

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982****STREET TRADING CONSENT – CONDITIONS**

**The Operator shall at all times observe and perform to the satisfaction of the Council the conditions set out below:**

- The Operator shall not transfer or attempt to transfer a Street Trading Consent to any other person.
- No class or classes of articles or things may be sold or exposed or offered for sale other than those specified in the consent.
- The trading unit used for street trading shall not obstruct the street or cause any danger to persons using the street.
- The trading unit shall be kept in a clean and tidy condition at all times.
- Nothing shall be placed on or in the trading unit in connection with street trading or otherwise which emits fumes odours or smoke to the annoyance of persons using the street or occupying premises in the street.
- Any property building or structure in or adjacent to any street to which street trading is carried out shall not be defaced or interfered with or any placards posters signs or otherwise placed thereupon.
- No unreasonable noise by the Operator or persons assisting the Operator which may cause annoyance to persons using the street or occupying premises in the street in which trading is carried out.
- The trading unit shall be immediately removed for so long a period as may be necessary to allow building works/demolitions, statutory undertakers works, or Local Authority works to take place either in the street or to premises adjoining or in the street.
- The trading unit shall be immediately removed for so long a period as may be necessary from the space in front of any premises where the trading unit unduly obstructs or hinders the access or egress from such premises by any persons or vehicles.
- If required by a Constable or Fire Officer or a duly authorised officer of the Council in the event of an emergency or in the exercise by the Council of any of its powers and its duties the trading unit and goods used for street trading shall be removed.
- All litter and refuse from and around the trading unit arising from street trading shall be removed from the Site by the Operator and properly disposed of. The Operator shall leave no refuse or litter in any litter bins in the street or any adjoining streets.
- The Council encourages Operators to recycle litter or waste where facilities are available
- The Operator shall display the consent notice on the trading unit where it may be visible to members of the public.

- Any person found engaging in street trading shall, on being requested to do so by a Police Officer or a duly authorised officer of the Council, produce for inspection his/her street trading consent and shall provide his/her name and address.
- If the Operator changes his/her place of residence he/she must notify the Council of the new address within three weeks of the date of the change.
- Notwithstanding any time specified for street trading contained within the consent, the Operator is not authorised to trade at any time in contravention of any statutory enactment.
- Before commencing to trade, the Operator shall ensure that the trading unit and his goods comply with all statutory requirements and regulations for time being in force, and that any consents or permissions relating thereto remain valid throughout the period of the consent. Any Operator who sells food is required to be registered as a food business with the Council's Environmental Health Department. All Operators shall comply with the requirements of the Health and Safety at Work etc Act 1974.
- The Operator shall ensure before commencing to trade, that all notice or advertisements have received the necessary approvals in accordance with the Town and Country Planning Act 1990 and associated regulations and that all such approvals remain valid throughout the period of the consent and no other advertisements shall be displayed in relation to the trading unit at any time.
- Notwithstanding the above, no notices, adverts, placards, signs or otherwise shall be placed on or attached to the trading unit or any proximate area thereto without the written approval of the Council
- The Operator may, in writing, at any time surrender this Consent to the Council and it shall then cease to be valid.
- The Operator hereby indemnifies the Council and any successor local authority from and against all claims, costs, charges or expenses arising from or out of any loss, damage or injury to any persons or property occasioned in the exercise of trading under this Consent. The Operator shall throughout the duration of this Consent hold appropriate public liability insurance at a level approved by the Council.
- The Operator shall only trade in respect of the purpose set out in the consent and at the location, days and hours specified on the consent. Outside the hours the specified the trading unit shall be removed from the Site to a location approved by the Council. Notwithstanding the days and hours of trading stated on the consent, the Council reserves the right to approve in writing other days and hours of trading.
- The consent is valid for up to twelve months from the date of issue and may be revoked by the Council at any time for breach of any of the conditions contained herein
- The Operator undertakes not to use the grant of this Consent as a defence to any enforcement action under the Town and Country Planning Act 1990.

- The Council reserves the right to cancel and/or vary and/or impose additional conditions upon giving one week's notice in writing to the Operator at the address stated above or any new address provided by the Operator.
- The Consent is only valid so long as the location referred to on the consent is available for use by the public and may be taken out of use for so long as may be necessary by the Council (or any successor local authority) for maintenance storage safety or any other reason or purpose.
- No compensation for loss of trade or disturbance will be payable in relation to any conditions hereof.
- The position of the trading unit as shown edged red on the attached plan shall not be altered without the consent in writing of the Council.
- The Operator shall only use a trading unit approved by the Council.
- The Council will not refund the annual consent fee if the council finds it necessary to revoke consent for a licence due to non-compliance with the council's conditions.

**Consent holders trading within Town Centres are required to comply with all foregoing conditions and also to:**

- The operator shall provide written detail of their method and place of disposal and recycling of litter, to the Town Centre Manager, prior to commencing trading
- Provide litter bins of a type approved by the Council if required to do so by the Council's Town Centre Manager in the locations stated.

**Consent holders operating catering units parked at particular fixed locations, such as lay-bys, to be required to comply with foregoing conditions and also to:**

- Obtain formal planning consent for use of the land as a site for the catering unit
- Operate on a strictly takeaway basis only, serving food for consumption away from the unit, unless specifically authorised in the consent to have seating for customers
- Restrict hours of operation to between sunrise and sunset, in accordance with 'lighting up' times
- Remove stall or vehicle from the consent site at the end of the approved trading time each day
- Provide adequate integral sanitary accommodation including closet and wash hand basin with hot and cold water, to be made accessible from outside the unit only, or arrange for access to be available to such facilities at an immediately adjoining premises
- Maintain the site and adjoining verges in a clean and tidy condition and to be responsible for the removal of all litter. The Council encourages Operators to recycle litter or waste where facilities are available.