



# Street trader policy Consultation report

## Table of Contents

1. Summary.....	2
2. Survey goals and methodology .....	2
3. Survey process .....	3
4. Data analysis.....	3
4.1 Do you agree with the proposed amendments above to the Privately owned and Enclosed land section of the policy? .....	3
4.2 Do you agree that trading within 5 meters of the public highway should mean that a street trading consent is required?.....	5
4.3 Do you agree with the proposed amendments above to the Submission of the application section of the policy? .....	7
4.4 Do you agree with the proposed amendments above to the Cranbrook section of the policy? .....	9
4.5 Do you agree with the proposed amendments above to the Standard Conditions and Terms section of the policy? .....	10
4.6 Final comments on the whole of the amended draft street trader policy.....	11
5. Key findings.....	12
6. Recommendations .....	12
7. Next steps .....	13

## 1. Summary

East Devon District Council consulted residents and businesses on proposed amendments to the Street Trader Policy between 26 November and 3 February, receiving 62 responses. Overall, there was majority support for the proposed changes, particularly those relating to privately owned land, application processes and standard conditions. Respondents recognised the need for clearer regulation to protect public safety, accessibility and amenity, but raised concerns about policy complexity, enforcement, costs for small traders, and the proportionality of requiring consent for trading within five metres of the public highway. Feedback highlighted the importance of effective enforcement, strong food hygiene requirements and clearer policy wording. The consultation findings support progressing the amended policy, subject to simplification, clearer justification of highway-related controls, and consideration of financial impacts on small and rural traders.

## 2. Survey goals and methodology

The purpose of the consultation was to gather feedback from residents, businesses and other stakeholders on proposed amendments to the Street Trader Policy, and to assess the level of support for specific changes to policy wording, requirements and conditions. The

consultation also sought to identify any concerns, unintended impacts or areas where further clarification or refinement may be required.

The consultation was delivered through an online survey hosted on the Commonplace platform. It was promoted via a direct email to the Commonplace mailing list, the Council's social media channels, and the residents' newsletter. The survey was open from 26 November to 3 February. Responses were collated and analysed following the close of the consultation to identify levels of agreement, key themes and recurring issues raised by respondents.

### 3. Survey process

The survey was hosted on the online platform commonplace and promoted through multiple channels to ensure as many responses as possible.

- Direct commonplace email to all on the mailing list
- Social media posts on the Council's platforms
- In the community engagement and resident's newsletter

The survey opened on the 26 of November and closed on 03 February. After the closing date, responses were compiled and analysed to identify common patterns and key areas of concern.

### 4. Data analysis

The consultation received 62 contributions. A range of stakeholders were consulted this including the public and businesses.

#### 4.1 Do you agree with the proposed amendments above to the Privately owned and Enclosed land section of the policy?

This question received 61 contributions via the commonplace platform.

Most respondents support the proposed amendments to the "Privately owned and Enclosed land" section of the policy, with 75.4% stating that they agree. A smaller proportion disagreed (13.1%), while 9.8% were not sure, suggesting some respondents may have needed more information to feel confident in their view. Only 1.6% said they agreed with some, but not all, of the proposed changes, indicating limited partial or conditional support.

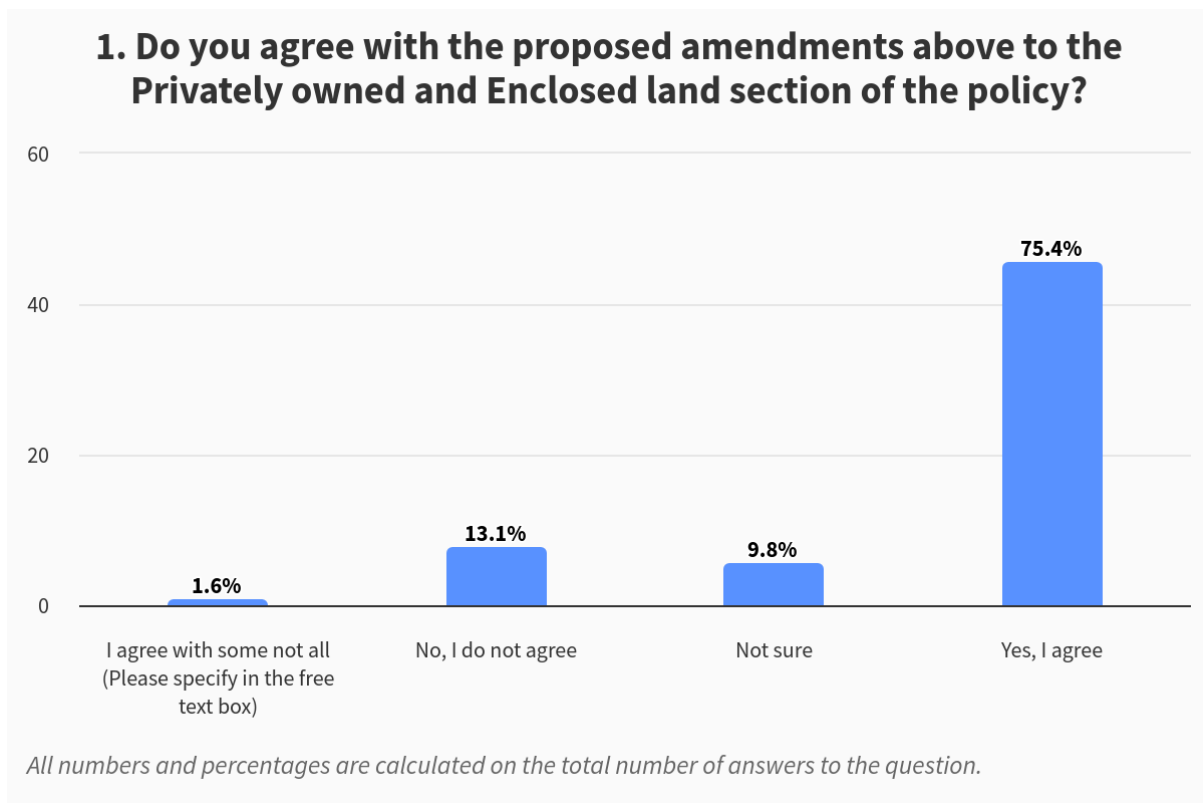


Figure 1. Shows respondents' level of agreement with the proposed amendments to the Privately owned and Enclosed land section of the policy.

**Any further comments on question one**

8 further comments were left for this question.

Table 1. Summary of free text comments on the proposed amendments to the privately owned and enclosed land section of the policy.

Theme	Summary
Requirement for consent and insurance	One respondent stated that all street traders should be required to hold a valid street trading consent, appropriate insurance (including public liability and accident cover), and formal permission from the local authority.
Opposition to consent streets and preference for prohibited areas	Concern was raised that the policy is overly bureaucratic, with a preference expressed for expanding prohibited streets instead of consent streets. Reference was made to strong public support for prohibited streets in Sidmouth and historic opposition to consent streets across East Devon.
Lack of prior knowledge or involvement	One respondent noted that they had not seen earlier versions of the policy and were not personally involved, limiting their ability to comment further.
Legal authority over public land	A view was expressed that the council does not have the legal right to prevent trading on public property.

Support for the amendments	One comment welcomed the amendments, describing them as clear and practical, and expressed support for the proposed changes.
Impact on pavements and accessibility	Concern was raised about tables and chairs outside a café in Honiton taking up excessive space on an uneven pavement, potentially affecting pedestrian movement and accessibility.
Monitoring and enforcement	It was suggested that areas where street trading is permitted should be regularly inspected by council officers to ensure compliance with licence conditions, particularly during busy periods.
Exemptions and economic impact	One respondent supported the stated exemptions, describing them as proportionate and positive, particularly the exclusion of public house licensable areas, which was seen as supporting business growth and the local economy.

## 4.2 Do you agree that trading within 5 meters of the public highway should mean that a street trading consent is required?

This question received 61 contributions via the commonplace platform.

Overall, there is clear support for the proposal to require a street trading consent for trading within 5 metres of the public highway, with 59.6% of respondents indicating agreement. Around a quarter (24.6%) did not agree, showing a sizeable minority who are opposed to the change. In addition, 14.0% of respondents selected “not sure”, which may reflect uncertainty or a need for further clarification on the proposal. Very few respondents (1.8%) supported the proposal in part, suggesting that conditional or partial agreement was minimal.

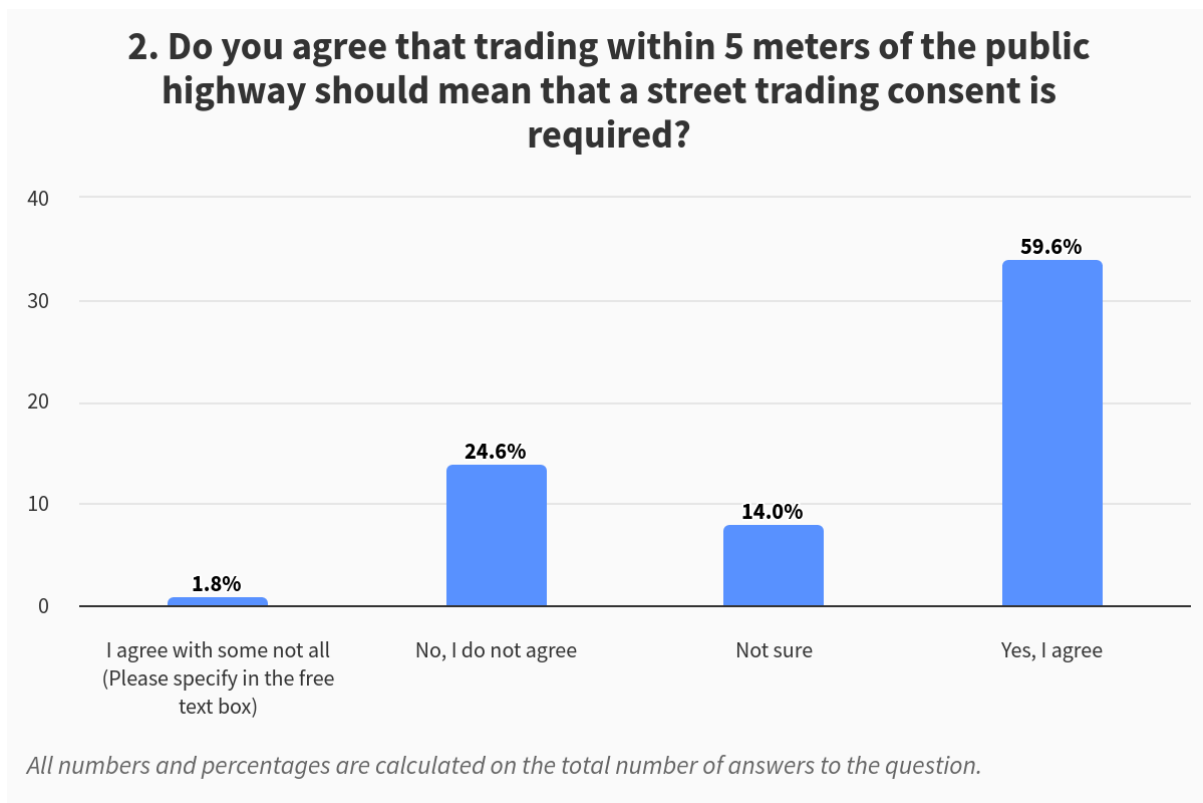


Figure 2. Shows respondents' level of agreement with the proposed need for a street trading consent when trading with 5 meters of the public highway.

### Any further comments on question two

5 respondents provided further comments for this question.

Table 2. Summary of free text comments on if trading within 5 meters of the public highway should mean that street trading consent is required.

Theme	Summary
Use of the highway and passing trade	It was noted that traders operating close to the highway benefit from pedestrian footfall and passing trade generated by street activity.
Legal authority on private land	Concern was raised that applying restrictions to trading on private property could be open to legal challenge, as the council may not have the authority to regulate activity taking place wholly on privately owned land.
Definition of street trading	It was suggested that street trading should be defined by activities such as purchasing or queuing occurring on council- or highway-maintained land, rather than solely by proximity to the highway.
Appropriateness of the 5-metre distance	The proposed 5-metre threshold was considered excessive and not proportionate.
Proportionality of the proposal	One respondent viewed the approach as proportionate, as it would strengthen control over trading near the highway while continuing to allow trading on private land and in exempt locations.

### 4.3 Do you agree with the proposed amendments above to the Submission of the application section of the policy?

This question received 61 contributions via the commonplace platform.

Most respondents expressed support for the proposed amendments to the Submission of the application section of the policy, with just over seven in ten (70.5%) stating that they agree. A smaller proportion (13.1%) disagreed with the changes, indicating limited opposition. A further 8.2% of respondents were not sure, suggesting some uncertainty or a need for additional information to inform their view. An equal proportion (8.2%) agreed with some, but not all, of the proposed amendments, indicating a modest level of partial or conditional support.

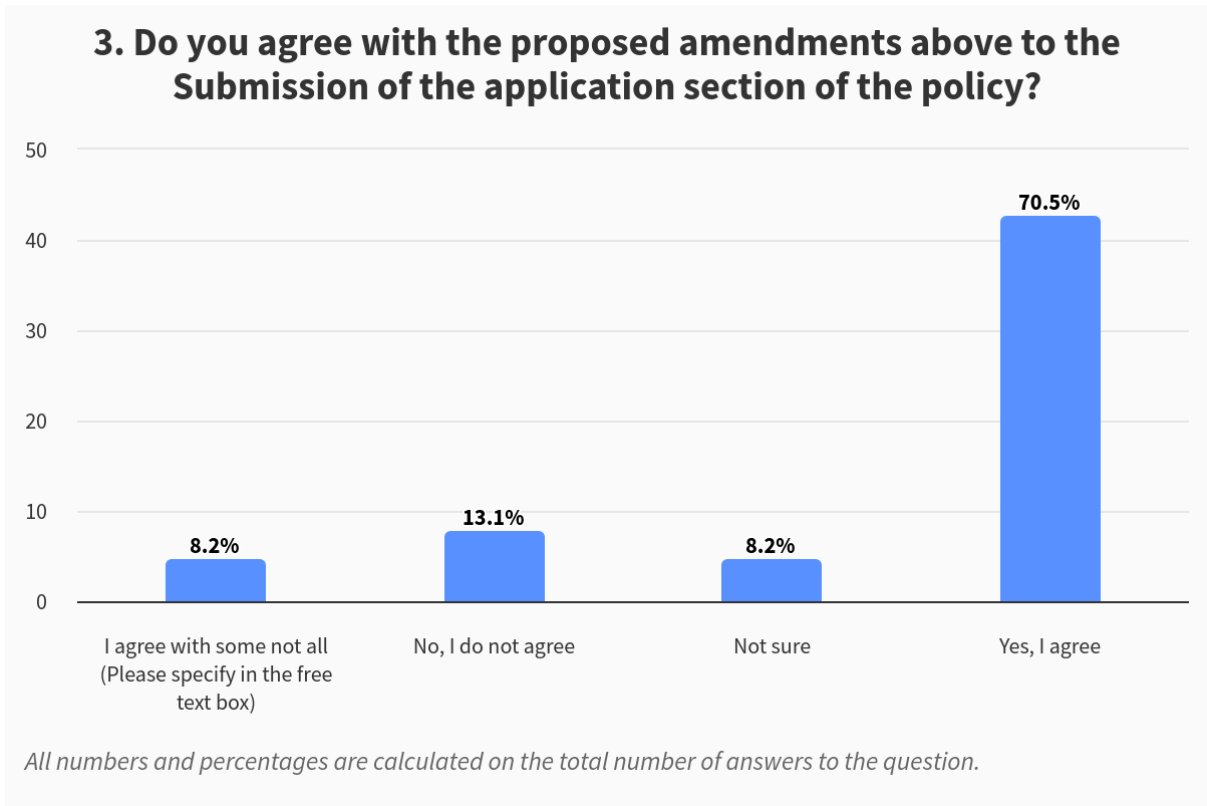


Figure 3. Shows respondents' level of agreement with the proposed amendments to the submission of the application section of the policy.

#### Any further comments on question three

10 respondents provided further comments for this question.

Table 3. Summary of free text comments on the proposed amendments to the submission of the application section of the policy.

Theme	Summary
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Follow-up and implementation	One respondent emphasised the importance of the council following up decisions promptly to ensure that all requirements are properly put in place.
Complexity and use of officer time	Concern was raised that the process is overly bureaucratic and time-consuming for officers, with a view that previous arrangements were simpler, cheaper, and more efficient.
No further comment	One response explicitly stated that there were no additional comments.
Food trader registration	It was argued that food traders should be fully registered before trading begins, rather than being allowed to operate while an application is pending, to reduce risks to public safety.
Right-to-work checks	A respondent questioned why right-to-work checks apply only to staff working alone, suggesting this requirement should apply to all staff.
Food hygiene ratings	One comment stated that traders should have an appropriate food hygiene rating in place before commencing trading.
Environmental health support	A respondent welcomed the involvement of environmental health, particularly for new businesses, and supported the requirement for right-to-work documentation.
Fees, rural impact and policy scope	While the amendments were seen as fair and logical, concern was raised that introducing a trading fee could negatively affect small businesses, especially mobile food traders in rural areas. Clarification was also sought on whether the changes would apply to sellers such as Big Issue vendors.
Public protection	One respondent highlighted the need to protect the public from poor food handling and hygiene practices.
Flexibility and support for businesses	A comment welcomed the flexibility introduced by the amendments, describing them as supportive of new and local businesses while maintaining essential safety and compliance standards, including food hygiene training.

#### 4.4 Do you agree with the proposed amendments above to the Cranbrook section of the policy?

This question received 56 contributions via the commonplace platform.

Responses showed that more than half of participants were positive about the proposed amendments to the Cranbrook section of the policy, with 53.6% indicating support. A sizeable share of respondents (26.8%) neither supported nor opposed the changes, which may point to uncertainty or a lack of detailed understanding of the proposals. Just under one fifth (19.6%) expressed opposition to the amendments. No respondents indicated mixed or partial agreement, suggesting that views were generally clear-cut rather than qualified.

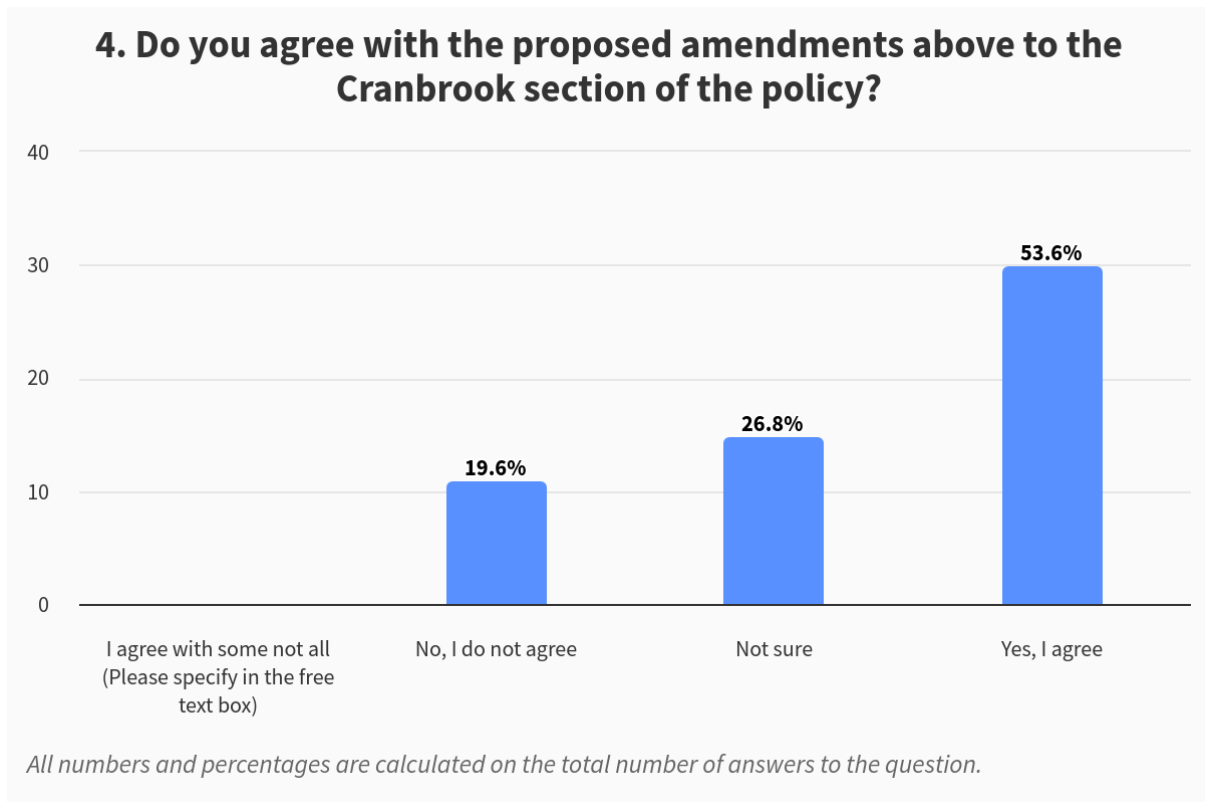


Figure 4. Shows respondents' level of agreement with the proposed amendments to the submission of the application section of the policy.

Any further comments on question four.

4 respondents provided further comments for this question.

Table 4. Summary of free text comments on the proposed amendments to the Cranbrook section of the policy.

Theme	Summary
Street designation and ease of administration	It was suggested that introducing prohibited streets would be easier and cheaper to administer, and clearer for traders to understand. The respondent cited Sidmouth as an example where this approach operates successfully and questioned why this model could not be followed.
Use of existing local models	One comment explicitly recommended adopting the Sidmouth format, describing it as highly successful. This reflects a preference for

	replicating a proven local approach rather than introducing alternative arrangements.
Planned spaces for street trading and community benefit	A respondent suggested that town planning could include provision for a town square, green, or other designated space for street trading. It was felt this could help support community building by providing an appropriate location for trading activity.
No comment / insufficient local knowledge	Two respondents provided no substantive feedback. One stated they were not inclined to comment, while another indicated they did not have sufficient local knowledge of the area to comment.

#### 4.5 Do you agree with the proposed amendments above to the Standard Conditions and Terms section of the policy?

This question received 56 contributions via the commonplace platform.

Feedback shows that a strong majority of respondents viewed the proposed amendments to the Standard Conditions and Terms section favourably, with 68.5% indicating agreement. A smaller group (14.8%) were unsure, which may suggest hesitation or a need for clearer information about the changes. An equal proportion (14.8%) expressed disagreement with the proposals. Only a very small number of respondents (1.9%) reported partial agreement, indicating that responses were largely decisive rather than nuanced.

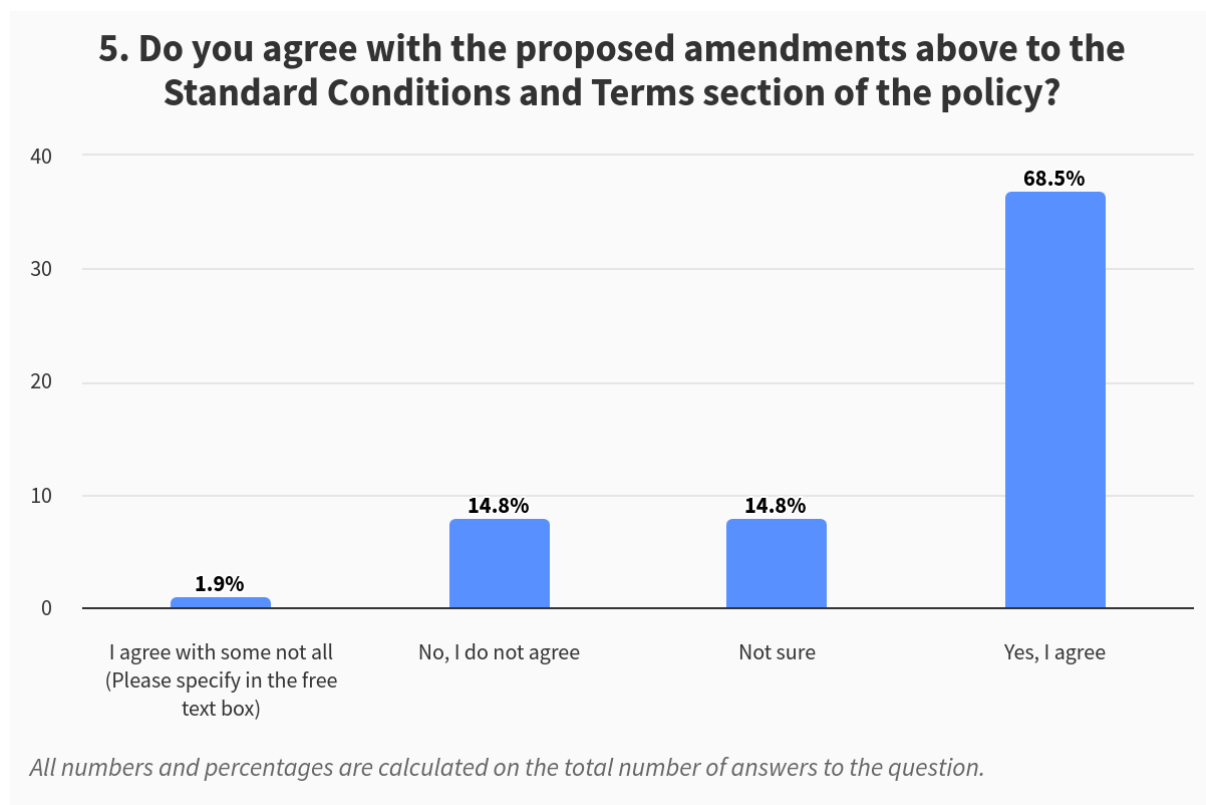


Figure 5. Shows respondents' level of agreement with the proposed amendments to the standards conditions and terms section of the policy.

3 respondents provided further comments for this question.

*Table 5. Summary of free text comments on the proposed amendments to the standard conditions.*

<b>Theme</b>	<b>Summary</b>
Perceived bureaucracy and complexity	One respondent felt that the proposed Standard Conditions and Terms are becoming increasingly complicated and bureaucratic, suggesting concern about the overall burden of regulation.
Enforcement, noise and residential impact	A comment raised strong concerns about noise, harassment, and blocked access to properties caused by street traders. The respondent stressed that the council must take effective action on complaints and ensure that policy conditions are enforced in practice, rather than existing only on paper.
No comment	One respondent stated “None”, providing no additional feedback on this question.

## 4.6 Final comments on the whole of the amended draft street trader policy

9 respondents provided further comments for this question.

*Table 6. Summary of free text comments for the whole amendment draft street trader policy.*

<b>Theme</b>	<b>Summary</b>
Cost of administration	Concerns were raised about the increased cost of administering the street trading system in recent years. It was suggested that earlier arrangements, or a similar approach, were more cost-effective while still operating successfully.
Compliance and food hygiene	Comments noted that while the majority of street traders comply with requirements, there are occasional concerns during busy periods or events. It was suggested that clearer advance registration requirements could help maintain standards and protect compliant traders.
Designated locations for trading	Some feedback indicated that street trading may be more effective if concentrated in designated locations, rather than on streets primarily intended for vehicular and pedestrian movement.
Location-specific restrictions	Views were expressed that street trading in certain sensitive or high-use locations should be limited or restricted, particularly outside of major organised events.
Fees and financial impact	Respondents raised concerns about the financial impact of ongoing fees, particularly for smaller operators. It was suggested that high or cumulative charges could affect the viability of small businesses.

Policy complexity	Some feedback described the policy as complex, noting that it may be difficult for non-specialists to fully understand or assess the proposed changes.
Clarity of exemptions	It was suggested that the exemptions section could be clearer, with more illustrative examples to help explain how exemptions would apply in practice.
Support for a balanced approach	Positive feedback welcomed the development of a more balanced and pragmatic approach to street trading, recognising the importance of supporting local businesses while maintaining appropriate controls.
Street designation approach	Suggestions were made that a clearer default position on where street trading is permitted or prohibited could help avoid ambiguity and improve overall regulation.

## 5. Key findings

### 1. General support for tighter regulation, alongside concerns about complexity

Feedback showed broad acceptance of the need to regulate street trading more clearly, but respondents frequently raised concerns that the policy is complex and potentially difficult to understand.

### 2. Divided views on regulating trading near the public highway

Many respondents accepted the principle of controlling trading close to the highway, but there were significant concerns about proportionality, the 5-metre threshold, and whether regulation should apply to trading on private land.

### 3. Strong emphasis on enforcement and public protection

Respondents consistently highlighted that effective enforcement is critical, particularly in relation to noise, obstruction, accessibility, and behaviour during busy periods, and stressed that conditions must be applied consistently in practice.

### 4. Public safety and food hygiene are key priorities

Feedback placed strong importance on food safety, hygiene standards, trader registration and compliance checks, with several respondents stating these should be in place before trading begins.

### 5. Concerns about cost and impact on small traders

Respondents raised concerns about fees and ongoing costs, noting the potential impact on small, mobile and rural traders, and questioning whether the cumulative financial burden could affect business viability.

## 6. Recommendations

### 1. Simplify and clarify the policy to reduce complexity

Review the structure and wording of the policy to improve readability for non-specialists, and ensure requirements are clear, proportionate and easy to understand for traders and the public.

## 2. Review the approach to regulating trading near the public highway

Reconsider how the 5-metre threshold is applied, including providing clearer justification, addressing concerns about proportionality, and clarifying the council's legal position in relation to private land.

## 3. Strengthen enforcement and compliance arrangements

Ensure that adequate monitoring and enforcement arrangements are in place so that conditions relating to noise, obstruction, accessibility and behaviour are applied consistently, particularly during busy periods and events.

## 4. Maintain strong public safety and food hygiene requirements

Retain and clearly communicate requirements relating to food hygiene, trader registration and compliance checks, including expectations that key safeguards are in place before trading begins to protect the public.

## 5. Consider financial impact and clarity of street designation

Review fees and ongoing costs to understand the impact on small, mobile and rural traders, and provide a clearer street designation approach (permitted, prohibited or designated areas) to improve certainty and ease of administration.

## 7. Next steps