

REPORT TO LICENSING SUB COMMITTEE

Date of Hearing:	25 February 2026
Report of:	Julie Bennett
Application:	Application for Consent to Engage in Street Trading
Legislation	Local Government (Miscellaneous Provisions) Act 1982
Applicant:	[REDACTED]

1. What is the report about?

1.1 To advise the Licensing Sub-Committee that the above Applicant is seeking approval for a street trading consent applicable to a Pizza van in Lower Castle Street.

1.2 This application has been assessed by a Licensing Officer in accordance with the Assessment Framework as set out in the Council's Street Trading Policy ('the Policy') at section 18 Appendix – Assessment Framework. The completed Assessment follows the application as set out in Appendix A.

1.3 The Applicant is proposing to sell a range of artisan Pizzas, Ice cream and Gelato in the summer months. The Applicant has provided pictures of a similar vehicle to the proposed final vehicle and the battery to be used, attached at Appendix B.

1.4 Due to the size of the proposed vehicle, the Applicant has also supplied pictures of a similar sized van in four different areas at the site in Lower Castle Street, attached at Appendix C. Exeter City Council's Licensing Department ('Licensing') have evaluated the four options for van position and recommend option 4. This is based on the following reasons:

- a. There is no interruption of access to the communication boxes at the site;
- b. The fuel source will be the furthest away from the nearest building;
- c. This option provides the widest access at the centre of the pedestrianised area;
and
- d. The benches remain accessible on both sides.

1.5 The Applicant would like to apply for a consent to trade for 12 months, Monday to Sunday 11am – 6pm.

1.6 The Applicant has achieved level 2 food hygiene, holds public liability insurance and is registered as a food business with Mid Devon District Council.

1.6 A copy of the latest policy and conditions have been sent to the Applicant prior to this application.

1.7 The Applicant has proposed the use of a rooftop sign to be used on the van without illumination. However, Licensing have suggested to the Applicant that it may be more suitable to omit the sign.

1.8 The Applicant has provide some options for design and colour choice for the livery of his new van, to be discussed at the Licensing Sub-Committee. The options for discussion are attached at Appendix D.

2. Are there any Representations?

2.1 The application was circulated to the Devon and Cornwall Police, Devon County Highways, Exeter City Council Estates and Exeter City Councillors, In Exeter, if in the BID area, and traders located in the vicinity as per the Street Trading Policy. No comments have been received to date.

3. What are the legal aspects?

3.1 The Council has adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 for the whole of its area as 'consent streets' for street trading purposes, with exception of a number of streets in the city centre, which are designated 'licenced streets or prohibited streets'.

3.2 The power to prescribe standard conditions is contained in Schedule 4 (7) of the Local Government (Miscellaneous Provisions) Act 1982, which states:

- When granting or renewing a street trading consent, the Council may attach such conditions to it as they consider reasonably necessary.
- Without prejudice to the generality of sub paragraph (4) above, the conditions that may be attached to a street trading consent by virtue of that sub-paragraph include conditions to prevent –
 - Obstruction of the street or danger to persons using it; or
 - Nuisance or annoyance (whether to persons using the street or otherwise).
- The Council may, at any time, vary the conditions of a street trading consent.
- Paragraph 7(10) of Schedule 4 of 'The Act' provides that a street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time.

4. Policy considerations:

4.1 Section 1.1.1 of the Council's Policy sets out the policy's purpose and states that the "policy's aim is to create a street trading environment which complements premises based trading, is sensitive to the needs and amenities of residents, provides diversity of consumer choice, and seeks to enhance the character, and ambience of local environments".

4.2 Section 6 sets out the key considerations for Licensing Sub-Committee when assessing an application.

5. Recommendations:

5.1 Head of Service – Environment & Waste would recommend that the Committee considers the application having regard to current policy and that, if the Committee are minded to approve the application, then the following conditions should be considered:

- a) All General Conditions in Section 15 of the Policy apart from those specific to an ice cream van or similar.

Head of Service Environment and Waste

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report: None

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