

Letter to the Editor

Re: BIS Consultation on Public Liberty

Date: 27 January 2013

From: Robert Campbell-Lloyd, Roll B Parliamentary Agent, legislative scrutineer

Category: politics

Protecting the Crown's Prerogative Common Law Civil Liberty At Stake

The government's not so civil servants without any manifesto pledge propose taking away a public liberty from more than 48 million voters.

Vince Cable's BIS department for business was tasked in 2008 to stop parliamentary time being wasted on piecemeal private bills about street trading.

Petitioners objected that the bills were about circumventing the national statute of the Pedlars Act that provides Crown protection for budding entrepreneurs.

Pedlars trade by private means in public without bureaucratic interference. They are pedestrians like any other but carry a certificate attesting to their trade, good faith and honesty - their bona fides.

This government's ill-advised BIS policy proposal to scrap an ancient civil liberty and common law right is an anathema to all people and especially those known as pedlars now described as "*emotional*"

by HMG's bureaucrats.

"Emotional" may be attributed to the likes of BBC's *Apprentice* encouraging young entrepreneurs to go out and trade in public under the trailblazer

"If you are mobile the world is your oyster"

- but in London as elsewhere lawful pedlars don't have equal privilege as those aspiring to be Lord Sugar's entrepreneurs and are prosecuted for alleged street trading offences under private law.

This is one of the many anomalies not addressed by BIS whose “consultation” pedlars contend is not fit for purpose and that government has got wrong.

Any matter of “public freedom” is a remit for the Home Office not for BIS tasked with “de-regulating” and fiddling about with “restrictive licensing” and local authorities.

The initial 2008 consultation proposed updating the *Pedlars Act* but the latest proposal to “repeal” that Act shows how government cherry-picks European Directives to justify changes in policy.

The European *Services Directive* with common sense interpretation aims to remove obstacles and open up free trade throughout Europe.

The BIS de-regulation team in direct contradiction to that principle propose removing the Crown’s prerogative protecting peoples’ national liberty and to introduce an ill-defined bundle of new regulations enforced by local council fiefdoms.

Home Affairs are a matter for Member States and not for Brussels so may say the “opt-outs” but when government should be passionate about protecting the liberty of its people and children rather than abusing them by invoking a misunderstood “foreign” law there is an “opt-in”, emotional or not, about preserving cultural freedom.

end

Background Briefing to Ministers:

[the first prior to publication of the URN12/605](#) click article 5

[the second published subsequent to the URN12/605](#) click article 1

email: robert@pedlars.info

URL: www.pedlars.info

tweet: @PedlarRobert

metatag: #pedlary

telephone: please ask