

**POLICY STATEMENT Agreed by the Council on 19th May 2005
TRADING FROM PAVEMENT SITES CONTIGUOUS WITH RETAIL PREMISIES**

1. Period of Licence

The Act permits the issue of licences for 3 years or any lesser term agreed by the Council. Licences will be issued initially for a 6-month period and thereafter upon renewal for 3 years. This will provide an initial trial period in which the impact of a licence can be assessed through monitoring activity and any enforcement that may prove necessary. It will also assist in the phasing in of the proposals.

The days and times of trading may be specified by the Council on the licence and will be agreed in consultation with the Chief Planning Officer, the Chief Engineering and Building Services Officer and the Metropolitan Police.

2. Cleansing and refuse disposal

Licensees will be responsible for litter collection and disposal, by way of an acceptable trade refuse contract subject to the approval of the Chief Cleansing Services Officer. The licensed area will also be required to be cleaned at the conclusion of trade, to a standard, which is acceptable to the Chief Cleansing Services Officer. An additional street trading condition supplements this cleansing requirement.

3. Access Implications and Public Safety

Before agreeing any licence application in a designated street, the primary consideration is to be public safety and access, including accessibility for disabled people and parents with buggies. The safety of people with impaired sight or mobility requires special consideration and no licence shall compromise the safety of these groups. Where valid applications are made licences are only granted where doorway access to the principal premises is maintained and a width of pavement adjacent to the kerb is maintained to allow adequate pedestrian movement. The widths to be maintained shall be in accordance with the Council's stated access guidelines and in particular being increased at locations of high pedestrian demand.

Street Trading conditions will restrict the use of any licensed area to display of goods only or use for a controlled number of tables and chairs for customers.

Access for maintenance works by the Council is to be provided given seven days notice, or on 12 hours notice for emergency highways works. Statutory undertakers are to be allowed immediate access to deal with any emergency, or access within 2 hours to carry out maintenance work. All applications shall be considered for access and any highway obstruction implications by the Chief Engineering and Building Services Officer and the Chief Planning Officer.

No licence shall be granted at any location unless with the express consent and under the terms and conditions required by those Services.

4. Maximum and minimum size

Provided the access guidelines are met, and subject to the requirements in 3. above, the areas that may be licensed shall comply with the following:

- The depth of the trading area to be licensed shall be no more than 50% of the depth of the pavement;
- Licences will not usually issued where the depth of available pavement additional to the required pedestrian access is less than 0.75 metres. This will ensure an adequate trading area and prevent encroachment onto minimum areas required for pedestrian access;
- The width of the trading area shall be contained entirely within the width of the shop frontage;
- For large paved areas, licences shall only be granted that ensure minimum impact on the free movement of pedestrians;
- Licences for areas of high pedestrian activity, including town centres and transport interchanges will only be considered and granted having taken into account the special requirements for that location. The views of the Statutory Authorities and the Chief Engineering and Building Services Officer shall be considered and acted upon in respect of any such application. (Currently a minimum clear width for pedestrian use of 1.2 metres).
- Where any licences are granted, the approved pavement area shall be marked by the Council in a manner which is visually acceptable and approved by the Chief Engineering and Building Services Officer.

5. Appearance and Visual Amenity

Before any approval, any display should enhance the visual amenity and contribute to the street scene of the area in which it is located. Acceptable displays may reduce street crime and encourage desirable street activity and economic regeneration. The existing and proposed conditions specify the types of stalls or displays, which are acceptable. All structures or stalls are required to be easily removable to enable maintenance of the highway and removed at the end of the trading day.

6. Police consultation

No licence will be granted contrary to Police advice or where it is shown that there will be an adverse effect on levels of street crime.