

# Street trading questionnaire

No.	Question	Replies (102)
1	Do you think that street trading controls should be extended to cover the whole of Leicester?	<b>Yes: 76</b> No: 22
2	Do you think that mobile food vans should be given permission to trade on industrial estates?	<b>Yes: 94</b> No: 4
3	Do you think that ice cream vendors who move around from place to place should normally be given permission to trade?	<b>Yes: 74</b> No: 23
4	Do you think that Leicester City Football Club and Leicester Tigers Rugby Club should be given permission to allow them to sell programmes, memorabilia, etc, on match days?	<b>Yes: 87</b> No: 10
5	Do you think that there should be a policy of generally not giving permission for street trading, apart from the exceptions set out above?	<b>Yes: 78</b> No: 17
6a	Do you think the council should prohibit mobile food vans from trading in the vicinity of schools?	<b>Yes: 91</b> No: 9
6b	If so, how wide should the prohibition zone be? (91 replies) <ul style="list-style-type: none"> <li>• 25 metres</li> <li>• 100 yards</li> <li>• 200 metres</li> <li>• Quarter mile / 500 metres</li> <li>• 800 yards / half mile</li> <li>• 1000 yards / 1000 metres</li> <li>• 1 mile</li> <li>• Over 1 mile</li> <li>• Not on the same street</li> <li>• Beyond walking distance</li> <li>• As far as possible</li> <li>• Other</li> <li>• Not stated</li> </ul>	1 2 1 6 11 2 23 8 1 5 11 6 14
7	Do you think that mobile food vans should be permitted to trade in the City Centre in the evening?	Yes: 42 No: 52
8	What factors should the council take particular account of when considering an application for a street trading permit?	

## Appendix A

	<ul style="list-style-type: none"> <li>• Need for such a service <b>80</b></li> <li>• Potential disturbance to neighbours from noise, cooking smells, etc <b>95</b></li> <li>• Potential parking problems <b>86</b></li> <li>• Road safety <b>90</b></li> <li>• Potential for litter <b>99</b></li> <li>• Potential for anti-social behaviour <b>95</b></li> <li>• Other (health &amp; hygiene related) 5</li> <li>• Other (miscellaneous) 14</li> </ul>	
9	Do you have any other comments you wish to make about street trading in Leicester? (Please state)	See Appendix B

### Street trading consultation – comments and responses

Comment	Response	Draft policy amended?
Please ban all door to door salesmen and reps.	The consultation results have shown that there is support for city-wide controls on street trading. Under the Leicester Act 2006 this would not apply to door to door salesmen, who would need a pedlar's certificate from the Police.	No
Leicester City Council working for us they know best were please	N/A	N/A
Checks on hygiene.  There should be reasonable limits made on these shops along Narborough Road to not take up too much room for goods outside	The Food Safety team already carry out hygiene checks.  This is outside the scope of the policy, but will be passed to relevant officer.	No  No
They do little to clear up the mess they make. Legitimate traders have to pay rent and rates. Rogue mobile traders get away without these overheads.	Public nuisance is an aspect for consideration before the grant of a licence under the proposed policy.	Yes
As a public event organiser, I have particular problems with unlicensed food and gift traders who patrol around the events (usually Braunstone Park) and set up randomly. This creates a real conflict with licensed traders that pay a tender fee to us for being official vendors. We are powerless to do anything and so it would seem are the Police.	The consultation results have shown that there is support for city-wide controls on street trading.	Yes
Street traders (including fast food and ice cream vans) cause a considerable problem outside Moat Community College. As a college we are trying to promote	The consultation results have shown that there is support for city-wide controls on street trading, including restrictions on mobile food	Yes

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<p>the government's healthy lifestyles agenda yet they can walk outside the school gate and access the junk food we are trying to encourage students to avoid.</p>	<p>vans outside schools.</p>	
<p>They also create a litter problem which reflects badly on the college.</p>	<p>Public nuisance is an aspect for consideration before the grant of a licence under the proposed policy.</p>	<p>Yes</p>
<p>One student was hit by a car last term walking from behind the burger van which is outside every day!</p>	<p>Road safety is an aspect for consideration before the grant of a licence under the proposed policy.</p>	<p>Yes</p>
<p>Food hygiene provision to be checked on all trading vehicles</p>	<p>The Food Safety team already deal with hygiene issues.</p>	<p>No</p>
<p>I am a local business man in the food/takeaway trade. These street traders should not be allowed to trade as they pay NO TAX!!! NO RATES!!!! They tend to be a one man band and therefore have no wages to pay. I have been told by the Food &amp; hygiene department that the rules are also relaxed for these traders as opposed to a retail premises. I have invested over a 250k pound into to my business and have created employment, and improved the area, pay my rates bills and taxes. Yet when complained about this trader who stand out side my shop on a Friday, Sat,&amp; Sunday Night I was told by a council member that I would have been better of investing in mobile vans rather then a shop. This would have saved me a lot of money. Now when you get advise like this from your local council, what to do. So I am all for a total ban on street traders to trade in Leicester. Let them</p>	<p>The consultation results have shown that there is support for city-wide controls on street trading.</p>	<p>Yes</p>

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<p>trade where they are supposed to in a fun fare at a car boot sale in the sticks where they would be needed. Not in front of schools and business.</p>		
<p>Q7 - provided they clear rubbish 50-100m zone around agreed pitch</p> <p>Traders should display licence and should state where allowed.</p> <p>Traders driving around stadium when full of ??? shouldn't happen - arrive before leave later - road safety clause - lose if they do not consider safety.</p>	<p>Public nuisance is an aspect for consideration before the grant of a licence under the proposed policy.</p> <p>It is anticipated that any licences issued will include details of the pitch licensed, and will have to be displayed when trading is taking place.</p> <p>This comment is assumed to relate to the Walkers stadium, but whether or not public roads are involved is uncertain. Road safety is an aspect for consideration before the grant of a licence under the proposed policy.</p>	<p>Yes</p> <p>Not in policy, but will be covered by standard conditions.</p> <p>Unclear, but possibly!</p>
<p>How do I complain about the burger van that is parked outside QE College on Victoria Park Road 24 hrs a day. Please advise. My email address is ..... Thanks</p>	<p>Direct contact has been made with the writer</p>	<p>N/A</p>
<p>Keep Leicester tidy; no street traders needed</p>	<p>The consultation results have shown that there is support for city-wide controls on street trading.</p>	<p>Yes</p>
<p>Fixed hours for trading. Health &amp; hygiene (rubbish etc)</p>	<p>Public nuisance is an aspect for consideration before the grant of a licence under the proposed policy. The Food Safety team already deal with hygiene issues.</p>	<p>Yes</p>
<p>Ice cream vans outside primary schools and burger vans outside secondary schools should be banned completely.</p>	<p>The consultation results have shown that there is support for city-wide controls on street trading, including restrictions on mobile food</p>	<p>Yes</p>

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<p>The council need to restrict sales from the backs of vans in streets.</p> <p>Q4 - yes, in close proximity to the grounds</p>	<p>vans outside schools.</p> <p>Restrictions on street trading would apply to sales from the backs of vans.</p> <p>The suggestion of time restrictions on consents granted re sporting occasions has been included in the draft policy.</p>	<p>Yes</p> <p>Yes</p>
<p>Detailed comments re trading outside stadia, suggesting that fans be encouraged to buy and eat food inside the ground. Positive impact on litter, obstruction, health &amp; safety, emergency access.</p> <p>Q2 - yes, subject to a minimum number of trading premises</p>	<p>The consultation results have shown that there is support for an exemption from the proposed policy for LCFC and Leicester Tigers themselves to be given permission to sell programmes, memorabilia, etc. (ie, not other traders)</p> <p>Availability of goods being sold in other fixed premises in the vicinity is an aspect for consideration before the grant of a licence under the proposed policy.</p>	<p>Yes</p> <p>Yes</p>
<p>To be able to apply controls sensibly i.e. if industrial estate is next to a school, a prohibition zone should still apply</p>	<p>The policy has been written in such a way that the prohibition on mobile food vans close to schools overrides the exception for industrial estates during school hours.</p>	<p>Yes</p>
<p>Q3 - not as a rule</p> <p>Q7 - yes, within strict guidelines</p>	<p>The consultation results have shown that there is support for an exemption from the proposed policy for ice cream vendors (Q3).</p> <p>The consultation did not reveal a majority view regarding mobile food vans trading in the city centre at night (Q7), therefore the policy does not deal with this specifically. Any such applications will be considered in accordance</p>	<p>No</p> <p>No</p>

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	with the general policy.	
Takeaway food whether from on-street or off-street traders seems to be the biggest problem - litter and leftover food.	Public nuisance is an aspect for consideration before the grant of a licence under the proposed policy.	Yes
I would ban all takeaway food! (except perhaps ice cream).	The consultation results have shown that there is support for city-wide controls on street trading.	Yes
Q5 - and eg mobile grocers	Mobile grocers would be covered by paragraph 4 of the draft policy (traders who move around, like ice cream vendors).	Yes
Good quality food should be sold	This matter has not featured in other responses. However, the likely demand for goods being sold is an aspect for consideration before the grant of a licence under the proposed policy.	No
I feel very strongly that street traders should be kept well away from schools as in my experience this has caused many problems.	The consultation results have shown that there is support for city-wide controls on street trading, including restrictions on mobile food vans outside schools.	Yes
Q2 - yes, but not near schools.	The policy has been written in such a way that the prohibition on mobile food vans close to schools overrides the exception for industrial estates during school hours.	Yes
Q3 - not outside schools but otherwise there needs to be some flexibility	As above	Yes
Q3 - yes, but not outside schools	The policy has been written in such a way that the prohibition on mobile food vans close to schools overrides the exception for industrial estates during	Yes

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	school hours.	
Displaying fruit and veg outside shops is unhygienic, fruit and veg sold where dog fouling, shops should not be allowed to sell food outside the shops	Many premises display items for sale outside their premises on land that they own, ie, the land is not part of the public highway. Such cases are dealt with on an individual basis.	No
There are plenty of restaurants and fast food outlets. Mobile vans are not necessary	The consultation results have shown that there is support for city-wide controls on street trading.	Yes
Q6b - far enough away to stop students buying unhealthy food; Leicester would be a better place	The consultation results have shown that there is support for city-wide controls on street trading, including restrictions on mobile food vans outside schools. Opinion was divided as to how far the exclusion zone should be from a school, but it is clear that any distance greater than around 500 metres would effectively mean no street trading at all, due to the close proximity of schools to each other.	Yes
No ice cream vans at school gates at beginning or end of school day	The consultation results have shown that there is support for city-wide controls on street trading, including restrictions on mobile food vans outside schools.	Yes
I believe trading from mobile food vans anywhere within the City should be prohibited.	The consultation results have shown that there is support for city-wide controls on street trading.	Yes
Often there are no accessible toilet facilities to mobile van operators which results in operators using the streets/nearby shrubberies as a toilet or using receptacles within the vans as a toilet. It is difficult to monitor whether mobile food operators comply with current	The Food Safety team already deal with hygiene issues.	No



<p>food hygiene regulations and lack of hygiene during the preparation and storage of food constitutes a health hazard for the customers. It is doubtful whether many mobile food operators actually train their staff adequately where food hygiene is concerned.</p>		
<p>Greasy waste is often poured down surface water road gulleys or onto the pavement by mobile food van operators, causing a slip hazard to members of the public and polluting the City's rivers. Litter is usually prevalent within the areas in which mobile food vans have operated. Unless mobile food operators sell food which is regarded as healthy then they contribute significantly to the obesity and other health problems of the community which could lead to a drain on the NHS resources in the future. Mobile food operators have been permitted to trade on areas of the public highway in the City, including on pavements, without highway consent being in place and in areas where highways consent would not be forthcoming if an application for consent was lodged. Highways consent should be obtained before any mobile van operator continues to trade on the highway.</p>	<p>Public nuisance and road safety are aspects for consideration before the grant of a licence under the proposed policy.</p>	<p>Yes</p>
<p>In order to effectively control and monitor the activities of mobile food operators within the City a considerable amount of resources would be expended by the public authorities, agencies and landowners - resources which could better diverted into</p>	<p>The consultation results have shown that there is support for city-wide controls on street trading. If this is introduced then licensed traders will be easy to identify and monitor, and unlicensed traders can be</p>	<p>Yes</p>

<p>other more worthwhile causes. A considerable amount of resources are already expended by the public authorities and landowners clearing up litter and greasy waste emanating from mobile van operations. There appears to be no effective remedy for the recovery of such costs from the mobile van operators. I believe the whole of the Leicester City area should be designated as a Mobile Food Van Prohibition Zone.</p>	<p>dealt with appropriately.</p>	
<p>Wherever a mobile food van is trading is creating problems for other highway users. It will be obstructing the highway either by where it is parked or by the people gathering to use it. If mobile food vans are permitted then they should not be allowed to be parked on the footway as they are for pedestrians and not vehicles. Each permit should be individually assessed according to the specific location proposed and the conditions applied to any permit should be strictly enforced.</p>	<p>Public nuisance and road safety are aspects for consideration before the grant of a licence under the proposed policy.</p>	<p>Yes</p>
<p>The whole of Leicester, have you seen what these vans contain fish and chips no wonder obesity is on the increase council aint doing nothing to stop this. You need fresh healthy food vans like a Quiznos van or bella otar van going round offering healthy options not fatty foods. Honestly as a managing director of a computer business i rather have my children eating from Quiznos everyday than eating fish and chips. We should be feeding them healthy like quiznos tries to promote in their store. Eat healthy, live better! I think ive</p>	<p>The consultation results have shown that there is support for city-wide controls on street trading.</p>	<p>Yes</p>

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<p>said it all. Britain needs to get rid of burger vans and bring in healthier variety to members of the public that's where it is losing its focus, why do you think everyone is against the council it's because council don't listen about the problems it causes to business owners like us in town.</p>		
<p>Street traders should be made responsible for the waste that is left from their trade, e.g. food vendors.</p>	<p>Public nuisance is an aspect for consideration before the grant of a licence under the proposed policy.</p>	<p>Yes</p>
<p>Get rid of the smelly dirty burger vans we don't need them</p>	<p>The consultation results have shown that there is support for city-wide controls on street trading.</p>	<p>Yes</p>
<p>The definition of 'street trading' should include knocking on people's doors to sell them things or a service.</p> <p>The restrictions should be geographical and time based, e.g. you can sell food in vicinity of school providing it is after 18.00.</p> <p>The licence fee should reflect the costs to tax payers of the policing this licence.</p>	<p>The consultation results have shown that there is support for city-wide controls on street trading. This would apply to door to door salesmen.</p> <p>The policy has been written in such a way that the prohibition on mobile food vans close to schools overrides the exception for industrial estates during school hours.</p> <p>This matter is not part of the policy.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p>
<p>Mobile traders create litter. What penalties are levied against these folk and existing food traders whose packaging is found strewn outside their premise compared with some Cities insistence that littering in the form of dropping cigarette butts should attract an instant fine.</p>	<p>Public nuisance is an aspect for consideration before the grant of a licence under the proposed policy.</p>	<p>Yes</p>
<p>Keep street trading unrestricted</p>	<p>Contrary to this comment,</p>	<p>Not in</p>

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outside centre	the consultation results have shown that there is support for city-wide controls on street trading.	accordance with this comment
Letter – no food vans in residential areas (litter, parking, groups hanging around, unfair competition for permanent premises)	The consultation results have shown that there is support for city-wide controls on street trading.	Yes
Q2 - permission for a specific site, consider need, if pre-determined number then only issue more as another ceases	Availability of goods being sold in other fixed premises in the vicinity is an aspect for consideration before the grant of a licence under the proposed policy.	Yes
Q3 - yes but not near schools	The policy has been written in such a way that the prohibition on mobile food vans close to schools overrides the exception for industrial estates during school hours.	Yes
Q4 - limited to the vicinity of the grounds for specified period before and after a match; Q7 - if a need exists beyond fixed premises already trading	The suggestion of time restrictions on consents granted re sporting occasions has been included in the draft policy.	Yes
All mobile food vans should be prohibited from the Leicester street	The consultation results have shown that there is support for city-wide controls on street trading.	Yes
<b>Consultation at Meeting with ice cream traders – 17/03/2008</b>		
Ice cream vans that only sell ice cream should be allowed to trade outside schools	The policy will be amended to allow trading after school has finished	Yes
Ice cream vans that only sell ice cream vans should be allowed to trade outside schools during the school day	This may be appropriate in some circumstances but not others. Ice cream vans will be allowed to apply for a static pitch outside schools and each will be judged on its merits	Policy - no Fees – yes

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Ice cream vans sellers should be issued with a licence and badge for identification purposes	Agreed	Not necessary
An operator with more than one van should only need one licence.	The fee is set at a minimal level. It would be difficult to tell when vans were operated by the same operator.	No



## **Draft Street Trading Policy**

### **Area of Application**

1. The policy will apply to all street trading carried out within the City boundary.
2. Any street trading carried out within the City Boundary without a specific consent is illegal.

### **General Policy**

3. There will be a general presumption against street trading, particularly in the vicinity of schools. For the purposes of this policy, a location is 'in the vicinity' of a school if it is situated such that pupils may be encouraged to walk to it during a break from school, or immediately before or after school.
4. There will be a general presumption in favour of granting consents for street trading by ice cream vans, and by mobile operators who remain stationary at a particular location only long enough to serve customers at that location, provided that they conform to any code of practice issued by the City Council. Codes of practice may include requirements relating to goods to be sold, period of time sales take place at a particular location, times of the day during which sales may take place, and the sounding of chimes and calls.

### **Exceptions to General Policy in relation to static traders**

5. It is unlikely that exceptions will be granted for locations that are in the vicinity of a school, from an hour before the start of the school day until an hour after the end of the school day.
6. Street trading consents may be granted in the immediate vicinity of the Leicester City Football ground and the Leicester Football Club ground for the purpose of the sale of favours and materials associated with the football clubs that are organised and controlled by those clubs. Any such consent would be restricted to particular times before, during and after an event at the ground.
7. Street trading consents may be granted to operators selling food who wish to trade on industrial estates, where no other adequate provision is provided.
8. Limited period consents may be granted in respect of particular types of operations in conjunction with specific events in the City.

9. Other applications for consents will be considered and each case will be decided on its own merits. The following matters will be taken into account:

- Public nuisance
- Crime and disorder
- Road safety
- Health and safety at schools and for their pupils
- Likely demand for goods being sold
- Availability of goods being sold in other fixed premises in the vicinity
- Objections received from nearby residents, businesses and statutory agencies

If a licence is granted, conditions may be added to ensure that these factors continue to be addressed by licence holders.

### **Application of Policy to existing consent holders**

10. There will be a presumption for the renewal of consents for existing consent holders for a period of two years from the coming into effect of this policy. After this time, applications will be treated in accordance with this policy.



## **Code of Practice for Mobile Street Traders**

This Code of Practice applies to ice cream vans and mobile traders granted a street trading consent. Failure to comply with the Code of Practice may result in prosecution and/or the consent being revoked. Any reference to an ice cream van means a vehicle adapted for the sale of ice cream and which only sells ice cream, cold soft drinks and frozen lollipops.

### **Mode of Operation**

Ice cream vans must:

- Ensure that any stopping position does not infringe any parking or traffic requirements or cause obstruction of the highway, and does not present any dangers to other road users or pedestrians.
- Not stop within 100 metres of school grounds during the school day unless allowed to do so by a specific consent.
- Ensure that all conditions on the street trading consent are adhered to.
- Not trade within the inner ring road unless allowed to do so by a specific consent.

Mobile operators other than ice cream vans must:

- Move from position to position remaining stationary for no more than 5 minutes to initially attract customers and thereafter only long enough to serve customers present.
- Ensure that any stopping position does not infringe any parking or traffic requirements or cause obstruction of the highway, and does not present any dangers to other road users or pedestrians.
- Not stop in any 400 metre section of any street more than once in every two hours.
- Not stop within 400 metres of school grounds from an hour before the start of the school day until an hour after the end of the school day.
- Ensure that all conditions on the street trading consent are adhered to.

### **Sounding of Chimes (Based on the National Code of Practice)**

Chimes and other audible signals should not be sounded:

- For longer than 4 seconds at a time – an automatic cut out should be used.
- When the vehicle is stationary.
- Except on approach to a selling point.
- When in sight of another mobile trader.
- Louder than 80 dB(A) at 7.5m.
- Before 12:00 or after 19:00 hours.