



Street Trading Policy

How to get permission to trade in the streets of St Albans City & District

Contents

Section	Page
Definitions	4
Introduction	4
Aim of the policy	5-6
Guidance for applicants	7-13
Definition of street trading	7
Choosing a Trading Location/Pitch	8
Mobile Street trading	9
Commercial static pitches	10
St Peters Street	11
Safety and Food Hygiene	11
Sustainability	12
Transfer	12
Variation of Conditions	12
Change of location	12
Consent on private land	13
Public liability Insurance	13
Tables and chairs	13
Refunds	13
What if we refuse or revoke	13
What happens at committee	14
How do we enforce the street trading rules	14
How to make application	15-18
New street trading consent	15-16

Renewal application	17-18
Fees	18
Appendix 1 application form	19-26
Appendix 2 prohibited streets	27
Appendix 3 St Peters Street consent area	28-29
Appendix 4 Conditions	30-32

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Definitions

Within the policy the following definitions apply:

applicant	someone applying for a consent (referred to as “you”)
authorised officer:	an Officer of the Council authorised by it to act in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1992.
stall:	any stall, vehicle, cart or barrow used to trade from
street trading:	the selling or exposing or offering for sale of any article (including a living thing) in any street.
street:	includes: a) any road, footway, or other area to which the public have access without a payment b) a service area as defined in Section 329 of the Highways Act 1980 and also include any part of the street.
commercial pitches	pitches held by a land owner, allows subletting to traders.
consent street:	a street where an individual can trade if they have a consent from the Council.
consent:	a consent to trade on a street granted by the Council, pursuant to Paragraph 7, Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
consent holder:	the person or company to whom the consent to trade has been granted by the Council.
Licensing Authority	St Albans City & District Council when operating the street trading function (referred to as “we”)
Licensing Committee	the committee of councillors sitting at a hearing to determine a reconsideration of the officer’s decision to refuse a consent
prohibited street	means a street in which street trading is not allowed at all

Introduction

St Albans City and District Council has resolved to control street trading. This means that you cannot trade in any street in the district unless you have been granted a street trading consent. Street trading is allowed in consent streets but not allowed in prohibited streets. We made this decision on 6th January 2005.

We will use this Policy when considering applications for street trading in the District.

1. Aim of the Policy

- 1.1 We can choose to regulate people selling items or services from a stall in our District by adopting the provisions set out in the Local Government (Miscellaneous Provisions) Act 1982, Schedule 4. The law allows us to adopt certain streets as consent streets and prohibited streets. This means we can regulate who is trading and where they are trading.
- 1.2 We recognise the importance of street trading businesses and value their contribution towards to the local economy.
- 1.3 We will use the Street Trading Policy (hereafter referred to as 'the policy') is to create a street trading environment which:
 - a. ensures fair trading between all consent holders in the district;
 - b. protects the amenity of the residents by ensuring that licensed traders do not cause nuisance, damage, disturbance or annoyance;
 - c. ensures the safety of the people using them;
 - d. promotes diversity and consumer choice;
 - e. provides applicants with advice and guidance on the Council's approach to the administration of applications for street trading consents.
- 1.4 We aim to avoid duplication with other statutory provisions and work in partnership with other enforcement agencies. You need to have regard to other legal requirements, we will tell applicants about any other relevant organisations.
- 1.5 Central to our policy are a number of objectives which are set out below:
 - a. Public Safety
The proposed trading location of the street trading activity should not present a significant risk to the public in terms of highway safety and obstruction. You should consider the following to help you assess the suitability of your proposed site: interference with sight lines for road users and access to pedestrian crossings. Where you propose to trade within 50 metres of a school entrance we will seek the views of the school.
 - b. Commercial Need
We will consider the number of other traders in the vicinity of the application site.
 - c. Prevention of Crime and Disorder
We expect all traders to operate in a way that promotes the prevention of crime and disorder. You should give particular consideration to this if you intend to trade at later hours i.e. after 23:00 hours.
 - d. Prevention of Public Nuisance
You should consider what actions you need to take to reduce the risk of nuisance from noise, refuse, vermin, fumes and smells.

e. Sustainability and Product Type

You should set out your proposed steps to reduce the environmental impact of the proposed activity. Typically, you should consider the use of recyclable products and energy efficient processes. You should also consider the type of products you will sell and the suitability of these products at the location site requested.

f. Suitability of Trading Unit

You should ensure that the vehicle, trailer or stall you will be using is of a high quality design/ build and will add to the quality of the street scene. Your unit will be inspected by an authorised officer of St Albans City and District Council prior to any consent being issued. We expect the unit to comply in all respects with any legal requirement relating to the trading activity proposed. You should consider the following legislation:

- i. Food Safety Act 1990
- ii. Food Safety and Hygiene (England) Regulations 2013 as amended
- iii. Health and Safety at Work etc. Act 1974 and any regulations made under this Act.
- iv. Environmental Protection Act 1990
- v. Licensing Act 2003

g. Suitability of Applicant

We will consider all the relevant information when we determine an application for the grant or renewal of a street trading consent. We will consider all relevant information relating to the suitability of the applicant to hold such a permission including:

- i. Whether you have been convicted of any relevant offence. We will ask for a basic DBS disclosure to be submitted with each application. Any convictions or proven criminal behaviour will be assessed. A basic disclosure will be required every three years once an application is granted.
- ii. Whether you have persistently refused, or neglected, to pay fees due to us for a street trading consent.
- iii. Whether you have previously failed, without reasonable excuse, to make use, to a reasonable extent, of a previous street trading consent.

2. Guidance for Applicants

2.1 Definition of street trading

2.1.1. Street Trading is defined in paragraph 1 of Schedule 4 of the Act as: “the selling or exposing or offering for sale of any article (including a living thing) in a street”.

2.1.2. The Act defines the term “street” as including:

- a. “any road, footway, beach or other area to which the public have access without payment”; and a service area as defined in section 329 of the Highways Act 1980”.
- b. Any part of a street is a “street” for the purposes of the Act.

The following are exemptions and do not require street trading consents:

- a. A person trading as a pedlar under a pedlar’s certificate
- b. A market stall within St Albans Charter Market or within the control of us as Market Authority for the District
- c. Trading in a trunk road picnic area
- d. Trading as a news vendor (Where the only items sold are newspapers or periodicals and the vendor operates without a stall or receptacle or with a stall or receptacle that does not exceed 1metre in length or width or 2 metres in height, occupy a ground area exceeding 0.25 metres sq or stand on the carriageway of a street).
- e. Trading outside a petrol station or outside a premises used as a shop as part of that business
- f. Trading as a Roundsman. Anyone trading as a roundsman has defined customers and defined routes. There is no statutory definition of a roundsman, however for the purposes of the Policy the Licensing Authority considers a roundsman to be anyone who travels to their customers to complete orders and deliver goods, generally trading door to door rather than from the street.
- g. Trading that relates to the Highways Act 1980.
- h. Trading under a Street Collection Permit.

2.2 Choosing a Trading Location/Pitch

- 2.2.1. Before applying for a Street Trading Consent, you must first identify a suitable trading location. You must have regard to the requirements laid out in the policy as well as your business needs. We maintain a list of streets deemed as prohibited and this is shown in **appendix 2** at the end of this policy. We do not hold a list of available trading pitches or a waiting list for existing pitches.
- 2.2.2. You must determine the business viability of any pitch you propose to use. A pitch must satisfy a number of criteria before we will consider it suitable. You are expected to carry out this research yourself. Any pitch in use before the approval of this policy may remain under grandfather rights for the duration of the current consent. When you renew the consent your trading location must meet all of the following criteria:
- a. Safe for public access by foot or by vehicle;
 - b. Ensure, if trading from a car park, there is suitable parking spaces for customers and the trading vehicle;
 - c. Is suitably lit (if trading after dark) to promote safe access and egress for customers and for visibility by other road users;
 - d. Is more than 500m from another street trader (does not apply to current St Peters Street Traders or mobile traders);
 - e. Does not breach highway regulations or make hazardous the passage of the public, including people with disabilities, over the highway or otherwise cause a traffic hazard;
 - f. Does not impede the passage of emergency vehicle access;
 - g. Does not cause the loss of parking spaces to residents or businesses;
 - h. Will not cause a disturbance, damage, interference, annoyance, inconvenience (e.g. noise nuisance, litter, odour, etc.) to local residents or businesses.
- 2.2.3. We will need to assess whether the pitch is suitable. To help us do this, we will ask you to submit a map of the location with the proposed pitch marked out. We will also ask for photographs of the pitch site showing exactly where the vehicle is proposed to be sited including a grid reference.
- 2.2.4. We will inform you if a location is unlikely to meet the criteria. However, even if we advise you that we consider your location is acceptable, you may still receive objections about the location during the consultation process. This may mean that your proposed location is considered unacceptable at the end of the application process.

2.3 Mobile Street Trading

- 2.3.1. If you want to operate as a street trader who moves from location to location, you will be classed as a mobile street trader. Ice cream vans, sandwich vans and mobile coffee sellers are all usually deemed to be mobile street traders.
- 2.3.2. As a mobile street trader, you will need to consider whether your mobile location meets the following criteria when you choose the location sites:
- a. That your proposed location sites is safe for public access by foot or by vehicle;
 - b. Ensure, if trading from a car park, there is suitable parking spaces for customers and the trading vehicle;
 - c. That it is suitably lit (if trading after dark) to promote safe access to and from your pitch for customers;
 - d. That it has good visibility by other road users;
 - e. That it does not breach highway regulations or make it hazardous for the public to get past you. This must include people with disabilities, over the highway or otherwise cause a traffic hazard;
 - f. That it does not impede the passage of emergency vehicle access;
 - g. That it does not cause the loss of parking spaces to residents or businesses;
 - h. That you will not cause a disturbance, damage, interference, annoyance, inconvenience (e.g. noise nuisance, litter, odour etc.) to local residents or businesses by operating from the proposed sites.
- 2.3.3. As a mobile street trader, you cannot stay in a single location for more than 30 minutes. If you have a good reason to remain in the same location for more than 30 minutes, you must provide a business plan setting out why you need to remain in a location. You should also suggest an alternative time frame.
- 2.3.4. As a mobile street trader, you cannot return to the same location within 2 hours of leaving that location. If you need to return within 2 hours, you must provide a business plan setting out why and offering an alternative time frame.

2.4 Commercial Pitches

- 2.4.1 The aim of the commercial pitches is to allow small shopping parades and similar such areas to offer a more diverse range of sellers. The intention is that these sellers offer services that are not similar to those available in the immediate area.
- 2.4.2 As a landowner you can apply for a commercial pitch. A commercial pitch is an area which is authorised under a street trading consent to allow up to three traders to operate at any one time in that location. You must provide proof that you are the land owner before you can apply for a commercial pitch consent. All applications, new or renewal, for a commercial pitch must be accompanied by a business plan, including any proposed fees to be charged to the traders.
- 2.4.3 A commercial pitch must meet all the same requirements as a trading location [2.2] including our suitability of trading provisions [1.5]. A consent for a commercial pitch allows the following:
- a. Up to 3 stalls per pitch providing there is a minimum of 500m between pitches of this type;
 - b. The pitch to be sublet to traders on a temporary basis.
- 2.4.4 A consent for a commercial pitch does not allow:
- a. A sublet to exceed one month;
 - b. Subletting to the same trader without a gap of one month between their last sublet and their next sublet;
 - c. The pitch to be sublet more than 8 times in a calendar year;
 - d. Items of a similar nature to other businesses in the local vicinity to be sold.
- 2.4.5 As the consent holder you must obtain, from each trader, the following documentation at least one month before you sublet:
- a. Colour photographs of the street trading unit i.e. stall, van, barrow, cart etc. that will be used for the street trading activity;
 - b. A certificate of Public Liability Insurance that covers the street trading activity for third party and public liability risks. The minimum insurance cover shall be £5,000,000;
 - c. Where food is sold, evidence of relevant training in food hygiene (e.g. a Level 2 Award in Food Safety in Catering certificate) for all food handlers;
 - d. Where food is sold, evidence of registration of the food business with the appropriate Local Authority;
 - e. Satisfactory Gas safety certificate for the vehicle or stall, if applicable.
 - f. You should ensure that you have obtained proof of the traders and any of their prospective employees' right to work in the UK.
- 2.4.6 You should retain this information for a least 7 years and make it available for inspection by us, on reasonable request.

2.5 St Peter's Street

- 2.5.1. The area of St Peter's Street that is designated as a consent street with a limit of 6 static pitches at any one time and no mobile traders (appendix 3).
- 2.5.2. We specify these trading locations; street trader stalls must remain in their designated area when they operate under the consent. The specified locations can be seen in appendix 3.
- 2.5.3. We will not grant a street trading consent for St Peter's Street on any days that we are operating a market under the Charter.
- 2.5.4. If we as Market Authority are authorising a market, we may temporarily suspend your consent.

2.6 Safety and Food Hygiene

- 2.6.1. You must ensure that members of the public are adequately protected from coming into contact with hot surfaces (such as cooking appliances).
- 2.6.2. You must ensure that any wires or cabling to your unit do not pose a tripping hazard to members of the public.
- 2.6.3. If you propose to sell open, high risk foods then you must provide hand washing facilities (including a bowl, hot and cold (or warm) water, soap and hygienic hand drying materials). Please contact the Food Team for more information on high risk foods fsa@stalbands.gov.uk
- 2.6.4. If you sell products that require you to be food registered with a local authority you must maintain a food hygiene rating of 3 (satisfactory) or higher.
- 2.6.5. If you are a new applicant, we would encourage you to get a food registration completed before applying. We will require any street traders to provide us with evidence of their food hygiene rating within the first six months they operate under their street trading consent.
- 2.6.6. If you are renewing your consent, you need to provide evidence of your food hygiene rating with your application.
- 2.6.7. If you are a consent holder and your food hygiene rating falls below a 3, you will be required to notify us within 48 hours of receipt of the new score. As a consent holder you must apply to be rescored within 3 months of receiving your food hygiene rating. You must provide us with evidence of the application for rescoring. You must be rescored within 6 months of receiving your below 3 food hygiene rating, unless there is a reasonable excuse. If your new score is not 3 or above, we will revoke your consent.
- 2.6.8. If you fail to inform us of a food hygiene rating falling below a 3, we will revoke your street trading consent.

2.7 Sustainability

- 2.7.1. Part of our action plan to address the climate emergency, is to reduce single use plastics or polystyrene. The following single use plastic items are prohibited from being used by any street trader from 1st October 2020:
- a. Plastic and polystyrene Cups
 - b. Plastic Cutlery and coffee stirrers
 - c. Plastic Plates
 - d. Plastic Drinks Bottles
 - e. Plastic Bags
 - f. Plastic Straws
 - g. Plastic and Polystyrene Takeaway Packaging

If you have any questions about how to do this, please speak to the Sustainability Team at sustainability@stalbans.gov.uk

- 2.7.2. Consent holders using an electric vehicle, when conducting trade under the consent, will be given a discount on the grant and renewal fee until 30th April 2023
- 2.7.3. All mobile street traders must have an electric vehicle by the 30th April 2023, if they are required to keep an engine running when stationary as part of their business.
- 2.7.4. No fuel based generators are allowed to be used as part of street trading consent.

2.8 Transferring

- 2.8.1. If you are retiring or suffering from ill health, we will allow your consent to be transferred to an employee named on the consent. You must have the written approval of the current consent holder.
- 2.8.2. Where the consent holder has died, the consent will end.

2.9 Variation of Conditions

- 2.9.1. We may, at any time, vary the conditions of a street trading consent. If we do vary the conditions, we will write to you at least 10 days before the new conditions come into effect.

2.10 Change in the location

- 2.10.1. If the location of your site has to alter because of building works, or parking restrictions, we may need to revoke or amend your consent.
- 2.10.2. We may temporarily suspend your consent if we think it is necessary because there is a market in the area of your site. We will work with you to accommodate you elsewhere in the district, but this may not always be possible. If you wish to operate on a market please contact the Markets Team.

2.11 Consent on private land

- 2.11.1. Where your proposed trading pitch is on privately owned land you must seek permission from the relevant landowner. You must provide us with a letter or email from the landowner confirming that they have given permission for you to trade on their land. We will not issue a consent without proof of landowner's approval.
- 2.11.2. If you are trading in a part of the district with a Town or Parish Council, you may need their permission to use the land. We would recommend that you contact the Town or Parish Council where you intend to trade.
- 2.11.3. Planning permission may be required please check the Council's website at: www.stalbans.gov.uk/planning for further information.

2.12 Public Liability Insurance

- 2.12.1. You must have public liability insurance certificate of at least £5 million. If your insurance is due for renewal during the time covered by your consent, it is your responsibility to provide an original public liability insurance certificate for the length of the consent. If you have any gaps when you are not covered by insurance, we may revoke your consent.

2.13 Tables and Chairs

- 2.16.1. If you are intending to place tables and chairs on the public highway, as defined by section 115 of the Highways Act 1980, you must apply for a pavement licence. For more information please review our pavement licence policy.

2.14 Refunding Fees

- 2.15.1. If you stop trading, or surrender your consent, we will not normally refund any fee unless there are exceptional circumstances.
- 2.15.2. If we refuse an application for a consent or a renewal, we will return 80% of full fee paid.
- 2.15.3. If you ask the Committee to review your hearing, none of the fee will be returned. This is due to the additional administrative cost incurred by holding a hearing.

2.15 If we decide to refuse or revoke

- 2.13.1. If we refuse your application for an initial street trading consent or for a renewal, we will normally write to you within 10 days of our decision with the reasons for refusal.
- 2.13.2. If we revoke your street trading consent, we will normally write to you within 10 days of our decision with the reasons for revocation.
- 2.13.3. If you are not happy with our decision, you can request a review by the Committee. You will need to write to us within 21 days of the date on your refusal letter. You will then be able to attend a hearing and tell the Licensing Committee why you consider you should get your consent.

2.16 What happens at the Licensing Committee

- 2.14.1. When you request a hearing by the Licensing Committee, we will arrange it. We will write to tell you the date, time and place. We will prepare an agenda for the hearing and you will receive a copy of it at least 5 working days before the hearing. The agenda will contain the procedure and any officer reports.
- 2.14.2. You can be represented by a solicitor, or supported by a friend or colleague, at the hearing. We will write to let you know the decision of the Licensing Committee within 5 working days of the hearing.

2.17 How we enforce the street trading rules

- 2.17.1. We monitor street trading and enforce the provisions of the Act and the rules that are set out in our policy. We will do our best to enforce the rules fairly and consistently and in accordance with our Corporate Enforcement Policy. We will be:
- a) **Open:** We will be open about how we enforce the law in relation to street trading. We will talk to you about any problems before we take any action under the enforcement process.
 - b) **Helpful:** We will help you to meet the requirements of the law. We will also strive to provide a courteous and efficient service to you.
 - c) **Proportionate:** We will minimise the cost of compliance for you by ensuring that any action we take is proportionate to the problem and bear in mind the wider public benefit.
 - d) **Consistent:** We will carry out our duties in a fair, equitable and consistent manner considering our Enforcement Policy, this policy and any national codes of practice and guidelines.
- 2.17.2. If we receive complaints about you we will investigate them. We will work with you to resolve any complaint. We will always give you an opportunity to discuss the complaint with us. We will consider the complaint, the evidence and our policy when dealing with complaints. We will then determine what actions we need to take to resolve the issues.
- 2.17.3. Anyone who trades without a consent is committing an offence and may have to pay a fine of up to £1,000.
- 2.17.4. Other agencies may take enforcement action where you fail to comply with law that they regulate e.g. trading standards.
- 2.17.5. You should co-operate with any reasonable request from an authorised officer of the council or a police officer.

3. How to make your application

3.1 New Street trading consent

- 3.1.1 New applicants are advised to contact us at your earliest opportunity, preferably before an application is made. We will provide advice on your application, as well as clarifying any areas of uncertainty.
- 3.1.2 An application for Street Trading Consent must be made to the Council in writing. The following will be required to be submitted with the application:
- a) A completed and signed Street Trading Consent Application Form.
 - b) The full application fee as appropriate.
 - c) Where the proposed street activity is from a fixed position, a copy of a map of at least 1:1250 scale. The map should clearly identify the proposed site position by marking the site boundary with a red line.
 - d) Colour photographs of the stall, van, barrow, cart etc. that will be used for the street trading activity.
 - e) If the pitch is on private land evidence of right to occupy. If an application for a commercial pitch evidence of land ownership.
 - f) A certificate of Public Liability Insurance that covers the street trading activity for third party and public liability risks. The minimum insurance cover shall be £5,000,000.
 - g) A Level 2 Award in Food Safety in catering certificate for all food handlers.
 - h) Commercial waste removal contract, including oil if relevant.
 - i) Evidence of registration of the food business with the appropriate Local Authority. Once obtained evidence of a food hygiene rating.
 - j) Proof of the applicant's and any prospective employees' right to work in the UK.
 - k) Satisfactory gas safety certificate for the vehicle or stall if applicable.
 - l) Copy of driving licence for proposed applicants/employees who may drive or tow the trading vehicle. A print out from the DVLA website dated within the previous 14 days. See <https://www.gov.uk/view-driving-licence>.
 - m) Basic disclosure for applicant and any prospective employee's (due on any new application and then every 3 years thereafter). Basic disclosure can be obtained from Disclosure & Barring Service (DBS). This disclosure only provides unspent convictions.

3.1.3 When you make your application you need to note that:

- a) We will not permit trading in the St Albans city centre on market days.
- b) We will not grant a street trading consent to persons under the age of 18 years.
- c) The standard hours for street trading consents are between the hours of 08:00hrs and 23:00hrs. If you wish to trade outside of these times you will need to provide a business plan setting out why you need different times

Please send your application to Street Trading, Community Services, St Albans City & District Council, St Peter's Street, St Albans, AL1 3JE.

3.1.4 Before we grant (give you a consent) we will consult with certain organisations and individuals called consultees. We consult:

- a) Hertfordshire County Council Highways
- b) Regulatory Services
- c) Food Safety
- d) Planning and or Community Services
- e) Hertfordshire Constabulary
- f) Ward Councillors
- g) Parish or Town Council (if applicable)
- h) If you apply for a consent in a residential area, you will be required to consult the property owners within 100 metres of the proposed site and provide proof of the consultation.

3.1.5 The consultation lasts for 28 days. We will normally process a street trading consent within 10 days after consultation. If objections are received it may take longer than 10 days because we will need to speak to the consultees. When we decide whether or not to give you a consent we will consider any comments made by the consultees.

3.1.6 We will inspect the vehicle, van, trailer, stall you propose to use for your street trading. This inspection will take place in the first 3 months of trade to ensure it is suitable as set out in our policy.

3.1.7 If we grant you permission for street trading, we will issue a consent with conditions attached. You can find a copy of our standard conditions at Appendix 4. If the consent is granted by the Licensing Committee they may add additional conditions. The consent will normally be issued within 10 days of the decision.

3.1.8 Once granted, the consent will remain in force for 12 months unless suspended, surrendered or revoked.

3.1.9 The consent will include:

- a. the unique consent reference number
- b. the name of the consent holder
- c. the days and hours when street trading is permitted
- d. the goods that may be sold or services that may be provided
- e. the location of the consent site

3.1.10 You must comply with the conditions attached to the consent whenever you are trading. If you fail to do so we may revoke your consent or refuse to renew it.

3.2 Renewal Applications for a Street Trading Consent

- 3.2.1 An application to renew a Street Trading Consent must be made to the Council in writing. The following will be required to be submitted with the application:
- a. A completed and signed Street Trading Consent Application Form.
 - b. The full application fee as appropriate.
 - c. Where the proposed street activity is from a fixed position, a copy of a map of at least 1:1250 scale. The map should clearly identify the proposed site position by marking the site boundary with a red line.
 - d. Colour photographs of the stall, van, barrow, cart etc. that will be used for the street trading activity.
 - e. A certificate of Public Liability Insurance that covers the street trading activity for third party and public liability risks. The minimum insurance cover shall be £5,000,000.
 - f. A Level 2 Award in Food Safety in catering certificate for all food handlers.
 - g. Commercial waste removal contract, including oil if relevant.
 - h. Evidence of registration of the food business with the appropriate Local Authority. Evidence of a food hygiene rating
 - i. Proof of the applicant's and any prospective employees' right to work in the UK.
 - j. Satisfactory gas safety certificate for the vehicle or stall if applicable.
 - k. Copy of driving licence for proposed applicants/employees who may drive or tow the trading vehicle. A print out from the DVLA website dated within the previous 14 days. See <https://www.gov.uk/view-driving-licence>.
 - l. Basic disclosure for applicant and any prospective employee's (due on any new application and then every 3 years thereafter). Basic disclosure can be obtained from Disclosure & Barring Service (DBS). This disclosure only provides unspent convictions.
 - m. If applying for a commercial pitch renewal a document showing previous years sublets.
- 3.2.2 A renewal is not normally subject to consultation; however, the Council may consult further to determine if the street trader is a cause for concern or has been the subject of complaints.
- 3.2.3 Where a renewal application is not received prior to the expiry date of an existing consent, all trading must cease until a new consent application has been received and processed.

3.2.4 Where a renewal application has been made and there have been no justifiable complaints, no enforcement issues and all fees have been paid on time, the consent will be renewed.

3.3 Fees

Consent type	Grant	Renewal
Static	£670	£360
Mobile	£465	£245
Commercial pitch	£670	£360
St Peter's Street (static)	£670	£360
St Peter's Street (electricity)	£100	£100
Transfer fee	£30	£30
Electrical vehicle fee reduction	£60	£60

3.4 Duration of Consents

3.4.1 All consents expire after 12 months.



**STREET TRADING CONSENT
APPLICATION FOR GRANT OR RENEWAL**

Local Government (Miscellaneous Provisions) Act 1982

Community Services, St Albans City and District Council, Civic Centre,
St Peters Street, St Albans, Hertfordshire, AL1 3JE

APPLICATION TYPE (please tick the relevant box)	
Grant of a Static Street Trading Consent	<input type="checkbox"/>
Grant of a Mobile Street Trading Consent	<input type="checkbox"/>
Grant of a Commercial Street Trading Consent	<input type="checkbox"/>
Renewal of a Static Street Trading Consent	<input type="checkbox"/>
Renewal of a Mobile Street Trading Consent	<input type="checkbox"/>
Renewal of a Commercial Street Trading Consent	<input type="checkbox"/>
Transfer of a Street Trading Consent	<input type="checkbox"/>

Please tick the appropriate box above

Answer all the questions in ink using CAPITAL letters, either ticking \surd , or writing “None” where appropriate. Please answer all questions below, failure to do so will invalidate your application.

APPLICANT DETAILS

Individual Applicant
Title: Surname:
Forenames:
Date of Birth:
Full Home Address:
Postcode:
Telephone :
Mobile :
Email :
<i>By providing an email address, you agree to us communicating with you by email, including sending reminder letters and licences. For further details of your personal data rights see: http://www.stalbans.gov.uk/council-and-democracy/departmentsPoliciesPlans/data-protection/default.aspx</i>

Company applicant (commercial street trading consent only)
Company:
Company number:
Registered Company Address:
Postcode:
Telephone :
Mobile :
Email :
<i>By providing an email address, you agree to us communicating with you by email, including sending reminder letters and licences. For further details of your personal data rights see: http://www.stalbans.gov.uk/council-and-democracy/departmentsPoliciesPlans/data-protection/default.aspx</i>

Details of persons working on the stall	
1st person:	Name:
	Address:
	Date of birth:
	Type of ID provided:
	Photograph provided:
2nd person:	Name:
	Address:
	Date of birth:
	Type of ID provided:
	Photograph provided:
3rd person:	Name:
	Address:
	Date of birth:
	Type of ID provided:
	Photograph provided:

Details of applicant	
How long have you been trading:	
Do you trade in another authority (please list authority) :	
Are you food registered (please list authority):	

Details of vehicle		
Vehicle registration:		
Make of vehicle:		
Model:		
Registration date:		
Please detail the address where the vehicle is to be kept when not in use:		
Does your vehicle engine need to remain on when stationary	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Do you have an electric vehicle	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Details of Trade
Proposed Trading Site (static trader only):
Details of any stall, trolley, stand (include, height, width, length and colour, all power systems, gas safety certificates):

Full description of goods to be sold. Specify types of food to be sold. e.g. burgers, kebabs, fruit and vegetables, ice cream:
Please provide details of how food will be stored:

Proposed Trading times: (please read the policy 3.1.3)		
Sunday	AM	PM
Monday	AM	PM
Tuesday	AM	PM
Wednesday	AM	PM
Thursday	AM	PM
Friday	AM	PM
Saturday	AM	PM

Offences and civil immigration penalties		
Have you been convicted of any offence or foreign offence or been required to pay a civil immigration penalty?	Yes	No
If you have been convicted of any offence you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed:		
If you have been convicted of any foreign offence you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed:		
If you have been convicted of any foreign offence you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed:		

I enclose the following:	
A completed and signed Street Trading Consent Application Form.	
The full application fee as appropriate.	
A passport size photograph of me and any person working with me	
Where the proposed street activity is from a fixed position, a copy of a map of at least 1:1250 scale. The map should clearly identify the proposed site position by marking the site boundary with a red line.	
Colour photographs of the stall, van, barrow, cart etc. that will be used for the street trading activity.	
If the pitch is on private land evidence of right to occupy. If an application for a commercial pitch evidence of land ownership.	
A certificate of Public Liability Insurance that covers the street trading activity for third party and public liability risks. The minimum insurance cover shall be £5,000,000.	
A Level 2 Award in Food Safety in catering certificate for all food handlers.	
Commercial waste removal contract, including oil if relevant.	
Evidence of registration of the food business with the appropriate Local Authority. Once obtained evidence of a food hygiene rating.	
Proof of the applicant's and any prospective employee's right to work in the UK.	
Gas safety certificate for the vehicle or stall if applicable.	
Copy of driving licence for proposed applicants/employees who may drive or tow the trading vehicle. A print out from the DVLA website dated within the previous 14 days is preferred. See https://www.gov.uk/view-driving-licence .	
Basic disclosure for applicant and any prospective employee's (due on any new application and then every 3 years thereafter). Basic disclosure can be obtained from Disclosure & Barring Service (DBS).	
If applying for a commercial pitch renewal, document(s) showing previous years sublets.	

Fees		
Consent type	Grant	Renewal
Static	£670	£360
Mobile	£465	£245
Commercial pitch	£670	£360
St Peters Street (static)	£670	£360
St Peters Street (electricity)	£100	£100
Transfer fee	£30	£30
Electrical vehicle fee reduction	£60	£60

DECLARATION & PRIVACY NOTICE

IF ANY PERSON KNOWINGLY OR RECKLESSLY MAKES A FALSE STATEMENT OR OMITTS ANY MATERIAL PARTICULAR IN GIVING THIS INFORMATION UNDER THIS SECTION, THAT PERSON WILL BE GUILTY OF AN OFFENCE.

I the undersigned, hereby apply for a **Street Trading Consent** in the District of St Albans and I declare that my answers and statements to the questions in this application are true, to the best of my/our knowledge and belief, and acknowledge that, if there are any omissions, false or incorrect statements of a serious nature, this may result in the application being refused without further consideration or, if a licence has been issued, it may be liable to suspension or revocation. I also confirm that I have read and understood and agree to abide by all relevant legislation and St Albans Street Trading Policy in regard to being a consent holder within the St Albans District.

I understand that in making this application, I am consenting to St Albans City and District Council Licensing Authority making any enquiry as deemed appropriate in relation to my application. I therefore acknowledge and consent to St Albans making enquiries with the police and fraud team and any other agency as required in relation to any investigations, arrests, non-convictions, orders or other offences or issues relating to me and my application in order to determine my suitability to hold a licence.

PRIVACY NOTICE

This privacy notice explains how St Albans City & District Council (the Data Controller) will use any personal information we collect about you when you use our services.

We will use your information for the purposes we have set out; keep it securely; destroy it when we no longer need it; tell you the rights applicable to this personal information and how to exercise them; tell you who to complain to.

All this information is set out in full on the privacy notice with this form. Please read and retain the privacy notice for more details.

CONSENT

By completing this form you are giving consent for us to process your criminal conviction information, for the purposes outlined in the privacy notice with the form.

You have a right to withdraw your consent at any time by emailing licensing@stalbans.gov.uk or calling the Council on 01727 296164. If you withdraw consent we will not be able to process your application.

I agree to give consent for you to use my personal information as set out above

Signed: _____ Dated: _____

PRINT NAME: _____

Privacy Notice

This privacy notice explains how St Albans City & District Council (the Data Controller) will use any personal information we collect about you when you use our services.

What information do we collect about you?

The information that the Council will collect varies depending on how you use the Council's Services. We are using the information provided for public task (Art. 6(1)(e) of General Data Protection Regulation). This means we collect your personal information from you so that we can carry out a function we have chosen to carry out. In this case we are collecting personal information for the purposes of street trading consents.

If you're providing us with criminal conviction personal information we will be processing this under Art.10 GDPR.

How will we use the information about you?

We use the information to process and manage your street trading consent application. We may share the information with other departments at the Council to enable us to deal with your application. We will only share the information to enable us to deal with this application and manage your street trading consent.

We will not share the personal information we hold with any external organisations except for partner organisations. By partner organisations we mean Local Authorities, your Insurance company or other statutory authorities, such as Her Majesty's Revenue and Customs (HMRC), Hertfordshire County Council Highways, Immigration, DVLA, Police or similar agency, where sharing your data is necessary to deal with your matter. We may be required to share your personal information with the Police, or similar agency, or another Council for the purposes of preventing and detecting fraud.

We will ensure that all personal information is kept securely.

How long will we keep this information?

We will destroy this personal information in accordance with our Disposal Schedules. To determine how long we should keep information, we consider what the legislation states and what is good practice. This means we will securely destroy the information once we no longer need it. If you would like to know the specific period of time that relates to your personal information please contact GDPR@stalbans.gov.uk

Individuals' Rights

You have a right to request a copy of the personal information that we hold about you. If you would like a copy of some or all of your information, please contact foi@stalbans.gov.uk and ask for a subject access request.

If you consider we hold inaccurate personal information about you, you can contact us to ask for this information to be corrected. We will consider your request and respond within one month. Please contact GDPR@stalbans.gov.uk.

You can find out more about [your rights](#) on our website./

Cookies

Cookies are text files placed on your computer to collect standard internet log information and visitor behaviour information. This information is used to make your use of the internet better. For further information on how we use these and how you can control it, please visit our [cookies page](#).

Changes to our Data Protection Policy

We have a Data Protection Policy in place and this can be found [here](#) on our website. We review this policy annually.

Data Protection Officer

Our Data Protection Officer for the purposes of Articles 37 to 39 of the General Data Protection Regulation is Charles Turner, Solicitor to the Council. He can be contacted by emailing GDPR@stalbans.gov.uk or calling 01727 819209 for our Complaints Team.

How to contact us

Please contact us if you have any questions about our Data Protection Policy, or concerns about how we handle your information: by emailing foi@stalbans.gov.uk or write to us at: FOI Team, St Albans City & District Council, St Peter's Street, St Albans, AL1 3JE.

Complaints

You have a right to complain to the Information Commissioner if you are unhappy with how we process your personal information. You can do so through their website: <https://ico.org.uk/concerns/> or by emailing: casework@ico.org.uk or calling their helpline on 0303 123 1113.

APPENDIX 2

Prohibited Streets

Apart from the prohibited streets listed below all streets within the City and District of St Albans are designated consent streets

- Market Place
- Abbey Mill Lane, St Albans
- Branch Road, St Albans
- Fishpool Street, St Albans
- George Street, St Albans
- Romeland, St Albans
- Romeland Hill, St Albans
- St Michaels Street, St Albans
- A405 from Waterdale to the Park Street roundabout
- A6 London Colney By-Pass
- A5183 (entire length)
- A414 between Park Street and London Colney roundabouts
- A1081
- A1081, St Peters Street, St Albans for its entire length, together with the two service roads known as the Eastern and Western Service Roads and the service road known as Church Green, for their entire lengths, **except as set out in Appendix 3.**

Appendix 3

St Peter's Street consent area

That part of the Western Service Road, St Peter's Street, St Albans, from a point opposite Waddington Road, adjacent to No. 17 St Peter's Street, northwards to a point opposite the alley adjacent to No. 51 St Peter's Street be designated a consent street.

St Peter's Street Trading area locations

- Area 1 (electrical point) – Opposite 17 St Peter's Street
- Area 2 (electrical point) – Outside 23 St Peter's Street
- Area 3 (no electricity) – Opposite 29 St Peter's street
- Area 4 (electrical point) – Outside 33 St Peters Street
- Area 5 (no electricity) – Opposite 43 St Peter's Street
- Area 6 (electrical point) – Opposite 49 St Peter's Street

The Map below provides the details of the consent area and trading locations.



APPENDIX 4

STANDARD CONDITIONS

The following standard conditions will normally be attached to a Street Trading Consent:

1. The consent holders shall display the issued street trading consent at all times whilst trading. This must be in a prominent position and visible to members of the public.
2. Current public liability insurance cover of £5 million will be maintained at all times, and available for inspection on site.
3. The consent holder must work only within the operating hours and days of trading authorised by their consent (subject to the permitted 30 minute start up/clear up period)
4. The consent holder may only sell goods which are applied for at the time of the application.
5. Consent holders must provide refuse bins or make arrangements a licensed waste collection contractor for disposal of all waste produced from trading in accordance with the duty of care Regulations.
6. No cooking oil or liquid waste may be disposed of down drains, on grassland or placed in roadside or other waste bins.
7. Consent holders must ensure that all litter associated with the business is picked up at regular intervals throughout trading hours within a radius of 100 metres and that the pitch is left tidy and litter free at the end of business.
8. The consent holder must use the exact pitch nominated in the consent application.
9. Upon request by an officer of the council or the Police the trader must provide any documentation relevant to the trading vehicle.
10. Consent holders shall ensure that no nuisance to residents or businesses arises from their trading activity or customers.
11. Consent holders must keep any stall, barrow or vehicle used in connection with a consent in good condition as set out in the Street trading policy.
12. Consent holders must not allow any silage water from the washing of food equipment or hand washing to discharge into the ground and you must satisfy us that you have disposed of it appropriately.

13. Traders must not obstruct the street or cause danger to persons using the street.
14. You can place advertisements and other notices inside the area shown in your consent to be your trading site. You cannot place advertisements or notices outside this area unless you have received written approval from the Local Planning Authority.
15. You shall not directly or indirectly hawk, tout or solicit custom for or advertise by way of flyer, public address system or otherwise without our written consent.
16. You must not cause or allow to be caused any damage to the street surface, street furniture, lighting and landscaping within the permitted area. You will be responsible for repairing any such damage.
17. Consent holders should not place any objects on the highway or area surrounding the vehicle/stall unless agreed by us.
18. Consent holders must not allow any obstruction to fire hydrants, manholes or other street furniture etc, resulting from your business.
19. Consent holders using any form of power you must have a minimum of a one-litre fire extinguisher suitable for use on the type of equipment.
20. If Consent holders are using an electrical generator or a connection is made to permanent electricity supply, the consent holder must ensure that the electrical installation is safe. If there is any doubt as to the integrity of the supply or installation we may ask for a safety certificate from a competent person or body. In most circumstances an inspection by an NICEIC or ECA approved electrician will be satisfactory. At no time should electric cables be draped across roadway, public footpaths or any other area where the public have access.
21. Consent holders must not use or permit to be used on the pitch area or within the immediate vicinity any equipment or apparatus to produce music or other amplified sound.
22. Consent holders and any staff must not trade under the influence of any illegal or intoxicating substance.
23. Consent holders and any staff must treat the public fairly and with courtesy at all times.
24. Any motor vehicle used for the purpose of street trading shall at all times be in a roadworthy condition and have the relevant documents i.e insurance, tax and MOT to make the use of that vehicle on a road legal. These documents will be produced by the consent holder to any police officer or authorised officer of the Council.

25. Unless a commercial pitch consent holder, subletting of the pitch is strictly prohibited.

ADDITIONAL CONDITIONS

- When we are dealing with your application we can attach any specific conditions that we consider are necessary for you consent because of the way you will trade. We will only add extra conditions if we consider necessary to:
 - a. maintain adequate public safety
 - b. avoid nuisance and anti-social behaviour
 - c. generally preserve the amenity of the specific locality