

Rother District Council

Report to: Licensing and General Purposes Committee

Date: 17 January 2022

Title: Street Trading Controls

Report of: Head of Service - Environmental Services, Licensing and Community Safety

Ward(s): All wards

Purpose of Report: To consider amending the street trading controls in Bexhill and imposing controls in Ticehurst

Officer

Recommendation(s): It be **RESOLVED**: That:

- 1) with effect from 7 March 2022, the streets in Battle, Bexhill, Robertsbridge, Rye and Ticehurst, as set down in Appendix A, be designated prohibited streets or consent streets as indicated in the Appendix;
- 2) the Deputy Chief Executive and the Head of Service be authorised to grant consents for street trading in consent streets in accordance with the policies set down in Appendix B;
- 3) other applications for consents be delegated to the General Licensing Panel to determine; and
- 4) the prescribed notice of this resolution be published in the local newspaper for two consecutive weeks.

Background

Local Government (Miscellaneous Provisions) Act 1982 Schedule 4

1. The Council has adopted these legal provisions. It can therefore designate certain streets as consent or prohibited streets for street trading. Street trading is prohibited in consent streets unless the Council has granted a consent to do so. Street trading controls do not apply to news vendors, rounds men or trading on a shop forecourt.
2. Since 1992, the Council has adopted street trading controls at different times for Battle, Bexhill, Robertsbridge and Rye. The Council has also adopted policies giving delegated authority to officers to issue consents in certain circumstances. Appendix B sets out current policies.
3. Current controls can found here: <https://www.rother.gov.uk/licences-and-permits/other-licences-and-permits/street-trading/>

Requests

4. The Chair of the Bexhill Town Centre Steering Group (Councillor Bayliss) requested that the existing consent streets for street trading for Bexhill be amended to designate Sackville Road as a consent street, to permit markets to be held there. This is supported by Bexhill-on-Sea Town Council. On the 15 September, Bexhill-on-Sea Town Council considered the proposal to change the street trading status of Sackville Road from Prohibited to Consent. The minutes of the meeting (00210 (e) state: Letter from District Councillor Bayliss requesting view of the town council regarding trading licences for Sackville Road. It was resolved to support street trading licences for Sackville Road as the council supports regeneration in the town.
5. In July 2021, Ticehurst Parish Council requested that the northern end of Church Street, the Village Square and the High Street, be consent streets. A policy is requested to be adopted that consents will only be granted during events organised by Ticehurst Parish Council.
6. In October 2021, Members resolved to advertise the intention to make street trading controls. A Public Notice was placed in local newspapers, namely the Bexhill/Battle/Rye Observer and Sussex Express on 29 October 2021.
7. If the Committee are minded to designate Sackville Road as a consent street and further streets in Ticehurst, it is recommended that all the streets in the district are re-designated so that the extent of street trading controls throughout the district can be ascertained from one document.
8. Officers have delegated authority to grant consents if the policy adopted by the Council applies, see Appendix B. In other cases, applications will be determined by this Committee. It is recommended that Members delegate this function to the General Licensing Panel.
9. Summary of changes proposed:

Battle & Robertsbridge: No changes.

Bexhill: Sackville Road be designated as a consent street (currently a prohibited street). Existing policy for consents to be retained.

Rye: No changes.

Ticehurst: To be consent streets:

Church Street from its junction with St Mary's Lane to High Street (B2099), High Street from the Bell Hotel (Inn) to its junction with St Mary's Lane, all streets between Church Street and the High Street and all streets between St Mary's Lane and the High Street, including the Village Square.

Consents to be granted if the trading is part of an event organised by Ticehurst Parish Council.

Consultation

10. A copy of the notice of intention to make the resolution was sent to the Chief Officer of Police and East Sussex County Council Highways for representations.

11. Appendix C sets out the representations received when the intention was advertised. Members should consider these responses carefully before deciding whether to designate Sackville Road, Bexhill or the Village Square, Ticehurst as consent streets. The Council has discretion whether to designate the streets, there is no guidance to follow.

Enforcement

12. The Council does not have any officers designated to enforce street trading controls. If enforcement were required, officers would have to be taken off their existing duties. The Police, however, can enforce the Orders but normally look to the Local Authority to take the lead.

Conclusion

13. After considering the representations, the Committee may resolve to designate the schedule of streets in the district designated as consent or prohibited streets, as set out in Appendix A.

Risk Management

14. The Council's policy must be consistent and thereby not be open to challenge.

Legal Implications by Factor	Prohibited	Consent Subject to a Restrictive Policy	Consent Without A Restrictive Policy
Nuisance to Neighbours	None	Limited, anyway short duration	Could be significant. Council could be liable for nuisance caused by traders with consents.
Disputes over licensing	None	Limited, applications determined by policy	Could be significant "why him and not me?" And disputes over whether particular businesses cause nuisance.
Flexibility	Subject to new order, regime can be changed	Subject to new order, regime can be changed	If a particular trader becomes established, Human Rights Act may prevent changing regime to extinguish the business, or even using the area for temporary community events.
Resources requirement	Investigate unlawful trading and take appropriate action.	Investigate unlawful trading and take appropriate action. Process applications under policy and monitor compliance.	Investigate unlawful trading and take appropriate action. Process applications and determine whether to grant them and whether conditions needed. Process appeals etc. monitor compliance with conditions.

Financial implications

15. There is a cost of advertising the Public Notices. Any fees set should reflect the costs incurred by the Council in carrying out the function.

Legal Implications

16. The resolution can only come into effect one month after the resolution is passed if notice of the resolution is published in two consecutive weeks in local newspapers. Other implications are contained within the report.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	External Consultation	Yes
Environmental	No	Access to Information	No
Risk Management	Yes	Exempt from publication	No

Chief Executive:	Malcolm Johnston
Report Contact Officer:	Richard Parker-Harding, Head of Service
e-mail address:	richard.parker-harding@rother.gov.uk
Appendices:	Appendix A - Designated Street Trading Controls Appendix B - Policies on when consents to be granted by officers Appendix C - Consultation responses Appendix D - Standard conditions attached to consents Appendix E - Map of Ticehurst
Relevant Previous Minutes:	E71/12/92 E13/06/00 LA0304 LGP0407 LG13/30 LG14/08 LG21/06
Background Papers:	None
Reference Documents:	None

Street Trading Controls In Rother

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

PART III SCHEDULE 4

PROHIBITED STREETS IN BATTLE

LOWER LAKE from its junction with Marley Lane to a point 140 metres south of that junction

UPPER LAKE for its entire length

ABBEY GREEN (The Green) for its entire length

MOUNT STREET commencing at its junction with the High street, extending 200 metres in a north-easterly direction.

HIGH STREET from its junction with Upper Lake, terminating 100 metres north west of its junction with Mount Street.

PROHIBITED STREETS IN BEXHILL-ON-SEA

TERMINUS ROAD from its eastern junction with Sackville Road and Buckhurst Place to its western junction with Terminus Avenue.

COLLINGTON AVENUE and Terminus Avenue from their junction with Terminus Road to their western junctions with Sutherland Avenue.

WESTAWAY DRIVE, HOLMESDALE ROAD, WESTVILLE ROAD, COLEBROOKE ROAD, REGINALD ROAD, WAINWRIGHT ROAD,

BEECHING ROAD up to a distance of 500 metres from its southern junction with Terminus Road.

SOUTH CLIFF from its junction with Southcourt Avenue to its junction with Richmond Road.

RICHMOND ROAD from its junction with Richmond Close to its junction with West Parade.

BROCKLEY ROAD from its junction with West Parade to its junction with Egerton Road.

PARK ROAD from its junction with Egerton Road to its junction with West Parade.

DE LA WARR PARADE from its junction with Marina to the gate at the western end of Galley Hill cycle track.

DORSET ROAD SOUTH from its junction with De La Warr Parade to its junction with Cantelupe Road.

BOLEBROOK ROAD from its junction with De La Warr Parade to its junction with Cantelupe Road.

MIDDLESEX ROAD from its junction with De La Warr Parade to its junction with Cantelupe Road.

ALBERT ROAD from its junction with Marina to its junction with Parkhurst Road.

ALBANY ROAD from its junction with Marina to its junction with Parkhurst Road.

LINDEN ROAD from its junction with Marina to its junction with Parkhurst Road.

EGERTON ROAD, PARK AVENUE, RICHMOND GROVE, WEST PARADE, MARINA, SUTTON PLACE, BROOKFIELD ROAD, LIONAL ROAD, BETHUNE ROAD, KNOLE ROAD, BRASSEY ROAD, MARINA COURT AVENUE, CHANNEL VIEW EAST, CHANNEL VIEW WEST.

DEVONSHIRE ROAD from the junction with Parkhurst Road to Devonshire Square,

SEA ROAD from Marina to the junction of Endwell Road,

ENDWELL ROAD, EVERSLEY ROAD, WILTON ROAD,

SACKVILLE ROAD from its junction with Terminus Road to Western Road

BEDFORD AVENUE (from junction with DORSET ROAD SOUTH to end at junction with Cantelupe Road)

CONSENT STREETS IN BEXHILL-ON-SEA

DEVONSHIRE SQUARE and that part of DEVONSHIRE ROAD, between Marina and Parkhurst Road.

SACKVILLE ROAD from its junction with Western Road to De La Warr Parade

PROHIBITED STREETS IN ROBERTSBRIDGE

HEATHFIELD GARDENS, WILLOW BANK, WILLOW MEWS, DARWELL CLOSE, FAIR LANE, FAYRE MEADOW, NORTH BRIDGE STREET, GEORGE HILL STATION ROAD and BISHOPS LANE (from junction with George Hill to end 120 m south west).

CONSENT STREETS IN ROBERTSBRIDGE:

HIGH STREET from north of the junction with Station Road and THE CLAPPERS south of the most southerly river crossing.

CONSENT STREETS IN RYE

THE MINT, HIGH STREET, HILDERS CLIFF, LION STREET, MARKET STREET, EAST STREET AND OCKMANS LANE, THE STRAND, THE QUAY (including the

road between The Strand and The Quay) THE DEALS, MERMAID STREET (from junction with The Strand to end 20 m east) and WISH WARD.

CONSENT STREETS IN TICEHURST

CHURCH STREET from its junction with St Mary's Lane to High Street (B2099),
HIGH STREET from the Bell Hotel (Inn) to its junction with St Mary's Lane,
All streets between Church Street and the High Street and
All streets between St Mary's Lane and the High Street, including the VILLAGE
SQUARE.

Current policies for issuing consents (delegated to Officers)**Bexhill**

Consents will normally only be granted to traders if they are approved by the organiser of an event that is of an educational, tourist or cultural nature or that promotes Bexhill (such as the Anglo French market, Art Festival, Christmas celebrations). In addition, consents will be granted for any event where a road closure order is required.

Street trading fees

Street Trading Bexhill Consent Street Fees

Street Trading during an organised event	Commercial event? (as defined below)	Referred to Committee for decision	Fee for a Consent per stall/pitch per day
No	N/A	Yes	Set by Committee
Yes	No, charitable/non-profit event	No, delegated to officers	Free
Yes	Yes	No, delegated to officers	£25

An event is classed as commercial if the event organisers are a profit making organisation, the event is planned to generate an income that is for benefit of the organiser or another commercial organisation.

An event is classed as charitable/non profit if the event organisers are a registered charity, are substantially supporting a registered charity or a charity that benefits people locally. The event may generate an income; however all profits are to be used for community projects or for charitable purposes. Event organisers must be able to supply event accounts and the registered Charity Number (if applicable).

A fee may be payable for a consent per stall/pitch per day in other consent streets that do not meet the specific criteria.

The fee for Street Trading for one year for Bexhill Farmers Market, Devonshire Square is £250.

Ticehurst

If associated with an event organised by Ticehurst Parish Council.

Other Towns and Villages

Consents would normally only be granted to traders if they are approved by the organiser of an event that is of an educational, cultural nature or that promotes the Town (such as the Anglo French Market, Art Festival, Christmas celebrations, village fetes, the annual Bonfire Society celebration, Rye Medieval Festival/Siege of Rye, Festival events commemorating royal/civic occasions (organised by the Town Council). The event should be organised by the Town Council or a professional group that does not only operate for pecuniary profit, such as the Bexhill Chamber of Commerce, Bexhill Promotions etc. In addition, consents would be granted for any event where a road closure order is made. It would be a condition of every consent that structures etc shall be removed within 2 hours of the termination of the event. Consents will only be granted if the flow of traffic on the A259 is not impeded.

Consultations responses

Bexhill-on-Sea

Cllr Christine Bayliss, Central Ward:

As the Chair of the Town Centre Steering Group and member for Bexhill Central Ward - can I *formally* request that we review our policy on street trading and the granting trading licences

You'll know from the existing policy (last reviewed in 2005 I believe) that the main area reserved for street markets in Bexhill is the lower half of Devonshire Road. You will also know that when the Town Centre Steering Group attempted to host a street market there in August, the traders objected with the result that we attempted to move it to Sackville Road. We could not hold it in Sackville Road (even though the traders were very much in favour there) because our policy has is designated as a prohibited street. We now know that the French Market which has traditionally been held in the lower half of Devonshire Road has also been moved - this time to the De La Warr Car Park - again because traders in Devonshire Road and the Chamber of Commerce objected to the traditional location. If street markets cannot be held in Devonshire Road then the current policy is obsolete?

Given our attempts to promote Bexhill Town Centre and ensure it remains a niche shopping destination I would be grateful if we could consider my request favourably so that there is the potential for the Sackville Road Traders to hold their event in 2022.

Councillor Richard Thomas

Rother District Councillor-St.Stephens Ward:

Sackville Road is one of the main shopping streets in Central Bexhill but it has a lower public profile than some other streets, such as Western Road. It has the potential to become a busier street than it is at present, for it includes useful and varied shops, wide pavements, and is architecturally more interesting and coherent than other streets in the central area. It also serves as a valuable link between the shopping area, the seafront and the De La Warr Pavilion.

An idea that appeals to the traders there, in order to draw attention to it, is that it could host some kind of festival which would include street trading. When I did a survey of the traders there, I discovered almost total unanimity in favour of such an event.

It is important to stress that there was no sign of the kind of opposition to street trading that it is alleged exists in Devonshire Road. Indeed, an expression that I heard was that 'Devonshire Road's loss could be Sackville Road's gain.'

Changing the status of the road would allow an event to take place if the traders wished. No one is suggesting an event would be foisted upon the traders against their will.

Please register my enthusiastic support for a change of status in relation to Sackville Road.

Viv Taylor-Gee

Councillor, Central Ward, Bexhill on Sea Town Council:

I am writing as the Central Ward councillor for Bexhill-on-Sea Town Council.

I would like to confirm that the Town Council has discussed, and supports, the idea of opening up Sackville Road for street trading. A motion to that effect was carried on September 15th 2021, and there is considerable enthusiasm for the idea. We would do all we can to make the idea a success.

Sackville Road is gradually up and coming, with some keen traders who want it to flourish and are working hard to encourage this to happen. It is an entry point into the town, of course, as you drive down London road and towards the sea, and the town should welcome people with busy, interesting and colourful shops. As part of that effort, to have a street market in the Spring, just for the one day, would be terrific and would even introduce to the street to the locals who don't normally go there!

I do hope that this idea can go forward, based as it is on the commitment of local entrepreneurs who are already helping to make Bexhill prosperous - with the support of Rother.

Simona Mansbridge, Owner and Managing Director, Your Dream Chef Limited

I am a Bexhill resident and also recently launched a food company that will also be operating a food truck in East Sussex. At the moment, I am working with Eastbourne District Council to find a suitable static pitch for the mobile kitchen. However, I recently saw that Rother council is looking into allowing street traders in Bexhill on Sackville road. This is of great interest to me as a new local business. Prior to this option, I saw no other option than to bring my mobile kitchen to serve residents and visitors of other localities outside of Rother as Bexhill had a lot of restrictions for street trading.

Bexhill Chamber of Commerce response to Sackville Road Street Trading variation:

Bexhill Chamber fully support street markets and on street trading where it is appropriate. As to trade on the street would require road closures there are concerns that should be considered with Sackville Road:

- It is the main direct access road from the A259 to the seafront and the DLWP that carries substantial heavy traffic particularly in summer.
- During the week it is the main commercial access road to the town centre for deliveries.
- There are regular bus routes in both directions.
- It is used for substantial resident and visitor parking which would have to be accommodated elsewhere during the period of closure.
- The north access to the road is controlled by lights that would have to be bagged and re-phased.
- There is no effective diversion route for the south - north routing from the Sackville roundabout - a route that took in Egerton Road and Park Road is not suitable for busses and larger vehicles.
- A closure that turns North -South routed traffic east along Western Road and down Devonshire Road would cause congestion on the narrow single lane one way of Western Road.
- Unlike Devonshire Road that is suitable for "soft" closure management Sackville Road would require a more robust closure to manage diversions at the Wickham Avenue traffic lights and the Sackville Roundabout. The traffic flow is much higher than on Devonshire Road.

Conclusion: If Sackville Road becomes a consent street very careful consideration should be given to road closure management and diversion routes, parking mitigation and dispersment. We would not consider regular closures appropriate as there would be wide disruption to other businesses in the town. May be restricting the number of closures or designating days for consent is a more appropriate measure.

Thank you for your time and consideration.
Howard Martin
PRESIDENT & COMMUNICATIONS OFFICER
Bexhill Chamber of Commerce & Tourism
E.Mail: bexhillchamber@mail.co.uk

Landmark Tenants Association

I am a committee member of the **Landmark Tenants Association**, and we feel we need to alert you to the existing fire risks on Sackville Road.

We live in the Landmark, a 7 story block of flats that sit on the corner of 70 Sackville Road and 2 Egerton Road, Bexhill on Sea.

In 2020 it was discovered that our building is clad in combustible materials, mainly the insulation.

In case of fire, where previously we were told to “stay put” and wait for rescue, after this discovery, this was changed to “simultaneous evacuation”.

A fire alarm system was installed, and we have resident Evacuation Managers in case of any fire. We received government funding for the alarm and are waiting on government funded remedial works that will remove the existing cladding and replace it with fireproof cladding. This may be started sometime next year.

We feel that any street market must bear in mind any extra fire risks this street market may cause and also any access issues to the Landmark that this street market may delay a response and action by the fire brigade.

We would urge consultation with the local East Sussex Fire & Rescue Services to obtain their opinions as to whether such street markets would present an additional hazard or impinge on their ability to arrive at or control a fire at the Landmark as well as any restrictions on what stalls are permitted near to the Landmark. We are mainly thinking of any food stalls, especially any that have naked flames or generators for electricity.

We are not opposed to a street market and would in fact welcome this for Sackville Road but we felt we needed to make you aware of the potential issues above.

JC

I understand that there is a proposal to allow street markets in Sackville Road. I'm writing to say that I think that is a brilliant idea. That road is rather depressing, terrible pavement surface, closed shops, all very dismal. A market will brighten it up a bit.

JB

I am both a resident and a business owner in the town centre.
I am hugely supportive of the proposed changes.
As a resident, events and activities keep me and my family in Bexhill.

As a visitor to the events in the town, I am then reminded of the Local amenities, rather than visit our neighbouring towns.

As we all opt to shop online more than ever, we need regular local events to stop us becoming a town of recluses, plus the added benefits of supporting mental health to enable residents to get out and about to socialise. Many need the feel-good factor. As a business owner in the town centre.

All areas of the town need support.

Encouraging visitors not only local, but that of Hastings / Eastbourne / rural areas to visit.

Local events can bring visitors from further afield. Which then brings repeat visits at other times of year.

LO

I am both a resident and a business owner in the town centre.

As a resident, events and activities keep me and my family in Bexhill.

As a business owner in the Sackville road it will boost our trade as we feel we are a forgotten road when town events are organised.

I am hugely supportive of the proposed changes.

Encouraging visitors not only local, but that of Hastings / Eastbourne / rural areas to visit.

Local events can bring visitors from further afield. Which then brings repeat visits at other times of year.

We need regular local events to stop us becoming a town of recluses, plus the added benefits of supporting mental health to enable residents to get out and about to socialise. Many need the feel good factor.

PB:

I am unsure what exactly the licence to allow street trading on Sackville Road will involve, but would like to raise some personal concerns.

Assuming this means stalls being set up on the pavement. Will there be sufficient space to allow pedestrians to pass safely? Currently the tables and chairs outside cafes and restaurants, produce outside certain shops, advertising boards on Western Road and Devonshire Road narrow the pavement considerably and getting past these obstacles can be difficult. I have had to resort to stepping onto the road now and again just to get by safely. Yes, walking on the road instead of walking on a crowded pavement to feel safer!

If, however, this means the road will be pedestrianised occasionally to allow street markets, then great. Just what the town needs.

In fact, wouldn't Bexhill be a far more pleasant place to shop, stroll, eat al fresco, if the main streets were permanently pedestrianised? Now that would be a coup for the environment, but I doubt it will happen in my lifetime. I remember the fuss when Devonshire Square was created instead of a car park. By the way, why isn't Devonshire Square utilised more often? Other than the half-day Friday market, very little goes on there.

CR:

I don't understand why it is considered necessary to close another road in the town for trading. Surely it is sufficient for Devonshire Road and Town Hall Square to hold these events, the former being an inconvenience to motorists, especially the disabled? Why not use the De La Warr Pavilion car park, charge traders enough to cover the loss of any potential parking charges and keep the damn highways clear?

There is also the issue of access to emergency vehicles. It would be difficult for an ambulance to get through, let alone a Fire Engine. There are plenty of shop, even empty shops that could be used without disrupting everything for the majority.

Active Days Mobility Ltd:

I opened my shop in Sackville Road, Bexhill in April this year. We have a great community there and it would be a great opportunity for others to find us if we had a street market. Lots of potential customers do not venture down our road and a market would encourage people to visit shops they may not know exist. I'm sure you are aware of the importance of small businesses and what they contribute to the economy and employment. Anything that will bring customers to us can only be a good thing and I cannot say it would make a huge inconvenience to anyone in the area.

Ticehurst-support controls

AB, High Street, Ticehurst TN5 7BG:

I support the proposed restriction on street trading in Ticehurst village centre, largely because of the noise nuisance caused to neighbours by the generators used. There is adequate space on the village car parks for the traders' vehicles.

Howard Canning | General Manager

The Bell, High Street, Ticehurst, TN5 7AS

I support the Parish council's request that a policy be adopted where consents will only be granted during events organised by Ticehurst Parish Council.

The existing system where various food vans 'pitch up' and operate throughout the day cannot be allowed to continue. We operate from offices in New House on the corner of Church Street and High Street. The presence of food vans, especially, those that set up stall by the phone box on the opposite corner, is a nuisance. The chip van, in particular, runs with a generator which is a constant distraction that can be heard through secondary glazing. On hot days, we cannot open windows as the generator runs at such a volume that it is impossible to hold a conversation, let alone talk with somebody on the phone. In all cases, the malodorous smell of cooking food or hot fat is obnoxious. We have an existing nuisance complaint, Commercial Noise - WK/202104554, which gives more detail and has yet to be dealt with, despite a number of requests by us for updates. From the first floor, we have a privileged view of the chaos caused by the positioning of the food vans. Long queues build up along the High Street and Church Street, particularly when delivery vehicles are trying to turn into Church Street which is partially obstructed by a food van. We have witnessed several 'near misses' and at least one accident, where a car was damaged by a lorry. Shouted arguments occur at least once a week. You will undoubtedly be aware of the existing traffic problem along Ticehurst High Street. This is exacerbated by the would be diners, who can often be seen dumping their car in odd places along the High Street and running to queue for food, thereby adding to the traffic chaos. Any attempt to remove the stalls to the area marked in red in Appendix A should be avoided, for that too would exacerbate the build up of traffic. I understand that other locations in the village, such as Pickforde Lane car park, have been offered to stall holders, who won't take them up, citing the lack of footfall. If that is their problem, they should think laterally

to encourage their trade in these places, rather than refuse to move and continue to blight the (working) lives of those directly opposite. Implementing consents is the right thing to do.

RJ

I would like to offer my support for the concept of the street trade idea with some points

- a) The quality of the traders is maintained
- b) Those trading pay a fair amount to ensure the site is cleaned of rubbish etc
- c) No power generators
- d) If there is demand that priority is for local traders not general market traders from outside the area
- e) It does not become a car boot sale operation

I have pressed the Parish Council in their review of the Square in Ticehurst to stop it being used as an extension of the garage forecourt and a general car park. It is only a matter of time before there is a serious accident. The Square is an important feature that the locals have allowed to become a parking free for all and environmental disaster. The Council needs to get a grip, clear the cars out and restore the square into a car free public space or better still convert it into a village green with a lot more trees. It would send a powerful message to the vested local interests that they do not have a God given right to treat the site as their own personal commercial fiefdom at the expense of the quality of life of the residents in the Square who are basically living in a car park.

AC, Church Street, TN5 7AF

We would like to support the proposed resolution to make the area in Ticehurst a Consent Street in line with the details outlined in the Street Trading Intention on the Rother website, thereby restricting street trading in the village square and the surrounding roads.

The fast food vans which regularly park at the entrance to Church Street are a danger to cars navigating this area and cause a blind spot when driving in a westerly direction and wishing to turn south into Church Street.

Ticehurst-oppose controls

LF TN5 7DP:

Fast food vans a key part of village life, add variety and an appreciated asset. There isn't any problem with customer parking for them, that's caused by the thoughtless parking of those going to weddings at the hostelry opposite. If anything, I'd like to see a designated parking spot in the square for food vans, maybe even power supply. They add to the village, not cause problems.

LJ, Field Rise, TN5 7FH:

I have lived in Ticehurst for 38 years and for as long I can remember the Village has benefitted from Food Trading. There has always been a regular Fish & Chip van and in the past Thai food & a Pizza Van, of which many people local and surrounding villagers use. It has never been an issue with regards to road traffic, or pedestrians. However since the reopening of The Bell Hotel in 2011 traffic and parking has become an issue to the Food Trading Vehicles due to the parking on the roadside next to The Bell from customers of The Bell, which makes it dangerous for drivers and pedestrians. I therefore request that Food Trading Vehicles remain in the village square and that parking outside The Bell be restricted reducing any danger to pedestrians and drivers. Many villagers use the Food Trading Vans and it would be a very sad day in Ticehurst when this is restricted or redirected to another area, which could impact the local shop

trade and the Food Van Trading. They are part of our villagers lives and personally I oppose any restrictions.

BH, Rosemary Lane, TN5 7PS:

I wanted to share my strong opposition to this proposal. The food vans that visit the village provide much needed local variety in the food available locally, particularly in the evenings. They contribute positively to our community and should continue to do so (and even be expanded if possible!) Without this, the local community will have to drive to other towns and villages to get takeaway food, which is not convenient or environmentally conscious. Please look at the facebook page for Ticehurst, Flimwell and Stonegate to see the huge amount of support these vans have locally. I recognise that there is some concerns regarding traffic congestion in the area but I don't think this caused by the vans. Some alternative suggestions could include: Allowing the vans to go to the Bell carpark.

- Expanding the bell carpark (which is often full of wedding guests at the weekend)
- Not allowing on street parking in the village, particularly around Ticehurst motors, where there is often still traffic.

Regarding noise and smell, which I have seen some comments about, I think this is a hugely overstated problem, and I have never found this to be an issue. Please heed the community on this issue!

JM, TN5 7DS:

Firstly, in my opinion, all of the businesses currently using the square for their trade(s) are vendors of fast food of varying kinds. This provides a welcome amenity for the village and surrounding hamlets. They attract people to the village who often spend money in the village shops and offer a variety of hot dishes for the residents who are restricted to public transport. Ticehurst supports all of its shops and there are none currently vacant; a refreshing reversal of the trends many villages and towns are enduring. Therefore, it is unlikely that shopkeepers in the village are suffering in any material way from the presence of these street traders. The Bell Inn, situated in the middle of the village, is a popular venue for weddings and functions and, again, these attract visitors to the village from both local hamlets and further afield. Admittedly this can cause parking congestion, but any issues are down to inconsiderate parking rather than the lack of parking facilities within a 200 yard radius from the village square. On a positive note, the number of parked vehicles slows the traffic moving through the village, something that is not achieved by expensive alternative means.

Like many villages up and down the country, many of the available parking areas close to the village centre tend to be taken up by shopkeepers themselves, plus their staff members. The local garage and car sales could do better as their vehicles do tend to take up many spaces, but it is up to the locals to object to and deal with that rather than any heavy-handed intervention by Rother. Any vehicle congestion due to the location(s) of any of the street traders is due to a combination of bad driving and unsuitable vehicles attempting to drive down Church Street. Again, this should be resolved by common sense rather than any intervention by the Local Authority. So, in conclusion, my contribution to this consultancy is that the presence of the street traders adds to the village and their continued presence indicates that it is worth their while commercially. The situation is not broken and does not need any fixing.

VH- resident for 51 years:

With regards to the street traders in the village i do feel that the issue is not them or where they park the real issue is the Bell Hotel clientele and where they park!!!.. they seem to think they can just dump their cars anywhere they see fit in the village including and not limited too the bus stop in the centre of the village making it virtually impossible for anything larger than a van to enter or exit church street, the bus then has to go further down the high street sometimes to the top of springfields to let people off the the bus and then wait for anyone wanting to get on it.. also they park all up the high street leaving their cars at the entrance opposite Hillbury gardens making it difficult to get out of the drive.. they park across private drives all the way down past Springfield along toward the village hall so that local people have nowhere to park.. the parking up behind the pub should be extended to make room for more vehicles and instead of building more houses and making the situation worse the council should aquire more parking for the village. Maybe if the company that owned the bell had put more parking on the land they had instead of being granted permission for houses the problem may not have arisen. The chip van has been here for over 50 years and is part of the community.. also it might be a good idea to mark the bus stop a bit more clearer so as to stop idiots parking on it.

CG Cross Lane Gardens, TN57HY

As resident of Ticehurst I value the Street Food vans, I dont think they cause too much congestion or disturbance on the whole and they serve the population well! As long as they serve good clean food and they are not too large or too noisy, I think they should definitely stay and it should be for the people of Ticehurst to decide if they are allowed on our streets or not. If people dont like them they can avoid them and they will soon go somewhere else. If they are causing a lot of inconvenience to people who live on the square then perhaps they should be less noisy, less smelly and only be there for a short amount of time on certain days of the week. It's for the people of Ticehurst to decide, they are the ones who have to live with them!

AJS, TN5 6EG

I understand you are consulting and inviting responses about possibly restricting street trading in Ticehurst: the Village Square & surrounding roads. Street trading would only be legal if the council grant consent. I object strongly to any such restriction. The current street trading is not causing any significant problem, the take-away food vehicles provide welcome additional choice and bring people to the village who then utilise the other shopping and leisure facilities in the village, all of which are contributing to keeping Ticehurst thriving. Asking for traders to pay licences to trade would deter them from visiting Ticehurst.

CL:

I would like to offer my support of the street traders within the Ticehurst area. The street traders are an vital part of the community as these are also places people in the community meet and chat on the Square whilst waiting. Whilst I realise most of the complaints from some villagers has been the location of the street traders vans on the Square. There is also the matter that some of these traders have been trading from the same location for 20+ years in the community from the same pitch. The issue is there are many inconsiderate cars & vans who park up to the corners of the junctions. To be clear this is an issue also on days WITH and WITHOUT street traders. There is a balance where if the street traders were accommodated or yellow lines were placed so it would stop vehicles parking too close to the junction that would allow traffic to turn in and out from the B2099 in and out of the Square. Unless the council are making specific accommodation e.g a pitch bay for the street traders then they shouldn't be charged for trading as they have done so for the past 20+ years for free as a precedent. This is a village, not a town and it needs to be allowed to be

friendly, flexible and accommodate traders that add to the community which many other village businesses profit from the street traders being onsite for 4 hours. Hopefully you'll take my comments into consideration.

Sophie, Rosemary Lane, TN5 7PS:

I'd like to respond to the request for feedback from Ticehurst residents on the proposed ban on street trading in Ticehurst village square, primarily aimed at the weekly food trucks that frequent the village.

I think that any kind of ban to stop these vans from visiting the village would be a travesty and would have a negative impact on the village and the sense of community if it were to be taken away. The presence of the trucks brings out lots of the village on a regular basis, and whilst we wait for our food, we often frequent the other businesses in the village, thus benefiting the community and creating jobs.

I think that the major complaint that those who made the original complaint had was parking around the village - this is not an issue caused by the food trucks. It's primarily the fact that there aren't double yellow lines along the high street, so wedding guests at The Bell, Ticehurst Motors' vehicles, and anyone else can park in the high street which causes traffic jams as it makes the road single file. This isn't something that banning food trucks will solve as it's an issue at all times of the day, not just when the food trucks are in the village. Surely this is something the council should be urgently addressing, rather than wasting it's time banning services that villages love and regularly use?

I've attached some screenshots of the many comments from villagers on the matter, so that you can see the opinions of the people who use these services, not just a small minority of people who have complained. [not included in this report, as outside the consultation process]

Standard Consent Conditions

1. This Consent relates to the stationing of 20 stalls, each stall not exceeding 5.5m length x 2m depth (total footprint) nor 4m in height.
2. The form, position and condition of the stall shall be in the absolute discretion of the Council which may, through its duly authorised officer, reasonably require its alteration or removal at any time; no stall is to be placed other than in XXXX
3. The Stallholder shall maintain the stall in a proper condition ensuring that it cannot constitute a danger, nuisance or annoyance to any member of the public resorting to the street.
4. The Stallholder may not place goods beyond the boundaries of the stall either on the ground or hanging.
5. The Stallholder must exhibit his name and address / telephone number. The Council may at any time reasonably require removal or alteration of any other advertisement which is dangerous, offensive or otherwise out of character with the area.
6. The Stallholder must dispose properly of all refuse generated by him.
7. The Stallholder and those employed by him must not shout, sing, play any musical instrument, wireless or recorded music.
8. The Stallholder must not do or permit to be done anything which in the opinion of the Council may be a nuisance or annoyance to any member of the public resorting to the street or which may be detrimental to the efficient operation of the Street Market or the adjacent shops.
9. The Consent is personal to the Stallholder (may not be transferred) and may be revoked forthwith in the event of any of the above conditions or requirements made thereunder being broken. Trading in the street without Consent is a criminal offence.
10. The Stallholder may not sell the following goods:

Live animals, birds and reptiles; fireworks, depictions of nude persons; sex shop goods; unsheathed knives; or any other items, the general sale of which is prohibited under English law.
11. The Stallholder shall comply with all relevant legislation including without prejudice to the generality the Food Safety Act 1990, the Health & Safety at Work etc. Act 1974 and the various Orders and Regulations made thereunder.
12. The event organiser must notify the Council of the name and address of each stallholder. Any changes to be notified.
13. The structure of the stall shall be removed within 2 hours of the termination of the event.

14. The street trader must be at least 17 years old.
15. An Event Manager is to be appointed and the name of the contact details of the Manager to be notified to the Council. Any changes to be notified.
16. The Event Manager to obtain written confirmation from the Highways Authority that the plan showing the layout of the market is approved. This approved plan to be forwarded to the Council. The Event Manager is responsible for ensuring that the stalls are in the position shown on the approved plan and that the operation of the market does not compromise the safety of pedestrians and other road users. Any amendments to the approved plan to be notified to the Council 7 days before the market.
17. No vehicle engines or generators to be operated during trading.
18. If a temporary electricity supply is provided, the installation must be certified as safe by a qualified electrician before the market opens. The certificate to be retained by the Stallholder and be available for inspection by Council Officers at any time.
19. Please note unless a road closure order is made, the road is a highway, this consent does not grant exclusive use of the highway. The Council has no power to require any occupiers of a highway to leave and takes no responsibility in this regard.
20. Each stallholder must apply for a consent. The application form and fee to be received at least 28 days before the event.

Map of Village Square, Ticehurst

