



# **LICENSING AUTHORITY**

# **STREET TRADING POLICY**

Effective from: 26<sup>th</sup> July 2019

Adopted: 25<sup>th</sup> July 2019

<b>SECTION</b>	<b>CONTENT</b>	<b>PAGE NO.</b>
1.	Purpose of the Policy	1
2.	Policy Consultation	2
3.	Duration of Policy	3
4.	Legislation & Current Provisions	4
	• Types of Consents issued by the Council	5
	• Consultation Period for Street Trading Consent Applications	5
	• Relevant Considerations relating to Applications	6
5.	Delegation of Functions	8
6.	Conditions attached to Street Trading & Mobile Trading Consents	9
7.	Street Trading Consents	10
	• Procedure: Making a Street Trading Consent Application	10
	• Determination of Street Trading Consent Applications	11
	• Grant of Street Trading Consent Applications	11
	• Duration of Street Trading Consents	11
	• Refusal of Street Trading Consent Applications	11
	• Transfer of a Street Trading Consent	12
8.	Mobile Trading Consents	13
	• Procedure: Making a Mobile Trading Consent Application	13
	• Determination of Street Trading Consent Applications	14
	• Grant of Street Trading Consent Applications	14
	• Duration of Street Trading Consents	14
	• Refusal of Street Trading Consent Applications	14
	• Transfer of a Street Trading Consent	15
9.	Community & Charity Event Trading Consents	16
	• Procedure: Making a Community & Charity Trading Application	16
10.	Special Events Trading Consents	17
	• Procedure: Making a Special Events Trading Consent Application	17
11.	Markets	18
12.	Enforcement	19
13.	Fees & Charges	20
14.	Equality & Diversity	21
15.	Licensing Authority Contact Details	22
<b>APPENDICES</b>		
A.	Standard Conditions - Street Trading Consents	23
B.	Standard Conditions - Mobile Trading Consents	25

## GLOSSARY

<b>The Act:</b>	Schedule 4: Local Government (Miscellaneous Provisions) Act 1982
<b>The Council:</b>	Ashfield District Council.
<b>The Applicant:</b>	The trader who has submitted an application for a Street Trading Consent.
<b>Consent Holder:</b>	An individual who holds a Street Trading Consent.
<b>A Street:</b>	Includes any road, footway, beach or other area to which the general public have access without payment.
<b>A Trading Consent:</b>	A permission, given by the Council to trade, subject to conditions and payment of a fee.
<b>A Roundsman:</b>	An individual who visits a “round” of customers and delivers the orders of those customers, i.e. a milkman. A person operating an ice-cream van is not classed as a roundsman.
<b>A Pedlar:</b>	<p>A Pedlar is a trader who must:</p> <ul style="list-style-type: none"> <li>• Hold a valid Pedlar’s Certificate issued by a Chief Constable of Police.</li> <li>• Keep moving, stopping only to service customers at their request.</li> <li>• Move from place to place, and not circulate within the same area.</li> <li>• Carry all goods for sale and not set up a “stall”.</li> </ul>
<b>Mobile Trader:</b>	<p>A Mobile Trader is one that visits more than one location within the District, and who:</p> <ul style="list-style-type: none"> <li>• Continually moves from location to location.</li> <li>• Does not wait in one location for more than 20 minutes.</li> <li>• Moves at least 50 metres from the last trading location; and</li> <li>• Does not return to the same trading location within 4 hours.</li> <li>• Does not trade within 100 metres of any entrance to any educational establishment (without formal invitation from the educational establishment).</li> </ul>
<b>Licensing Officer:</b>	An Authorised Officer employed by the Council and authorised by the Council to act in pursuance of the provisions of the Local Government (Miscellaneous Provisions) Act 1982 (the legislation regulating Street Trading).
<b>Activities that do not require a Street Trading or Mobile Trading Consent:</b>	<p>Trading:</p> <ul style="list-style-type: none"> <li>• As a Pedlar under a Pedlar’s Certificate.</li> <li>• As a News Vendor</li> <li>• At a Market or fair, the right to hold which having been obtained by a grant, enactment or order.</li> <li>• At or adjoining a shop premises as part of the business of the shop.</li> <li>• As a Roundsman (i.e. delivering pre-ordered goods to customers).</li> <li>• From a licensed highway area</li> <li>• Under a Street Collection Permit for charitable purposes.</li> </ul>



























































