

Local Government (Miscellaneous Provisions) Act 1982 Street Trading Consent Conditions

1. Temporary/Occasional Street Trading Permits

- a) These conditions are attached to every temporary/occasional street trading permit.
- b) The conditions may only be removed or varied following an application determined by the Council.
- c) The consent must be displayed in a prominent position and must be produced immediately upon request from an Authorised Officer of the Council or the police.
- d) The consent is only valid at the specific location(s) and on the day(s) and time(s) shown on the front of the licence.
- e) The consent holder shall display a complete price list of any goods sold.
- f) The consent holder shall take out, and maintain at all times, public liability insurance cover with a minimum liability of £5 million.
- g) The consent holder will be responsible for the good conduct, cleanliness, litter and safety of the consented area at all times.
- h) The consent holder shall ensure that no waste liquids are discharged onto the public highway.
- i) The consent holder shall make proper arrangements for the storage and removal of all refuse and litter generated by their trading activities. Council litter bins should not be used to deposit this waste. Unit holders shall cooperate with all proper arrangements specified for refuse collection and disposal.
- j) The consent holder shall not cause disturbance, nuisance or undue interference or inconvenience to persons using a street, or annoyance to any business or resident.
- k) Street trading shall not be carried out in a way which causes a risk to the safety of persons using a street or to any business or resident.
- l) Street trading may only be carried on in a location with sufficient space. It must not be carried on in a way that causes an obstruction to pedestrians or traffic.
- m) Consent holders must remain within the pitch area trading or performance and must not canvass pedestrians outside this area.
- n) Consent holders must not distribute free printed matter without a consent issued by the City Council. A copy of the consent must be available for inspection at the pitch.
- o) The public highway must not be interfered with, changed, damaged or altered in any way.
- p) The consent holder shall, at all times, make sure that all electrical, mechanical, and any other
- q) equipment whatsoever associated with street trading shall be placed, installed, maintained, and operated in accordance with the provisions of the Health & Safety at Work etc. Act 1974. Certification of safety may be required by the authority on demand. Failure to provide safety certificates may result in the authority requiring the equipment to be removed immediately.

- r) Where a consent holder wishes to provide entertainment, they must ensure that a Premises Licence or Temporary Event Notice granted under the Licensing Act 2003 is in place that authorises this activity.
- s) No alcohol or tobacco products are to be sold from a temporary street trading pitch.
- t) Details of any unit, trailer and/or display to be used must be provided with the application and traders must adhere to any recommendations given by the Markets Service on the trailer/unit/display(s) size, layout, livery, etc.
- u) The minimum consent period is one day and is subject to availability.
- v) If the consent holder is unable to trade for any reason, they must inform the City Council at the earliest opportunity.
- w) All goods and other equipment must be completely removed from the highway at the end of the hours permitted by this licence unless written exemption is given by the Authority.
- x) The licence holder must comply with any direction given by an Authorised Officer of the Council, their agents, the police, or other member of the emergency services. This may include directions to immediately remove items.
- y) Should a pitch become temporarily unsuitable for any reason, the Council will seek to relocate consent holders to an alternative street trading pitch. The Council will not be liable for any claims for loss of earnings etc. If agreement cannot be reached on relocation, then consideration needs to be given by the trader in terms of giving notice for the consent and by the Council in terms of revoking the consent.
- z) If the Council offer an alternative pitch then there will be no suspension of consent fees.
- aa) The licence holder shall indemnify the Council from any claim in respect of any injury, damage or loss arising directly or indirectly out of the grant of this licence.
- bb) The fee payable for a temporary street trading consent application is non-refundable and may be reviewed at any time by the Council.
- cc) Occasional/Temporary Street Trading Consents will normally only allow traders to operate between 08:00 hours and 18:00 hours, any variation to this must be requested when the application is made and if granted will be clearly displayed on the consent.
- dd) The consent holder must pay the City Council any monies payable for the removal of waste, or damage to property as a result of the trading taking place.
- ee) The consent holder must comply with the Public Sector Equality Duty.

2. Additional Conditions for Traders Licensed for the Hot and Cold Food Commodity

- a) The consent holder will ensure that the food business operator complies with the requirements of Retained Regulation EC No. 852/2004 (food hygiene standards) and in particular Chapter III Requirements for movable and/or temporary premises.
- b) The consent holder must have a Food Hygiene Rating Scheme score of 4 or 5. The hygiene rating must be displayed prominently on the unit, trailer, or vehicle.
- c) All foodstuff traders and any persons employed in the unit must have received appropriate food hygiene training or instruction.

PLEASE NOTE: Failure to comply with these conditions may result in enforcement action, leading to the street trading consent being revoked or an application to renew being refused.

The Council reserve the right to amend these standard conditions at any time.

The Council may attach any further reasonable conditions to this consent which it appears appropriate to meet particular circumstances.

This consent and any associated documents must be surrendered to the Council if the consent holder wishes to cease trading.

Any person who engages in street trading in a designated consent street unless authorised by the Council under the provisions of Schedule 4, Local Government (Miscellaneous Provisions) Act 1982 commits an offence and is liable, on conviction, to a fine not exceeding £1000 per offence i.e., for each day of trading without consent.