

15<sup>th</sup> February 2013.

Rachel Onikosi,  
Policy Manager  
Department of Business, Innovation and Skills  
Consumer and Competition Policy Directorate  
1 Victoria Street, London, ,  
SW1H 0ET

Dear Ms Onikosi

**A RESPONSE TO THE STREET TRADING AND PEDLARY LAWS  
CONSULTATION – COMPLIANCE WITH THE EUROPEAN SERVICES  
DIRECTIVE**

Thank you for the opportunity to respond to the above consultation. I am Chairman of the Housing and Community Services Committee which oversees Swadlincote Market, winner of the 2013 Best Small Outdoor Market in the UK, establishing Swadlincote as the Market Town of the National Forest. Whilst there are some areas of the street trading that might broadly benefit from updating the legislation, we are wholly against the proposals outlined for the repeal and replacement of the Pedlary Laws. I cannot stand by and watch all the years of hard work be undone. Until relatively recently I was unaware of just how dangerous these proposals were to the livelihood of small markets like Swadlincote.

The market has begun to grow, mainly as a result of taking it back into the High Street, a recommendation promulgated by the Mary Portas Review. The market is more than just a street retail zone controlled by regulations, it is an institution which puts life into the town centre and supports the community in a myriad of ways. The Pedlar exemption will destroy many of the smaller markets like ours: anyone could literally move up and down the High Street, selling identical goods to those of our loyal stall holders, taking business away and giving nothing back to the community.

The proposed regulations for controlling pedlary, by making them move on are unworkable. Even if a means could be devised to monitor compliance there is no body with the means or resources to police this.

The resultant lack of a “level playing field” undermine any business reasons for staying on the market and institutions which has been around since the middle ages could quite literally be destroyed.

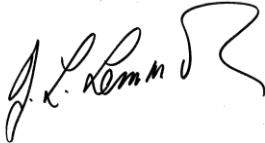
There are further worries about the lack of consumer protection. The current legislation and regulations give local authorities and their market managers a framework for protection of consumer and their rights. This cannot exist

within the measures your document wishes to see brought in, consumers will have no opportunity of redress when they are sold defective, counterfeit or unsafe goods. Pedlars will be accountable to nobody.

Finally the SDDC on has spent over £2m to create a positive environment to attract businesses and shoppers into the High Street, for which we have received recognition by our peers. We have also made what we consider sensible alterations to vehicle movement and traffic flows. If these proposals came into being the town could quickly become unsightly and the streets, already quite narrow, clogged up by slowly moving mobile stalls.

For these reasons I must object most strongly to this "ill-thought out " change of legislation and the serious adverse impact on our thriving outdoor market.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Lemmon', with a stylized flourish at the end.

Councillor John Lemmon

**Chair of Housing and Community Services Committee**