i>A period not exceeding 20 minutes for members of the public to ask questions or submit comments</i>
5	To consider making a response to the following planning applications:

	<p>a. Application No: 23/2676N Proposal: Retrospective planning permission for re-positioned screen fence. Location: 21, LITTLE MEADOW PLACE, SHAVINGTON, CW2 5UB Appeal Start Date: 05-Jan-2024 Appeal Ref: APP/R0660/D/23/3334166</p> <p>b. Application No: 24/0214N Proposal: Variation of conditions 2 and 18 on application 21/1920N: To allow for coffin burials to respond to demand Location: SANTUNE MEADOWS, LAND ADJACENT TO OLD PUSEYDALE, MAIN ROAD, SHAVINGTON, CW2 5DU National Grid Ref: 369387.3652 351624.9081</p> <p>c. Application No: 24/0312N Proposal: Additional site security fencing, pedestrian gate and vehicle height restrictor comprising: 290m approx paladin fencing (Green RAL 6005) to southern boundary (to match existing) Access controlled pedestrian gate to staff carpark Vehicle height restrictor to staff car park entrance 30m approx paladin fencing (Green RAL 6005) to prevent pedestrian access at HGV barriers Location: TJX Europe, Jack Mills Way, Crewe, CW2 5UZ National Grid Ref: 371159.4489 352930.1192</p> <p>d. Application No: 24/0350N Proposal: Single storey extension to side of dwelling Location: 353A, CREWE ROAD, SHAVINGTON, CHESHIRE, CW2 5AD National Grid Ref: 370874.3093 353421.4566</p>
6	To consider making responses to any urgent planning application consultations that have arisen since this agenda was published
7	To receive and consider the latest update of the ScG Parish Council – Planning Application Record (attached)
8	To consider submitting a comment for the Street Trading Policy Consultation run by Cheshire East Council (attached)
9	To consider submitting a comment for the Crossing Strategy Consultation 2024 run by Cheshire East Council (available at this link: https://surveys.cheshireeast.gov.uk/s/Crossing_Strategy_Consultation_2024/)
10	To note the date of the next Planning Committee Meeting – 6 March 2024 7PM

Shavington-cum-Gresty Council
Planning Committee meeting
Main Road,
Shavington, Crewe
CW2 5DP



MINUTES of the meeting held on **Wednesday 10 January 2024**

In attendance: Cllrs Ferguson, K Gibbs, S Jones, McIntyre, McHugh¹, Wain

ScG PC/23/07/1	To receive and consider apologies for absence
	Apologies were received from Cllrs Hancock and R Jones.
ScG PC/23/07/2	To note declarations of Members' interest
	Cllr McHugh declared a Disclosable Pecuniary Interest pertaining to item 5, given that he is the applicant for planning application 23/4583N
ScG PC/23/07/3	To confirm and sign the minutes of the Planning Committee Meeting held on 6 December 2023
	RESOLVED: That the Minutes of the previous meeting are approved and signed as an accurate record. RESOLVED: that items 4, 6, 7, and 8 are moved ahead in agenda and discussed before consideration of item 5.
ScG PC/23/07/4	Public Participation
	<i>A period not exceeding 20 minutes for members of the public to ask questions or submit comments</i>
	No comment was raised.
ScG PC/23/07/5	To consider making a response to the following planning applications:

¹ Left the meeting at 1904hrs

	<p>It was NOTED that Cllr McHugh left the meeting before item 5 was discussed at 19:04hrs</p> <p>a. Application: 23/4583N Proposal: Repairs and alterations to existing dwelling Location: 330, CREWE ROAD, SHAVINGTON, CHESHIRE, CW2 5AF National Grid Ref: 370645.9707 353294.3794</p> <p>RESOLVED: no comments</p>
ScG PC/23/07/6	To consider making responses to any urgent planning application consultations that have arisen since this agenda was published
	No planning application was received.
ScG PC/23/07/7	To receive and consider the latest update of the ScG Parish Council – Planning Application Record
	Councillors NOTED the report.
ScG PC/23/07/8	To note the date of the next Planning Committee Meeting – 7 February 2024 7PM
	Councillors NOTED the date of the next Planning Committee meeting.

Meeting Closed at 1910 hrs

Chair: Cllr McIntyre

Clerk: S Garnero

STATUS	Planning Application	Planning application INFO	ScG Planning Committee COMMENTS	UPDATE	Link	Further updates
REFUSED	22/3674N	Proposal: Non-Material Amendment to application 20/0604N Location: ELEPHANT AND CASTLE INN, 289, NEWCASTLE ROAD, SHAVINGTON, CW2 5DZ	Shavington-cum-Gresty Parish Council Planning Committee recommends that this application is called-in by the Shavington Ward Councillor, and that a firm objection is made to the application on the ground of Highways safety. Further clarifications are also requested on plans for that section Main Road.	Refused / 11-Oct-2022	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08427108.pdf	none 29.11.22
APPROVED	22/1125N	c.Application: 22/1125N Proposal: Food Services Processing and Packaging Staff Facilities and Modified Parking Arrangement. Location: Baird Foods Services Limited, CREWE ROAD, SHAVINGTON, CW2 5AD National Grid Ref: 370422.45 352582.97	That, based on previous complaints from neighbours, the Council requests an environmental appraisal to examine the disposal of effluent and any historic issues in light of the changes proposed.	Approved with condition	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08410792.pdf	NA
REFUSED	22/0462N	g.Application: 22/0462N Proposal: Erection of timber frame and clad outdoor cat houses with exterior exercise areas Location: 35, WESTON LANE, SHAVINGTON, CHESHIRE, CW2 5AN National Grid Ref: 370827.1705 352223.37	See A17 PC meeting 20220406 + See ScG PC/22/7/5 for comment submit to appeal	Refused / 01-Aug-2022	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08410614.pdf	Appeal withdrawn 12.01.23 https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08448593.pdf
APPROVED	22/0496N	b.Application: 22/0496N Proposal: Detached single dwelling Location: 27, CREWE ROAD, SHAVINGTON, CW2 5JE National Grid Ref: 370235.0382 351488.356	RESOLVED: Concerns were raised about the drainage of the property (Policy 9.1.4 of Shavington-cum-Gresty Neighbourhood plan): the water should be drained into the drainage system due to the presence of a water course is within short distance. Overall, the application form needs to be reviewed to correct inaccurate or misleading information.	Approved with conditions / 09-Aug-2022	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08412678.pdf	NA
REFUSED	21/5216N	a.Application 21/5216N Proposal: Construction of front boundary wall and rails and alteration to existing access Location: 23, WESTON LANE, SHAVINGTON, CW2 5AN National Grid Ref: 370738.1504 352202.6729	that the proposal from Highways is supported.	Refused / 18-Jul-2022	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08405974.pdf	none 29.11.22
APPROVED	21/5199N	c.Application 21/5199N Proposal: Change of use of existing building to provide 7 residential units for supported living Location: 1, ROPE LANE, (Junction of Main Road & Rope Lane), SHAVINGTON, CHESHIRE, CW2 5DT National Grid Ref: 369885.6991 351830.5446	See A12 Extra-ordinary PC meeting 20211117	Approved with conditions / 09-Sep-2022	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08420544.pdf	NA
APPROVED	21/0653N	a.Application 21/0653N Proposal: 4.no detached houses and ancillary works Location: ADJ 16, HUNTERSFIELD, SHAVINGTON, CW2 5FB Deadline: 18 October 2021	See A10 PC meeting 20211006	Approved with conditions / 30-Nov-2021	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08350795.pdf	NA
REFUSED	20/1045N	a.Application 20/1045N Proposal: Provision of separate vehicular egress and alteration & widening of existing listed stone gate piers to allow agricultural vehicle access Location: Land North of WESTON LANE, SHAVINGTON	to restate the comments made by the Parish Council Members on April 2020	Refused / 18-Nov-2020	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08242295.pdf	18.11.21 Appeal dismissed
REFUSED	20/1046N	b.Application 20/1046N Proposal: Listed Building Consent for provision of separate vehicular egress and alteration & widening of existing listed stone gate piers to allow agricultural vehicle access. Location: Land North of WESTON LANE, SHAVINGTON	to restate the comments made by the Parish Council Members on March 2020	Refused / 18-Nov-2020	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08242293.pdf	18.11.21 Appeal dismissed
APPROVED	21/4136N	h.Application 21/4136N Proposal: Hybrid planning application comprising (i) A full planning application for residential dwellings (Use Class C3) with access, public open space and associated infrastructure; and (ii) An outline planning application (with all matters reserved except for means of access) for up to 700sqm of commercial development (Use Classes E and Sui Generis) Location: LAND SOUTH OF, NEWCASTLE ROAD & STOCK LANE SHAVINGTON National Grid Ref: 369982.5985 351269.6338	" That the proposal submitted exceeds the number of dwellings stated in the original strategic plan for the site, and does not comply with the Shavington-cum-Gresty Neighbourhood Plan. That nothing more than two-story houses should be included in the plan. That, in the event of approval of the proposal in its current form, the Parish Council would request Cheshire East Council to apply section 106 in favour of Shavington-cum-Gresty Parish Council, to support existing community assets in the Village and community projects."	Approved 11.11.22	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08453426.pdf	
REFUSED	21/3034N	a.Application n. 21/3034N Proposal: Widening of existed listed gateway to provide access to agricultural land and renovation works to reinstate to an improved condition. Location: Land North of Weston Lane, existing gateway to SHAVINGTON HALL, WESTON LANE, SHAVINGTON, CREWE, CW2 5AT National Grid Ref: 370872.0565 352222.9955 Deadline: 14th July	that these pillars and walls are historic monuments within the parish and are strongly of the view that they should be retained and protected, and not tampered with in any way. Any adjustments would they feel spoil the aspect and amenity of the Lane	Finally disposed of under Article 40 (13) 02.02.2023	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08453152.pdf	
REFUSED	21/3035N	b.Application 21/3035N Proposal: Listed building consent widening of existed listed gateway to provide access to agricultural land and renovation works to reinstate to an improved condition. Location: Land North of Weston Lane, existing gateway to SHAVINGTON HALL, WESTON LANE, SHAVINGTON, CREWE, CW2 5AT National Grid Ref: 370872.0565 352222.9955 Deadline: 14th July	RESOLVED: that these pillars and walls are historic monuments within the parish and are strongly of the view that they should be retained and protected, and not tampered with in any way. Any adjustments would they feel spoil the aspect and amenity of the Lane	Finally disposed of under Article 40 (13) 02.02.2023	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08453153.pdf	

APPROVED	21/2999N	Proposal: Construction of 2 bungalows Location: 7, MAIN ROAD, SHAVINGTON, CW2 5DY National Grid Ref: 369368 351349 Deadline: 7th July	RESOLVED: that the proposal needs to be compatible with the final approved design of the planning application number 20/0604N 'Variation of Condition – Elephant & Castle Inn, 289 Newcastle Road'	Approved with conditions / 10-Aug-2021	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08321325.pdf	
REFUSED	22/4483N	Proposal: Proposed 5G telecoms installation: H3G 20m street pole and additional equipment cabinets. (ref. Planning Policy Guidance Note No.8) Location: Crewe Road Street Works, CREWE ROAD, SHAVINGTON CW2 5DL National Grid Ref 370128.0296 351739.0278	RESOLVED: that the Parish Council support the application, subject to the following two elements being considered: - That – in compliance with Planning Policy Guidance Note No.8, s24-sympathetic design and camouflage to minimise the impact of the development is considered - That the planning application 22/4483N's design is integrated with the design of previously approved planning application 21/4784N	Refused 22.12.22	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08445845.pdf	
WITHDRAWN	19/5945N	Application: 19/5945N Proposal: Proposed scout hut including change of use Location: Land Off, Gresty Lane, Shavington, Crewe, Cheshire	RESOLVED: that the original comment submitted by the Parish Council is reiterated, particularly those elements of concerns around highways, pedestrian safety, and parking.	16.03.2023	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08463591.pdf	
APPROVED	23/1623N	a.Application: 23/1623N Proposal: Two storey and single storey extension(s) to rear, loft conversion with new gable end and dormer to rear elevation, re-submission of application No 23/0414N Location: 21, CREWE ROAD, SHAVINGTON, CHESHIRE, CW2 5JE National Grid Ref: 370218.5104 351440.3196	RESOLVED: that any points raised by the Local Planning Authority for the refusal of Planning application No 23/0414N is applied and considered for the current application	08.06.2023	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08482043.pdf	
WITHDRAWN	23/1383N	c.Application: 23/1383N Proposal: Continuation of existing boundary fence on privately owned land to prevent current issue of trespass and damage to property, where land is being used as a shortcut to somewhere else. Fence to extend over one side of the front edge boundary and finish at the opposite properties boundary wall. Proposed works will have no impact upon any public highway or footpath. There is no right of pedestrian or vehicular access between the areas the fence will divide. Location: 10, THOMAS PALIN CLOSE, SHAVINGTON, CW2 5FS National Grid Ref 370285.2073 351850.8337	RESOLVED: that the application is supported in principle, subject to the boundary fence being in line with the character of the area.	11.05.2023	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08476001.pdf	
REFUSED	23/0983N	c.Application: 23/0983N Proposal: Proposed 5G telecoms installation: H3G 15m street pole and additional equipment cabinets. Location: H3G 1, Crewe Road street works, Crewe Road, Shavington, CW2 5DL National Grid Ref 370093.59 351739.06 The enclosed application seeks a determination as to whether the prior approval of this Council will be required to the siting and appearance of the proposed development. Advice on the procedure is contained within Planning Policy Guidance Note No.8.	RESOLVED: that the Parish Council support the application, subject to the following two elements being considered: - That – in compliance with Planning Policy Guidance Note No.8, s24-sympathetic design and camouflage to minimise the impact of the development is considered - That the planning application 23/0983N design is integrated with the design of previously approved planning application 21/4784N	04.05.2023	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08518924.pdf	- November 2023 APPEAL SUBMITTED
WIP	23/1150N	d.Application: 23/1150N Proposal: Two storey side extension, ground floor rear extension and change of use of the existing dwelling house to C2, residential accommodation for vulnerable children Location: 245, Newcastle Road, Blakelow, Cheshire East, CW5 7ET	RESOLVED: that sufficient supporting information about the change of use should be provided and cross checked to make sure they comply with relevant planning regulation. That concerns are raised around adequate car parking provisions as per Shavington-cum-Gresty Neighbourhood PlanTRA2. That concerns on potential overdevelopment need to be addressed, as per planning policies. That design and asset statements should address elements such waste, deliveries, commercial contracts, vehicles access, and utilities that need to be supplied.			
WITHDRAWN	Application: 23/1993N	Proposal: Proposed Multi Use Games Pitch Location: Shavington Primary School, SOUTHBANK AVENUE, SHAVINGTON, CREWE, CHESHIRE, CW2 5BP National Grid Ref: 370128.6468 351948.4126	RESOLVED: that the planning application in its current form is not supported, due to several contradictions between the form submitted by the applicant and the information provided, such the inclusion in drawing of a Nursery Unit. That Planning Officer should challenge the details in the application and provide adequate reassurance on the intent of the application and what it does cover.	28.07.2023	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08495153.pdf	

WITHDRAWN	Application: 23/1451N	b.Application: 23/1451N Proposal: Proposed three vehicle detached garage to house vehicles and ground implements with hay store to rear. Location: Greenbank Farm, CREWE ROAD, SHAVINGTON, CW2 5JB	RESOLVED: that comments raised by the Nature Conservation Officer need to be taken into account.	14.11.2023	https://docs.cheshireeast.gov.uk/NorthgatePublicDocs/08518605.pdf	



SHAVINGTON
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Report Statement

Meeting: Planning Committee, 07.02.2024

Report Purpose: To report the DRAFT CEC Street Trading Policy

Version Control: v1

Author: Clerk

1. Report Summary

The report aims to inform councillors about the revised version of the Street Trading Policy currently under consideration by Cheshire East Council and to invite them to submit their comments to CEC.

2. Background

Cheshire East Council is in the process of reviewing its policy regarding street trading. This policy will be used to determine whether permission will be granted to trade in an area.

3. Position

Shavington-cum-Gresty Parish Council is one of the proposed organizations that Cheshire East Council will consult with on applications and would welcome the council's comments on the draft policy.

Attached to this report is the draft policy, along with a table showing the changes made.

The consultation will run for 8 weeks, from the 11th of January 2024 to the 7th of March 2024.

4. Community Impact

Positive: By submitting comments, the Council will ensure that residents are represented.

5. Governance

Planning Committee Terms of References

6. Financial Impact

None

7. Resource Impact

Clerk time

8. Conclusions

Councillors are asked to note the report, and to consider any comment to the DRAFT policy.

Street Trading Policy

Contents

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- 2 Street Trading Definition
- 3 Exemptions
- 4 Application Process
- 5 Consultation
- 6 Site Assessment
- 7 General Conditions
- 8 Enforcement
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1 Purpose

- 1.1 The Council's Street Trading Policy is to regulate street trading and to create a street trading environment which complements premises-based trading, is sensitive to the needs of residents, provides diversity and consumer choice, and seeks to enhance the character, ambience and safety of the local environment.

2 Street Trading Definition

- 2.1 Street Trading means selling, exposing or offering for sale any article in a street. The term 'street' includes any road, footway or other area to which the public have access without payment. This may also include private land.
- 2.2 Cheshire East Council has adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 for the whole of the Borough Area. A list of the designated streets is set out at appendix A.
- 2.3 The effect of this designation is that Street Trading in a Consent Street is prohibited (subject to exemptions) without first obtaining a Street Trading Consent from the Council.
- 2.4 Street Trading in a Prohibited Street is not permitted at any time. Anyone found to be trading in a prohibited street may be liable to prosecution.
- 2.5 It is recognised that street trading and trading as part of a market are distinct activities and the regulations of markets and market traders exists elsewhere in legislation.

3 Exemptions

- 3.1 Some types of trade are exempt from the need to obtain a street trading consent. These include:
- A person trading under the authority of a pedlars' certificate granted under the Pedlars Act 1871
 - Trade carried out by a roundsman e.g. milkmen
 - Trade carried on at a petrol filling station
 - News vendors in certain circumstances
 - Trade carried out in a street adjoining a premises used as a shop; provided it is part of the business of that shop (such business must not obstruct the highway).
 - Certain activities under the Highway Act 1980
 - Selling items for charity under a Street Collection Permit
 - Anything done in a market or fair the right to hold which was acquired by virtue of a grant (including a presumed grant) or acquired or established by virtue of an enactment or order.

4 Application Process

4.1 Street Trading application can be made for:

- a 'Fixed Pitch' nominated by the applicant (if that pitch is deemed suitable). Fixed pitch consents are suitable for traders who want to trade in the same location on a regular basis without the ability to move around the Borough.
- a 'Roaming Zone' (Borough wide consent when a schedule of stops/streets is included with the application, ie ice cream vans etc).

4.2 Applicants for 'Roaming Consent' (e.g. ice cream vendors etc) must include a list of all streets where they will be stopping to trade. Roaming consent holders will only be expected to remain in one place for a limited time ie not more than 30 minutes.

4.3 A Street Trading Consent can be held by more than one person, providing that person(s) has a business interest and authority to manage the Street Trading site. Once granted, all Consent Holders will be held equally responsible for any breach of terms of conditions of a Street Traders Consent.

4.4 The fees payable for street trading consents are set annually by the Licensing Committee.

4.5 If you intend to trade on private land, you will still require street trading consent and you will need to provide evidence that the land owner has given you permission to trade as part of your application.

5 Consultation

5.1 On each application received the Licensing Team may consult the following:

- i. Cheshire Constabulary
- ii. Highway's Authority
- iii. Environmental Health
- iv. Town and Parish Council covering the relevant area(s)

5.2 The Licensing Team will also consult any other person or body that is deemed necessary.

5.3 If any objections/representations are received in respect of an application, that application will be determined by authorised officers.

5.4 Consultation will normally be conducted for 10 working days. However, some consents that are only applied for 1 day will likely not be consulted on, especially in cases where there is insufficient time before the date requested to carry out consultation.

6 Site Assessment

6.1 In determining whether Street Trading in a particular area is appropriate the Council will have regard to:

- 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 or smell
- existing Traffic Orders e.g. waiting restrictions
- any potential obstruction of pedestrian or vehicular access
- any obstruction to the safe passage of pedestrians
- the safe access and egress of customers and staff from the pitch and immediate vicinity
- whether there are any Consents (Fixed or Roaming) already granted to a site in the vicinity
- Whether the trading applied for would adversely affect any existing shops or traders.

6.2 When considering the effect on existing consent holders or existing shops in an area, this will be determined on a case by case basis. However, applicants should expect a consent to be refused where the location applied for is within 500 meters of existing traders or shops with similar offerings.

7 General Conditions

7.1 In addition to the above, the following criteria will need to be met before a Street Trading Consent will be issued:

Prevention of obstruction or danger to road users

- To be sited in accordance with highways legislation as appropriate, such that no obstruction is caused to highway users or to adjacent properties
- The position of any vehicle must be such that it does not encourage children to cross any Class I, Class II or Class III Primary Distributor Road
- No advertising boards to be used other than adjacent to the vehicle, which shall not cause any obstruction to users of the street
- Operator to cease trading, if asked to by the Highways Authority or the emergency services.

Prevention of nuisance or annoyance

- No music or other broadcasts to be made from the Consent site other than with the permission of this Authority
- Litter bins and recycling bins to be provided and litter collected as appropriate where litter is likely to be generated
- A refuse contract must be entered into where refuse is likely to be generated
- The Council encourages Operators to recycle litter or waste where facilities are available

Suitability of the applicant

- An application may be refused if the applicant is unsuitable to hold the consent.
- Consent cannot be issued to a person under the age of 18 years

7.2 The Council can issue a consent with any conditions that are deemed reasonably necessary.

8 Enforcement

- 8.1 Standard conditions may be attached to every Street Trading Consent detailing the holder's responsibilities to maintain public safety, avoid nuisance and generally preserve the amenity of the locality. Specific conditions deemed appropriate can also be applied to specific consents. This might be done to alleviate the concerns of anyone providing a consultation response.
- 8.2 Failure to comply with conditions may lead to revocation or non renewal of Consent.
- 8.3 Street Trading Consent can be revoked at any time. Additionally, the Conditions attached to a consent may be varied at any time.
- 8.3 It is an offence to carry out street trading without the consent of the Council and any person convicted of such an offence shall be liable to a fine not exceeding £1,000. This will include any person who holds a certificate granted under the Pedlars Act 1871, but who fails to operate in accordance with the certificate.

9 Renewals

- 9.1 Street Trading Consents are issued for a period of up to one year
- 9.2 Applicants should then re-submit their application if they wish to continue to trade at least one month before the expiry of their current Consent.
- 9.3 Renewal applications will be subject to a streamlined process, which will not include further consultation. However, if complaints are received concerning exiting traders, investigation of which has not warranted revocation, a consultation process will be undertaken in line with grant applications.

10 Decisions

- 10.1 Following the determination of an application the Council will notify the applicant of the decision in writing as soon as possible.
- 10.2 There is no statutory right of appeal against refusal to issue a Street Trading Consent.

11 General

- 11.1 This policy will complement and inform other Council initiatives including those on street markets and life in the public realm.
- 11.2 This policy will inform the detailed conditions attached to every Street Trading Consent.
- 11.3 This policy will be applied in a manner that is consistent with the Council's equalities policies.

11.4 At all times, each application will be determined on its own merit.

Table of delegations of licensing functions

Functions relating to street trading will be dealt with as follows:

Matter under consideration	Full Committee	Sub-Committee	Officers
Policy Adoption	Environment and Communities Committee (*)		
Fee Setting	Licensing Committee (*)		
Designation of Streets	Licensing Committee (*)		
Applications for the grant or renewal of licences			All cases
Including additional conditions, amending conditions or disapplying standard conditions			All cases
Revocation of consents		When referred by officers (*)	All cases (when not referred to Sub-Committee)
Requests for officer decisions on applications or conditions to be reviewed		All cases (*)	
Application to review an officer revocation of consent		All cases (*)	

* Subject to any changes to the Council's Constitution

Logged changes to the Street Trading Policy

Paragraph	Type	Change
All	Format	Format changed to meet CEC brand identity guidelines
Contents	Change	Change in numbering following removal of sections (see below for details)
2.5	Additional paragraph	It is recognised that street trading and trading as part of a market are distinct activities and the regulations of markets and market traders exists elsewhere in legislation
3.1	Additional wording	Additional exemptions added: <ul style="list-style-type: none"> ▪ Certain activities under the Highway Act 1980 ▪ Selling items for charity under a Street Collection Permit
4.1	Additional wording	Fixed pitch consents are suitable for traders who want to trade in the same location on a regular basis without the ability to move around the Borough.
4.2	Additional wording	Roaming consent holders will only be expected to remain in one place for a limited time ie not more than 30 minutes.
4.4	Additional paragraph	The fees payable for street trading consents are set annually by the Licensing Committee.
4.5	Additional paragraph	If you intend to trade on private land, you will still require street trading consent and you will need to provide evidence that the land owner has given you permission to trade as part of your application.
5.1	Change	Those consulted on applications changed to: <ul style="list-style-type: none"> ▪ Police ▪ EH ▪ Commercial ▪ Highways ▪ Town and Parish Council
5.3	Additional wording	If any objections/representations are received in respect of an application, that application will

		be determined by authorised officers
5.4	Additional paragraph	Consultation will normally be conducted for 10 working days. However, some consents that are only applied for 1 day will likely not be consulted on, especially in cases where there is insufficient time before the date requested to carry out consultation
6.2	Additional paragraph	When considering the effect on exiting consent holders or exiting shops in an area, this will be determined in a case by case basis. However, applicants should expect a consent to be refused where the location applied for is within 500 meters of exiting traders or shops with similar offerings.
8.1	Additional wording	Specific conditions deemed appropriate can also applied to specific consents. This might be done to alleviate the concerns of anyone providing a consultation response.
9	Removed	Section 9 (Fees) to be removed and replaced with a structured fee table in the appendices
9.3 (new numbering)	Additional wording	Wording to clarify the process for renewal applications
10	Removed	Section 10 (Delegation) to be removed and replaced with a table in the appendices
14	Removed	Section 14 (Review) to be removed as no longer necessary
15	Removed	Section 15 (Contacts) to be removed as details are available in better formats such as online
Appendix A	Removed	It is no longer necessary or desirable to have the street trading designations within the policy as these can be updated or changed independently to any policy changes. The form is available on our website.
Appendix B	Removed	It is no longer necessary or desirable to have the application form within the policy. The form is available on our website and copies can be provided on request.
New Appendix A	New	Sets out where decisions will be taken (ie Committee, Sub-committee, or Officers)