

Dear Ms Onikosi

Please find following responses/suggestions from Hertfordshire Local Policing Command Senior Managers regarding the Street Trading and Pedlary Consultation as below:

- Page 10 point 6 that it is likely to be more difficult under any new legislation to enforce an authorisation scheme on temporary traders (i.e. those from EU member states that are established in that state but trading temporarily here). My concern with that is whether individuals would try to evade any new legislation by establishing their business in a member state (such as Ireland or Eastern Europe) and then saying they are only temporary traders in the UK. There would need to be some tight enforcement around the definition of “temporary...#157;.
- Page 11 point 9 – there is scope to maintain the current license schemes if an overriding reason in the public interest (ORRPI) can be shown, but this is only for established traders – there is a more limited list for temporary traders and does not include consumer protection (i.e. trading standards remit) but does include public security – the police would need to support local authorities with crime stats etc. to be able to maintain these schemes for temporary traders too.
- Page 18 point 1.26 - Three Rivers District Council have designated streets where street trading is prohibited – some of these are major roads and some are our designated “no cold calling...#157; zones which are allowed at present for consumer protection. Under new legislation my understanding is that this would not be an appropriate restriction for temporary traders and therefore would have to come under a narrower definition (including public security) and again would need more support from police evidence and figures to justify these schemes for temporary traders.
- Local councils would need to ensure that they accepted responsibility for managing both street traders and pedlars under the new legislation as repealing the act means that pedlars are no longer the regulatory responsibility of the police. I think that reading through the consultation document we would no longer have any powers of arrest as these were granted under the Pedlar’s Act which is being repealed. Although the current pedlars legislation is often not adhered to it does give us some useful powers in relation to dealing with “doorknockers...#157;. We regularly request unlicensed door to door salespeople to stop trading and summons them for breaching the act. On several occasions we have used this legislation in order to arrest individuals (evoking PACE when we cannot ascertain name/address for example) and bring them in to custody when we have had a spate of burglaries in an area and may not have enough suspicion at the time to arrest them for burglary offences. We often link in closely with Trading Standards on this legislation and enforcement too.

Thank you

Yours sincerely

Sarah McGuinness

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Executive Support, HQ

Hertfordshire Constabulary

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**Corporate Services**

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**Safety, Justice and Reassurance**

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