



Avon and Somerset Constabulary Criminal Justice Licensing Department

Department for Business Innovation and Skills

Consultation document on Street Trading and Pedlar laws Compliance with European services directive

Question 1

The pedlars act is in great need of review however there is concern that pedlars will not be controlled if an exemption from street trading licensing is introduced for them

Our view is that they should be considered in the changes to the street trading laws and come under the licensing remit of the Local Authority.

Many distraction burglaries are committed by persons visiting home address as Bona fide traders and therefore should be required to possess an authorised permit to trade

This will allow police forces nationally to vet and sift applicants for authorities to trade. This will assist in reducing crime and provide reassurance to our communities

Question 1.1

We have assessed costs of managing this within the Constabulary and it is not a definitive cost.

Avon and Somerset considered 133 applications in the full year 2012 at a cost of £12.25 being contributed by the applicant

Total income £ 1630

We assess that each application takes this constabulary approximately 2 hours for the applications to be checked vetted monies banked, and applications completed etc

This calculates at 266 resource hours per year that we would assess this at £16.9 per hour

Total estimated costs £4500.

Question 2

Definition of a pedlar.

The definition is in need of modernisation and we would welcome a change to the definition however

This constabulary would have concerns over the condition of residency being only one month. This would potentially allow criminal acts against communities and other distraction burglary a higher risk. This would allow criminals to temporarily reside in one area and with ease move away at an early stage when identification of potential offenders is paramount.

I can see that this can adversely affect law abiding pedlars but this residency condition need to be revisited

All other consultation applies to local authorities in England and Wales

General comments

It would be beneficial to all enforcement authorities to have

- Consistent recognised licensing processes
- Nationally monitored systems. This will assist with detection and prevention of a crime of deception and distraction opportunities
- Traders to have photographic identification available when trading
- Offers the opportunity to empower communities to request identification when approached by traders to their homes and will assist the more vulnerable in our society

Mike Cox
Licensing Manager
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STREET TRADING AND PEDLARY LAWS – COMPLIANCE WITH THE EUROPEAN SERVICES DIRECTIVE

Consultation Questions: England and Wales

Question 1: Do you agree with the proposed repeal of the Pedlars Acts 1871 and 1881 UK-wide?

The link between travelling sales persons and crime has been tested on many occasions and through intelligence linked to both localised and cross border criminality that can have very significant effects on the vulnerable in society. This is clearly illustrated through the term “Distraction Burglary” where research shows the average victim to be 82 years of age, female and living alone. The impact of being ‘duped’ and or coerced to accept a service or goods that are rarely of acceptable standards and quality often has a life changing impact on the individual, and can result in death.

Whilst the issue of Pedlars certificates cannot be directly attributable to this type of activity, it is seen as one tool that can provide reassurance to the community and also as a deterrent to traders who travel from one area to another.

Similarly, all the Community Safety Partnerships in Bedfordshire subscribe to the notion of ‘No Cold Calling Zones’ which again provide a deterrent and reassurance factor to the residents of affected areas in the county.

In principle, Bedfordshire Police does not have any objection to the repeal of the existing Pedlars legislation. However the above points in relation to deterrents for criminal activity and reassurance to the community must be considered in any repeal and the adverse impact this is likely to have on confidence amongst particular communities.

If the legislative changes take place the the issue of exemption of ‘pedlars’ from the Street Trading Scheme appears to proportionate and sensible given the definition suggested.

The over-riding factor in relation to ‘pedlars’ regardless of definition is one of identification and the ability of a vulnerable householder being able to identify and have confidence in someone knocking on their door through the identification provided.

In summary Bedfordshire Police have no objection to the repeal of the current legislation but have significant reservations of the message to residents and the ability of them to be reassured that traders are regulated properly and 'rogue traders' are dissuaded from operating in their area.

Question 1.1 If you are a police force:

- i. **what is the approximate annual cost of administering the pedlar certification scheme?**

Income received from the issue of Pedlars certificates for 2011/12 was £98.75

And, for 2012/13 to date, £37-50. ie 3 such certificates.

The cost of administration is likely to be an accurate reflection of cost and is subsumed within the Customer Services function.

- ii. **what impacts would repeal of the Acts have in terms of cost, time and/ or other factors?**

Very minimal impact as borne out through the number of certificates issued and income generated.

Question 1.3: Do you consider that repeal would have an impact on any other organisation, individual or group? If so, please provide details of that organisation etc and what you consider the impacts on them would be.

Typically 'pedlars' originate from minority backgrounds such as, travellers, migrants from eastern European countries or are undertaking sales on behalf of charitable organisations who may be rehabilitated offenders for example. Sometimes these people are certificated under the relevant acts.

These people also tend to be the subject of intelligence and information passed to the Police through various Watch schemes, such as Neighbourhood Watch.

Other comment regarding Street Trading:

This can have links to Anti Social Behaviour and perceptions of the same. The regulation and administration by Local Authorities tends to run

smoothly and does not cause issue, albeit budgetary pressures may well affect the services that the authorities can perform.

Other activities that occur that fall outside this framework and raise concerns by the general public include street activity by religious and political groups as well as street collections by charities. Are these activities to be considered in the review of Street Trading legislation?

