

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL  
MUNICIPAL YEAR 2024-25: REPORT NO.**

**LICENSING COMMITTEE**  
30<sup>th</sup> April 2024

**REPORT OF: Kim Trilloe**  
**Health Protection and Licensing Manager**

**Item No. 5**

**Extension of Street Trading  
Provisions**

**1. PURPOSE OF THE REPORT**

The purpose of the report is to update Members on the outcome of the consultation and to gain in principal Members approval on the adoption of further provisions to facilitate the control of street trading.

**2. RECOMMENDATIONS**

2.1 It is recommended that:

- Members accept the extension of the current street trading provisions throughout the whole Borough of RCT incorporating the details in this report.
- A review of the existing conditions is undertaken which will look to improve the standard of the existing food businesses. It is proposed that those businesses with a food hygiene rating of 3, (satisfactory or above), can apply for a consent to trade.

**3. REASONS FOR RECOMMENDATIONS**

3.1 The recommendations are made following concerns regarding mobile food vendors trading in the Borough. The extension of the existing provisions will provide a level regulatory regime for all mobile traders and will assist local authority officers in compliance to improve overall standards, providing added confidence to the residents of RCTCBC.

**4. BACKGROUND**

4.1 At the meeting of this Committee held Tuesday 30<sup>th</sup> January 2024, Members considered a 'Draft Resolution' to extend existing consent provisions to facilitate the control of Street Trading as afforded by the Local Government (Miscellaneous Provisions) Act 1982. Appendix A.

4.2 Members resolved that:

- the draft resolution be approved.
- the Director of Public Health Protection & Community Services in consultation with the Director of Highways, Streetcare and Transportation Services, be authorised to publish the Draft Resolution in accordance with statutory requirements and
- the formal consultation process to be commenced, with the results of such consultation being brought back to this Committee for further consideration. (Min. 12.2 refers). Minutes of this meeting are provided as Appendix B.

4.3 The process of the consents to trade currently sits within the Licensing Team of Public Health and Protection and supported by officers in the Food and Health & Safety Team along with Highways/Street-care. There is a fee linked to the process of the consent to trade that covers the administration process. The fees are not statutory and are subject to the annual increase as per the Council policy in relation to fees and charges. An updated table of the existing fees are set out below:

		2023/24	2024/25
Consent – Grant	12 months	£1,052	£1,105
Consent – Grant	6 months	£613	£645
Consent – Grant	3 months	£353	£371
Consent – Renewal	12 months	£876	£920
Consent – Renewal	6 months	£526	£550
Consent – Renewal	3 months	£309	£325

## 5. EQUALITY AND DIVERSITY IMPLICATIONS / SOCIO-ECONOMIC DUTY

5.1 An Equality Impact Assessment (EqIA) form has been prepared for the purpose of this report. It is deemed the extension of the existing scheme across RCTCBC has a neutral effect as it does not put any person at a disadvantage. Implementation of the consent to trade will narrow the gap between those business who are liable for taxation and those business that are not.

## **6. WELSH LANGUAGE IMPLICATIONS**

6.1 A Welsh Language Impact assessment has been completed. It is deemed that the amendments proposed are demographic neutral and will not negatively impact on Welsh language. All applications and consents will be available in English and Welsh.

## **7. FINANCIAL IMPLICATION(S)**

7.1 This report does not have any financial implications for the Council in extending an existing scheme across the Borough. There will be an amount of income via the fees charged for the determination and processing of the street trading licence application.

## **8. CONSULTATION / INVOLVEMENT**

8.1 Following consultation which involved a press release and emails to known traders, only 1 phone call was received by the Head of Service. This was from a male food vendor stating, "that if we roll this out across RCT we will kill the trade." He wouldn't provide his name/ trading name location and had no interest in emailing the link that was in the advert. In his words ' he's told someone now.

## **9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

9.1 Local Government (Miscellaneous Provisions) Act 1982 schedule 4 allows the local authority to designate a street within the borough as a consent to trade street.

## **10. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT**

10.1 This report has been considered for evidence of the Five Ways of Working and how it may contribute to our Well-being Objectives.

- Prevention and collaboration: the purpose of the extension of the scheme is to protect the public by improving standards across the borough.
- Involvement: An extension of the existing scheme is subject to public consultation before the Council may consider any changes.

For the Wellbeing and Future Generations Act the extension of the Scheme will link with:

- A healthier Wales
- A prosperous Wales
- A Wales of Cohesive Communities

The Authority is collaborating with CTMUHB on a Whole System Approach to Healthy Weight. The extension of the Street Trading Scheme across the whole of RCTCBC will align with this work.

**11. STRATEGIC OR RELEVANT TO ELECTORAL WARDS (please specify)**

11.1 The extension and implementation of the consent to trade will be relevant to all across the Borough. It is proposed that from the outcome of this decision that a review of the existing policy is undertaken for further consideration.

**12. CONCLUSION**

6.1 Members are requested to note the outcome of the consultation which is provided for information and consideration.

6.2 Members are requested to note the content of this report and accept the recommendations in relation to the adoption of further provisions to facilitate the control of street trading as afforded by the Local Government (Miscellaneous Provisions) Act 1982.

6.3 Members are requested to note that the proposed implementation date is June 2024.

**Louise Davies**  
**Director for Public Health, Protection and Community Services**