

## **Street Trading Consent Conditions**

### **Local Government (Miscellaneous Provisions) Act 1982**

1. Definitions
  - (i) 'street' includes –
    - [a] Any road, footway, beach or other area to which the public have access without payment; and
    - [b] A service area as defined in section 329 of the Highways Act 1980and also includes any part of a street;
  - (ii) 'street trading' means –  
the selling or exposing for sale of any article (including a living thing) in a street.
2. These conditions may be dispensed with or modified by Corby Borough Council in any individual case by means of a consent variation in accordance with the statutory requirements.
3. The Council reserves the right to exercise its powers under the Local Government (Miscellaneous Provisions) Act 1982 to prohibit any street trading for a maximum of six days in any one year where it is deemed necessary by the Council subject to notice in writing at least 14 days prior to removing the consent day(s).
4. The consent given by the Council is not transferable and is applicable to the consent holder only and it will relate to a specific stationary van, cart, barrow or other vehicle or moveable stall which has been approved by the Council in writing.
5. The Council retains the right to alter the allocated sale area in the event of unforeseen circumstances.
6. Traders shall comply with any recommendations/advice given to them by the Council, any Authorised Officer of the Council or a Police Officer.
7. A copy of the Councils Street Trading consent notice, suitably protected against the weather, shall be conspicuously displayed on the stall or vehicle to which the consent applies, so that it is clearly visible to the public.
8. The consent holder(s) shall notify the Licensing Unit within 72 hours of any convictions or proceedings arising out of the use or enjoyment of the consent.

9. The consent holder shall not assign, underlet or part with his/her interest or possession under this consent without informing the Council in writing.
10. The consent holder shall at all times maintain a valid third party public liability insurance policy to the satisfaction of the Council and shall produce a valid certificate of such insurance at any time upon request by an Authorised Officer of the Council.
11. If trading is to take place on private land, the trader must have written permission from the land owner that trading can take place.
12. Traders/trader assistants must report the loss of a consent notice to the Council's Health Protection team within 72 hours of losing it. The Council may charge for the replacement of a consent notice.
13. Traders/trading assistants must not trade under the influence of any illegal or intoxicating substance. Any traders found with illegal substances on their pitch or on their position will have their licence revoked.
14. Only those goods or services specified on the consent may be sold or offered or exposed for sale on the street trading consent pitch.
15. Goods may not be of an inflammable, corrosive or otherwise dangerous nature.
16. All goods shall be clearly priced and goods sold by weight or number shall indicate the unit of quantity in which they are being offered for sale. A street trader offering a service shall make clear the nature and cost of that service.
17. Traders shall notify the Council in writing of details of any assistants or change of assistants working on the pitch.
18. Trading may only take place on the days and during the times specified on the consent without special authorisation being given in writing from the Council.
19. Traders and their assistants employed by them shall ensure the public are treated fairly and with courtesy at all times.
20. Traders shall conduct their undertaking in such a way as to ensure so far as is reasonably practicable that no person is exposed to risks to their Health and Safety.
21. Traders shall notify the Council in writing of any change of address or addresses at which the stall and perishable goods are stored. Such notice shall be given within 7 days of the change.

22. If a trader wishes any of the terms of the consent to be varied or to seek the Council's agreement under these rules, application must be made in writing to the Council in accordance with the statutory requirements.
23. The street trading consent holder will be responsible for ensuring compliance with all legislation and the like covering the siting, operation and management of the sale area (including relevant road traffic and highways legislation if applicable) and for the payment of any fees so required.

### **Site Conditions**

24. The trader will be responsible for cleansing the trading area and ensure that all refuse arising as a result of the activities of the trader shall be placed in suitable covered containers provided by the trader, unless otherwise provided by the Council, and shall be kept exclusively for that purpose. Such refuse containers shall be kept as clean as is reasonably possible and disposed of in an approved manner on a daily basis.
25. The trader shall make such provision as is necessary to prevent any discharge of water or effluent from the street trading activity to any surface drainage or any other watercourse.
26. Advertisements or other notices must not be placed outside of the area of the street trading site without the approval of the Council. The trader shall not directly or indirectly hawk, tout or solicit custom for or advertise by way of handbill, public address system or otherwise without the express written consent of the Council.
27. The trader shall not place on the street or in a public place any furniture or equipment other than as permitted by the consent and he/she must maintain the same in a clean and tidy condition and not place them so as to obstruct the entrance or exit from any premises.
28. Traders shall not allow any obstruction to fire hydrants, manholes or other street furniture etc, resulting from their business.
29. The trader shall trade only from the position, which is detailed on the consent, unless directed to or agreed to by the Licensing Authority.
30. The trader must not cause or allow to be caused any damage to the street surface, street furniture, lighting and landscaping within the permitted area and will be responsible for the making good of any such damage.
31. Traders selling food products, shall comply with the provisions of the Food Safety Act 1990 (Amendment) Regulations 2004, General Food Regulations 2004, Regulations (EC) No. 178/2002, 852/2004,

853/2004 of the European Parliament and of the Council and the Food Hygiene (England) Regulations 2006.

32. Any equipment using Liquefied Petroleum Gas shall have only flexible and approved armoured hoses complying with the relevant British Standard Specification or equivalent.
33. No mobile generators shall be used without the express permission of the Council. Where permission is granted generators shall be so positioned that they do not present a danger to the public; do not present a fire or similar hazard to the stall; and do not give rise to a nuisance by reasons of noise, vibration, smoke or smell.
34. A competent person must install all generators and documentation must be provided to show that the generators have been maintained in accordance with the manufacturer's instructions.
35. No combustible materials are to be stored in the vicinity of a generator and suitable first aid and fire fighting appliance(s) must be immediately available.
36. Wherever possible all generators must be fuelled by diesel oil.
37. No fuel may be stored in the vicinity of a generator.
38. Generators must not be filled up during the trading day. All generators should be filled up at the start of the day before trading.
39. The consent holder shall ensure that any equipment, such as a generator, is in a safe working condition and suitably cordoned off to ensure that the general public do not have access to the equipment.
40. All traders using any form of power must have a minimum of a one-litre fire extinguisher.
41. No vehicle, unless agreed with the Council will be permitted to park on or adjacent to the sale area. All permitted vehicles must have oil drip trays unless otherwise agreed with the Council.
42. No street trading consent holder shall operate within 100 metres of any school entrance, or after 10.30 pm any night within 200 metres of the entrance to any late night entertainment venue.
43. The name and address of the operator and other address at which the trailer is normally kept or garaged must be conspicuously and legibly displayed upon it in a place where the public may view it.
44. Where a structure is not removed at the end of the trading day, no additional permanent or semi-permanent additions or paving shall be

erected or constructed adjacent to the structure for which, consent has been granted.

45. No signage or objects shall be placed on the highway or area surrounding the vehicle/premises and fly posting within the Corby Borough Council area will not be permitted.

### **Food Trading**

46. Vans and stalls used for cooking must be adequately ventilated.
47. The business must comply with current food safety legislation.
48. All staff must have attended, as a minimum Level 1 Food Hygiene training within the past 5 years. Evidence of Food Hygiene training must be available for examination by an Authorised Officer of the Council at any time when the unit is trading.

### **Revocation or Surrender of Consent**

49. Failure to comply with any condition attached to the street trading consent may result in the revocation of such consent. In such event the person or company issued with the street trading consent shall have no claim against the Council.
50. The Council may revoke this consent at any time and the Council shall not in any circumstances whatsoever be liable to pay any compensation to the holder in respect of such revocation.
51. The holder of street trading consent shall return the said consent to the Council immediately on revocation or surrender of the consent.