

Appendix 6 - Consultation Report

1. Aim of consultation

- 1.1 The aim is to give traders the opportunity to review and feedback on the proposed amendments so any issues or recommendations can be considered, and terms and conditions updated prior to approval. This is also a requirement of the London Local Authorities Act.
- 1.2 The London Local Authorities Act specifies that, The Council has the power to vary conditions on a street trading licence on any occasion of the renewal of a licence 1st April or on 1st January of any year. Before making any new regulations, the Council must undertake consultation as follows in accordance with the London Local Authorities Act (LLAA) 1990 (as amended) –
 - i) Publish a notice in a newspaper circulating in the borough of its intention to vary conditions, which contains a draft resolution and states that people can make representations within a specified period not less than 28 days after the publication of the notice; and
 - ii) Consult the licence holders or a body or bodies representative of them.
- 1.3 In addition, case law provides that:
 - a) consultation must be at a time when proposals are still at a formative stage;
 - b) sufficient reasons must be given for any proposal to enable intelligent consideration and response;
 - c) adequate time must be given for such consideration and response; and
 - d) The product of the consultation must be conscientiously taken into account in finalising any proposals.
- 1.4 The consultation has been undertaken to meet the requirements of the London Local Authorities act and is details in the following sections.

2. Methodology

- 2.1 The proposed 2025 standard conditions for street trading were consulted on for 28 days from 5th September to 3rd October. A notice was placed in the Camden New on 5th September alongside an online consultation on We Are Camden.
- 2.2 Links to the consultation were placed on Camden's street trading web pages and on social media. All traders were emailed with a link to all relevant documents and to the online consultation. Hard copies of the documents were also made available at all Camden libraries and traders were invited to drop into Camden offices at 5 Pancras Square N1C 4AG during the week commencing Monday 9th September. Retail market officers also engaged with traders when undertaking daily market checks and had paper copies available if requested. Any feedback from discussions from traders were also recorded.

3. Analysis of response data

- 3.1 There were 21 responses to the online consultation. Feedback from discussions with traders and Council Officers was also sought and taken.

- 3.2 The majority of responses to the online consultation were from Camden residents (76%) - with most saying they lived near markets (11 of the 16).
- 3.3 3 responses were from traders (14%) - 2 permanent and 1 temporary. Others identified as having a business near a market in Camden or working in the borough (1 of each).

4. Quantitative responses

- 4.1 Respondents were asked to what extent do you agree or disagree with proposed changes. Across all proposals, the majority of respondents (at least 52%) 'strongly agreed' with the proposals.
- 4.2 For those that agreed ('strongly agree' and 'agree' combined) the results were:
 - 81% agreed with the updated street trading and markets terms and conditions
 - 76% agreed with updated commodities list
 - 86% agreed with the updated penalty point scheme
 - 90% agreed with new prohibited goods list
- 4.3 Overall, the majority of respondents stated they were very satisfied or satisfied with the proposed changes (61.9%). Table 1 below shows an overview of the responses to "how do you feel about all of the proposed changes?"
- 4.4 Table 1. How do you feel about all of the proposed changes

Option	Total	Percent
Very satisfied	7	33.33%
Satisfied	6	28.57%
Neutral	3	14.29%
Unsatisfied	1	4.76%
Very unsatisfied	3	14.29%
Unsure	1	4.76%
Not Answered	0	0.00%

5. Qualitative responses

- 5.1 Respondents were asked to tell us more about their answers or add any other comments they had on our proposed street trading and markets terms and conditions. The results showed:
 - i. Many respondents welcomed proposed condition 21 - to improve air quality in market areas and reduce the impact to residents and businesses in market areas.
 - ii. However, there was some concerns too that the rules wouldn't be enforced enough or that they could be even tighter (specifically

restricting wood as a fuel as well or being comparable to the rules for restaurants).

- iii. Similarly, some respondents were also concerned by the impact and lack of restriction of vehicles going to the markets and the handling of waste (bags or wastewater by traders)
- iv. Otherwise, while there was also the view that traders were the ones best placed to decide what to sell and not the council; this was contrasted by the belief that traders weren't currently challenged enough on what they sell (particularly over 'fake' goods)

5.2 On the proposed updated penalty point scheme (which reflects the changes in the terms and conditions):

- i. Most respondents welcomed the penalty point scheme - on the understanding officers would have the capacity and resources to enforce the rules strictly but fairly.
- ii. There were also suggestions that fines could be increased and spent on improving local active travel infrastructure or compensating residents that live near traders that 'breach the rules'.
- iii. Otherwise, it was commented as well that Environment Service should help and support traders more and not focus on purely penalizing them.

5.3 On the proposed updated commodities list:

- i. Again, most respondents welcomed the updated commodities list; there was also the view that each market should be looked at holistically - to avoid saturation (multiple stalls selling the same items) or duplication of the provision of existing local shops.
- ii. Concern was also raised about junk food sellers and what could be done to promote more healthier food options.
- iii. There was a suggestion that traders were ultimately the best placed to judge what sells best and the rules should support them.

5.4 Feedback on the proposed new prohibited goods list was:

- i. The prohibition of dangerous and unsuitable goods was broadly welcomed.
- ii. It was commented that there was a long list of items and concern was raised over the capacity of officers to effectively enforce this.
- iii. There was also the view that stall holders that produce their own artisanal or handmade goods could be prioritised over those that don't as a further way to manage the number of similar goods sold at individual markets.

5.5 Other Comments or feedback showed us that:

- i. There was a wide range of additional comments, with several respondents providing feedback on the cleanliness and performance of specific Camden Street market sites.
- ii. The general management of unlicensed traders and better enforcement of rules on trader behaviour was also highlighted - along with comments urging the better management of the impact of markets on their local, often, residential areas (e.g. poor waste management, street staining or street littering nearby; noise and air pollution from cooking; and the impact on local travel).
- iii. However, the need for better facilities for traders at the street markets and thorough investigations before penalising traders was also mentioned.

5.6 Engagement through different channels

- i. Outside of the online consultation, there was feedback given from enforcement officers on waste management - with a focus on promoting good practice around the handling of any hazardous or offensive waste (waste that could be considered unpleasant, such as raw meat, fish or used cooking oil) to improve the local street environment, reduce pavement staining and enable safe and efficient collections

6. Summary of findings

- 6.1 The consultation response rate was low but overall, the majority of respondents stated they were very satisfied or satisfied with the proposed changes (61.9%). There was support for conditions surrounding Camden's climate action plan, especially around air quality and penalty scheme enforcement, as long as traders were supported by through good management and enforcement of issues such as illegal street trading, waste management and cleansing alongside improved trader facilities. When considering commodities, each market should be looked at holistically with trader involvement to avoid saturation, with the prioritisation of artisanal or handmade goods.

Report End