

Street Trading Guidance and Application Form 2018/2019

**LONDON LOCAL
AUTHORITIES ACT 1990**

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Introduction

Harrow Council is committed to maintaining a vibrant economy for the benefit of those who live, work and conduct business in the borough. Local authorities may regulate street trading in their area if they adopt the Part III provisions of the London Local Authorities Act 1990 (the Act). If they adopt these provisions they can apply street trading licensing controls within their borough. The policy recognises the importance of street trading businesses to the local economy and the character of the area whilst trying to ensure that the activities do not cause nuisance or annoyance to the people in the area.

The policy sets out the council's approach to the licensing of street trading. It informs applicants of the parameters in which the council will make decisions and how their needs will be addressed. It also highlights the council's intention to avoid duplication with other statutory provisions and its commitment to work in partnership with other enforcement agencies. The council aims to provide a clear, consistent service for users. At the same time, it aims to protect the safety of highway users, to prevent nuisance and to regulate the location and number of street traders.

The application of this guidance will be in line with legislative requirements. It will be reviewed in light of developing practice, guidance and changing legislation as necessary. Attached to this guidance is the application form for street trading.

1. New applications

The application form is attached to this guidance and is also available from the public protection team and the council's website – www.harrow.gov.uk. A Market Operator selected to provide a market can provide a collated single document that captures the necessary information for all the proposed market traders.

Applications must include the following (failure to supply any of the information or supporting documents will lead to the application being returned as unaccepted) :-

- A** A completed and signed application form.
- B** Two forms of identification of the applicant, one of which must be photo ID (unless application made on behalf of a company¹)
- C** Two passport sized photographs of the Applicant.
- D** Proof of address
- E** Google Map of your area showing exact location of proposed trading site and all the neighbouring streets in the proximity of at least of 500m around the proposed site or site plan.
- F** Copy of current **Public Liability Insurance Certificate**
- G** Evidence of/or proposals for a valid trade waste disposal agreement or similar. **(For businesses which have a butcher/fish counter – Copy of your raw meat /refuse contract)**
- H** Proof of planning permission (if applicable).
- I** Sketch Plan
- J** Application Fee.

Note: The plan must contain all items that the applicant want included in the licence. For example, where parasols / umbrellas are used, these must form part of the application and clearly show their positioning.

1. **Sites that attract applications from more than one applicant**

Multiple street trading licences may be granted to different applicants for the same site provided specific trading days/periods are applied for. At any one time only one licence holder will be permitted to trade on a site.

¹ If a company applies for the purposes of selling ice cream, any individual carrying on ice cream trading in accordance with that licence, shall at all times, while he is so trading carry with him a recent photograph of him authenticated by the company which holds the licence.

2. Mobile Traders

Some applicants may wish to engage in street trading from a number of locations across the borough of Harrow rather than from a fixed location. In such cases, applicants must, when submitting the application, clearly identify all of the locations they wish to trade from.

2. Renewal Applications

To ensure continuity of a licence, applications for renewal should be made no later than 2 months and no earlier than 3 months, prior to the expiry of the licence. The application form is available from the council's website – www.harrow.gov.uk. Consultation will take place as noted below.

The following will be required to be submitted to the public protection team:-

- A completed and signed application form
- The renewal fee
- New photos for applicant if appearance has changed since original application
- A copy of the certificate of insurance(min £5m), covering third party and public liability risks
- Such other particulars as the council may reasonably require. It is the responsibility of the applicant to ensure that the licence renewal is submitted prior to their licence expiring.

3. Consultation

Consultation will take place with any appropriate party as deemed appropriate and through a public notice that must be displayed on application by the applicant. A period of 28 days will be allowed for comments to be received which will then be considered, consultation will restart if the notice has not been displayed in a visible position. If application is sent by post consultation will start two days after application is date stamped upon being received.

4. After Submitting an Application

Applications cannot be accepted unless the correct fee has been paid. Licence fees are not subject to VAT. Fees can be paid by Cheque or by Card (please note an additional charge will be incurred if using a credit card)

Once a valid application has been received, the applicant will display a site notice at the proposed site for 28 consecutive days.

The council will also maintain a register of applications including mobile traders on its website which will be updated regularly.

5. Making a Decision

The licence will be granted by officers authorised to do so provided that the necessary preconditions/requirements are met.

For those applications where it is proposed to refuse the application or revoke the licence, the applicant will be given the opportunity to make representations to the licensing panel. Such representations should be made within 28 days of being notified of the intention to refuse the licence. Where no representations are made within the notified timescale the council will proceed to make a decision on the application and will notify the applicant of this in due course.

When an application is due to go before the licensing panel, the applicant will be expected to present the case and assist the panel with any questions. To facilitate this, the applicant will be advised in writing of the date, time and

place when the application will be heard. The applicant can be represented if they wish, whether or not that person is legally qualified. The Public Protection Team will prepare a report for the licensing panel regarding the application. The report will be made available to the applicant at least five days before the date of the meeting together with any relevant hearing procedure.

An application may be refused on statutory grounds or/and criteria as outlined in the street trading policy. A Licence may be revoked on statutory grounds and/or criteria as outlined in this policy.

Harrow Council cannot be held liable for any costs incurred and lost as a result of a refusal to issue a licence.

New full licence traders will be subject to a six month probation period. During this time, you will be monitored on attendance and compliance with the Street Trading Conditions before a permanent licence can be granted.

6. Fees and Charges

This is liable to change on an annual basis and will be updated as required. The latest fees and charges can be found at www.harrow.gov.uk

STREET TRADING FEES AND CHARGES

	Administration	Management and Enforcement	Total
Front Of Shop Displays			
<i>26 weeks (usually applicable in undesignated streets)</i>	£250	£190.00	£440.00
1 year, single shop front	£500	£380.00	£880.00
1 year, double shop front	£1,000.00	£760.00	£1760.00
Standalone Street Trading unit license, e.g. Stalls	Admin fee of £45.50 to be paid per application for stalls up to 7 days		
Up to 7 days	N/A		
Up to 2 months	£101.00	£88.00	£189.00
2 to 6 months	£244.00	£176.00	£420.00
7 to 12 months	£316.00	£264.00	£580.00
Tables and Chairs			
Issue of new license	£500.00	£380	£880.00
Renewal of license	£500	£380	£880.00

*Triple shop fronts will be triple the single shop front fee

a market which requires the closure of a road £2,160.00 (6 weeks' notice required) *a fee of £45.50 will apply to any variations or cancellations of a licence.

Harrow Council collects and uses personal information about you when you contact us. For more information about how we use this information please see our privacy notice at;

http://www.harrow.gov.uk/info/200116/media_publicity_and_web/819/privacy_and_cookies

7. Application Form for Street Trading Licence

<p>Please complete all sections of this form in black ink and in BLOCK CAPITALS. Please return application to:</p> <p>Technical Services, Civic Centre, PO Box 18, Station Road, Harrow, HA1 2UT</p> <p>Or email: technicalservices@harrow.gov.uk</p>	FOR OFFICE USE ONLY	
	Fee Received :	
	Receipt Number:	
	Worksheet Number:	
	Date Received:	

Before completing this form please read the associated guidance notes which are on pages 3 to 5. If you are completing this form by hand please ensure that your answers are inside the boxes and **written in black ink and in BLOCK CAPITALS**. Please complete all relevant sections. Gridded paper is provided at the back of the application for a plan if required.

You may wish to keep a copy of the completed form for your records.

Important Note:

- For the application to be successful, **ALL** must be provided below:
 - Completed and signed application form
 - All supporting documents must be enclosed
 - Appropriate payment must be submitted
 - The declaration must be signed
- Incomplete applications will not be processed and returned to the applicant.

Section 1: Applicant Contact Details

Type of application. Please tick the appropriate box:

New Application

Amendment to existing Application

Renewal of Existing Application

Please complete in BLOCK CAPITALS:

1. Applicant personal details (*mandatory*)

TITLE _____ First Name _____

Surname _____

Date of Birth:

Home Address _____

Post Code: _____

--	--	--	--	--	--	--	--

Home Telephone number:

Mobile telephone number:

Email Address: _____

Are you: The Owner of the Premises Yes No
 The Occupier of the Premises Yes No

1.1 Owner / Occupier Details

TITLE _____ First Name _____

Surname _____

Date of Birth:

Home Address _____

Post Code: _____

Home Telephone number:

Mobile telephone number:

Email Address: _____

1.2 Assistant 1 Details *(Person running the shop in absence of owner (mandatory))*

TITLE _____ First Name _____

Surname _____

Home Address _____

Post Code: _____

Home Telephone number:

Mobile telephone number:

Email Address: _____

1.3 Assistant 2 Details *(Person running the shop in absence of Owner or Assistant 1)(If applicable)*

TITLE _____ First Name _____

Surname _____

Home Address _____

Tables & Chairs 12 Months

Market 1 Day 7 Days 2 Months 6 months 12 months

Street Trading Pitch 1 Day 7 Days 2 Months 6 months 12 months

Section 4: Trading Details

4. Date and Hours of Trade:

Please state the days as well as opening and closing times during which street trading activities will take place **(please note they cannot exceed hours allowed under any planning permission)**

Date of Market / Licence to commence (must be minimum 28 days from the date of application):

_IF SPECIFIC DATES, STATE: _____

4.1 Days and times on which you wish to trade:

Please note: Trading is only permitted while your shop/business is open (please use a 24 hour format).

Day of week	Trading Hours	
	From	To
Monday	:	:
Tuesday	:	:
Wednesday	:	:
Thursday	:	:
Friday	:	:
Saturday	:	:
Sunday	:	:

4.2 Type of items or services that you are selling in front of premise

(If applying for a street trading / shop front licence ONLY)

- Fruit and Veg
- Household Goods
- Kitchen and Bathroom Supplies
- Tyres / Bicycles
- Bric-a-Brac Goods (e.g. small decorative objects of various types)
- Other (please specify type: _____)

4.3 Shop Front Use and Display Requirements

Size of display (shop front, tables and chairs): The display must be to a maximum of 1 metre or less from the shop front, ensuring there are minimum 2 metres of clear footway.

Do you have a maximum of 1 metre display? Yes No

Are the goods presented in the shop front display are the same as inside the premise? Yes No

Is your forecourt either?

- Public
- Private

4.4 Size and Construction

There must be a proper solid display

Please describe what type of display do you currently have?

- Metal display
- Wooden display
- Plastic display (crates are not acceptable)
- No construction – display is placed on the highway
- Other (please specify type: _____)

NB Crates and boxes are not acceptable

Section 5: Tables and Chairs Licence

5. Location of Tables and Chairs

Please specify where you plan to place tables and chairs

- Front of the premise
- Side of the premise
- Both sides of the premise
- Other (please specify: _____)

5.1 Display Requirements

Size of display (tables and chairs width from shop front wall): The display must be to a maximum of 1 metre or less, ensuring there are minimum 2 metres of clear footway.

Do you have a maximum of 1 metre display? Yes No

5.2 Tables and Chairs Details

How many tables are you applying for?

How many chairs are you applying for?

Do you have barriers placed around your display? Yes No

If No, please place barriers around your display of tables and chairs for safety reasons.

General

Have you ever been refused a Licence in the past? Yes No

If yes, please provide details: _____

Have you ever had a Licence revoked? Yes No

If yes, please provide details: _____

Street Market Licence Only (*Not Shop Front*)

Section 1: Application and trading location details

1. Location of the proposed pitch

Address in which you wish to trade _____

_____ Post Code: _____

1.2 Trading Type

Will you be trading from:

Directly from a vehicle

Stall

Other (if so, specify type: _____)

1.3 Market Details

A) Number of pitch(s) required _____

B) Preferred pitch number (if applicable) _____

C) What type of goods do you want to sell? Give details of the things you propose to offer for sale:

D) If food, give address of where it will be stored:

_____ Post Code: _____

E) Is your sales product seasonal? YES NO

F) If you have only a seasonal product and are applying for annual license, what do you plan to sell for the rest of the year?

The following documents are required to be provided with your street trading application form. Applications cannot be processed without documentation and will be returned if not complete.

ALL below documents must be provided in order to process the application successfully.

Tick box

- A) Completed and signed application form.
- B) Two forms of identification of the applicant which illustrates photo ID (e.g. copy of Passport and Driving Licence)
- C) Two passport sized photographs (x2) (taken within the last 12 months and signed on the reverse by applicant).
- D) Proof of address for the premise (e.g. recent utility bill, business rates invoice, council tax letter).
- E) Google Map of your area showing exact location of proposed trading site and all the neighbouring streets in the proximity of at least of 500m around the proposed site.
- F) Copy of current Public Liability Insurance Certificate. (Minimum of £5 million pounds of cover). (This is the paper work attached to you insurance certificate which lists what is included in the policy). Please note this is different than Employer's Liability Insurance. Certificate must show the following:
- Reference Number
 - Start and Expiry Dates
 - Amount of Cover (must be no less £5 million)
 - Name of the Insurance provider
- G) Copy of current valid trade waste disposal agreement or similar (e.g. most recent invoices of bin collections will also be sufficient). FOR BUSINESSES WHICH HAVE A BUTCHER/FISH COUNTER – Please supply a copy of your raw meat/fish contract
- H) Proof of planning permission (if applicable).
- I) Sketch Plan showing measurements of your forecourt (sketch example attached):
Your plan must show in metres:
- Total distance from your shop wall to the edge of the curb.
 - Distance from edge of your display to the edge of the curb.
 - Distance from edge of your display to all other fixed street furniture (e.g. lamp post, pay and display, tree, bench, public bin, public advert sign, etc.).
 - Total length of your display
 - Total width of your display. **Please note that the total width of display must be 1 metre or less, allowing a minimum of 2m clear pavement for pedestrians.**
- J) Application fee:
- **Please note that the application fee must also include administration fee to process the application.**
 - If paying by **Card**, please complete the card payment section and you will be contacted by Technical Services Team by telephone on receipt of the application.
 - If paying by **Cheque** - Cheques made payable to Harrow Council. (Do not send cash)
 - Applications cannot be accepted unless the correct fee has been paid. Licence fees are not subject to VAT

Required Documents for Stall / Market Licence ONLY

The following documents are required to be provided with your Market/ Stall application form.

Applications cannot be processed without documentation and will be returned if not complete.

To view the Street Trading Policy, please follow the link:

http://www.harrow.gov.uk/download/downloads/id/7625/street_trading_policy

For Stalls and Markets:

FOR CATERING FOOD TRADERS ONLY:

- Please provide a copy of your current Food Hygiene Certificate. (See **Note 4 of Street Trading Policy**)
- List of equipment to be used (See **Note 4 of Street Trading Policy**)
- Three colour photographs of the trading unit illustrating different sides of the unit. This should be accompanied by a sketch plan which clearly shows the dimensions of the unit.
- A list of stall/pitch traders and what they want to sell – the products – this may be given a minimum of two weeks before the event.

FOR TRADERS OPERATING FROM MOTOR VEHICLES:

- MOT Certificate and insurance documents (where a motorised vehicle will be used for street trading) (See **Note 2 of Policy**)
- List of equipment to be used (See **Note 4 of Street Trading Policy**)
- Three colour photographs of the trading unit illustrating different sides of the unit. This should be accompanied by a sketch plan which clearly shows the dimensions of the unit.
- A list of stall/pitch traders and what they want to sell – the products – this may be given a minimum of two weeks before the event.

APPLICATION RENEWAL

- If you wish to renew your application but there is a change in your circumstances please provide ALL of the documents on page 13.
- If you wish to renew your application with no changes please only provide the following:

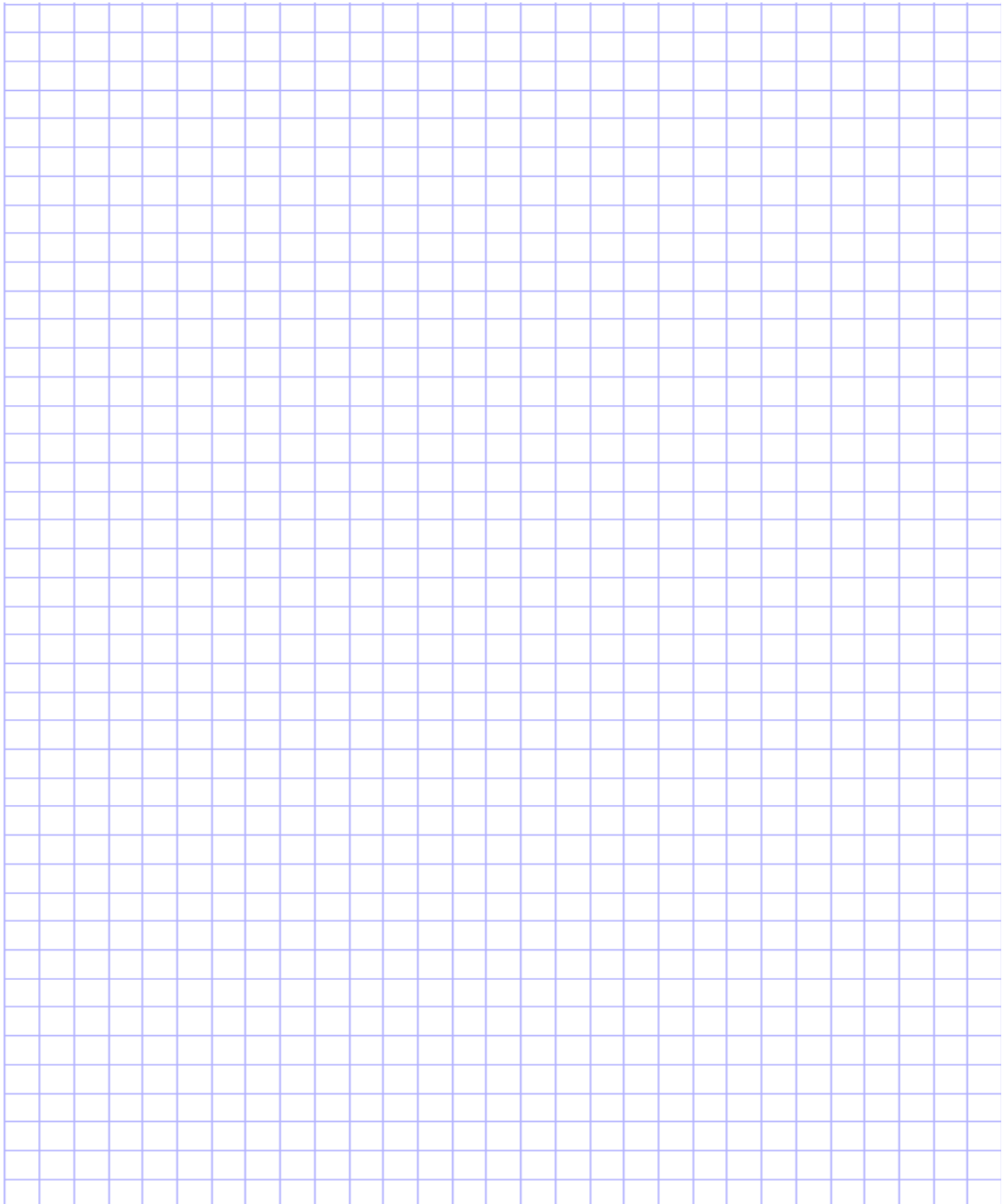
Tick box

- Completed and signed application form.
- Two forms of identification of the applicant which illustrates photo ID (e.g. copy of Passport and Driving Licence)
- Copy of current Public Liability Insurance Certificate. (Minimum of £5 million cover). (This is the paper work attached to you insurance certificate which lists what is included in the policy). Please note this is different than Employer's Liability Insurance. Certificate must show the following:
 - Reference Number
 - Start and Expiry Dates
 - Amount of Cover (must be no less £5 million)
 - Name of the Insurance provider
- Application fee:
 - **Please note that the application fee must also include a administration fee to process the application.**
 - If paying by **Card**, please complete the card payment form attached or alternatively you will be contacted by Technical Services Team by telephone.
 - If paying by **Cheque** - Cheques made payable to Harrow Council. (Do not send cash)

Please make a drawing of a sketch plan here:

Sketch Plan showing measurements of your forecourt (sketch example attached): Your plan must show in metres:

- Total distance from your shop wall to the edge of the curb.
- Distance from edge of your display to the edge of the curb.
- Distance from edge of your display to all other fixed street furniture (e.g. lamp post, pay and display, tree, bench, public bin, public advert sign, etc.).
- Total length of your display
- Total width of your display. **Please note that the total width of display must be 1 metre or less.**



EXAMPLE OF STREET TRADING PLAN

Example of obstructions.

Tactile pavement.

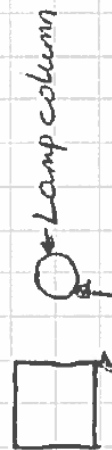
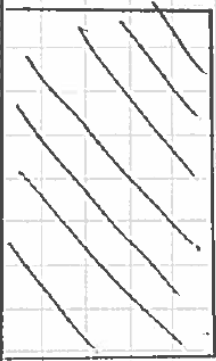
KEBS

P&D machine

Lamp column

Tree Trunk

Tree



2m.40cm

2.20m

1m

1m

1.20

1m

6m

3m

4M

1.20

Display

Display

"A Board"

Front of Shop

"30" KINGS STREET.

EXAMPLE



ROAD

NOTES:

The placing of items on the public highway (e.g. chairs and tables, A Boards etc.) may involve a change in the use of the land on which they are placed. The licence is not a grant of planning consent and a licensee or an applicant for a Licence must seek the consent of the local planning authority where required. Contact planning on planning.applications@harrow.gov.uk for further information.

Multiple Applications

Multiple street trading licences may be granted to different applicants for the same site provided specific trading days / periods are applied for (e.g. Chairs & Tables on a Saturday and Sunday, Front of Shop Trade on Monday to Friday). This should be stated in Section 3, using additional sheets if needed. At any one time only one licence holder will be permitted to trade on a site and its immediate vicinity.

Mobile Traders

If you wish to engage in street trading from a number of locations across the Borough rather than a fixed location, then you must identify, in the application, all of the locations you wish to trade from. If an applicant proposes to trade on streets where there is already an existing street trading licence, commercial need will be a relevant consideration.

Designate Trading Area

The designated trading area is the highway immediately outside the premises involved and will be as the plan, which has been agreed by the Council. All goods or equipment on display, all tables and chairs and all A Boards under the terms of the licence shall be kept within the area. Any items outside of this area would not be covered by the Licence and subject to enforcement for not being licensed.

Permitted Goods

The goods on offer within the trading area must be the same as those on offer within the shop premises (unless trading as a separate business), and as entered on the licence, and must not contravene any item not permitted as set out in the Street Trading Policy.

Footway / Access

There must be a minimum clear footway of 2 metres between the trading area and the kerb line, tactile pavement (e.g. where road crossings exist) and / or permanent street furniture. If the width of the footway is temporarily reduced to less than 2 metres then the depth of the trading area must also be reduced. The minimum clear footway may be increased to protect pedestrians

Unforeseen Circumstances

The licensee must remove all goods, displays, tables and chairs upon direction of a Council Officer, Police Officer or Public Utilities Company when circumstances make this necessary.

Change of Licensee Details

If the address or particulars of the licensee permanently changes, this must be notified to the Council in writing at once.

Access to Premise

The access through the trading area to the permanent premise shall be no less than the full width of the usable width of the entrance to the premises.

Obstruction to Street Furniture and Apparatus

There shall be no obstruction to sight lines, fire hydrants, manholes or other street furniture, etc. by goods or equipment within the trading area. The Public Utilities Companies, without compensation or refund, will be provided with access for inspection, repair etc.

Cleansing of the Trading Area

The licensee is responsible for keeping the trading area clean during and at the end of trade. All items associated with the trading area must be removed from the highway to the trader's premises or storage area within one hour from the end of trading.

Items affixed to the highway or dangerous protrusions

No items may be affixed by any means to the surface of the highway within or adjacent to the trading area. No dangerous protrusions will be permitted within the trading area, either from the display or the shop premises.

Display of the Licence and Other Documents

The Licence and Third Party Liability Insurance Cover must be displayed in a position which is clearly visible to any person any time the licence is in force, and must be protected from the elements.

Applications

Once a valid application is received, a 28 day consultation period will begin.

The Council will maintain a register of applications on its website

Making a Decision

The Council may determine all applications for a street licence under delegated power, except where it is proposed to refuse the application. In cases of refusal, the applicant can make representations to the licensing panel within 28 days of refusal being made and being informed of the representation process. Where no representations are forthcoming, or not made within 28 days, the Head of Service (Public Protection) or equivalent could proceed to make a decision under full delegated powers.

Where the application is to go before the licensing panel, the applicant will be advised in writing of the date, time and place, and is expected to attend. The applicant can be represented by a solicitor or supported by a colleague and translation provision will be provided if requested. The Head of Service (Public Protection) or equivalent will prepare a report for the licensing panel at least 5 days before the hearing.

Local members shall be offered up to 14 days to request that an application be brought before the licensing panel for determination when the Head of Service (Public Protection) or equivalent is minded to approve but the members consider that there are local concerns about the application.

LONDON BOROUGH OF HARROW

LONDON LOCAL AUTHORITIES ACT 1990

HIGHWAYS ACT 1989

APPLICATION FOR A STREET TRADING LICENCE / A BOARD

DATE (Notice Displayed):

FULL NAME OF APPLICANT:

HAS APPLIED TO THE LONDON BOROUGH OF HARROW FOR A STREET TRADING LICENCE FOR (tick as appropriate):

- | | |
|---|--|
| <input type="checkbox"/> Street Trading Pitch | <input type="checkbox"/> 'A' Board |
| <input type="checkbox"/> Shop Front | <input type="checkbox"/> Tables and Chairs |
| <input type="checkbox"/> Market (10 or more stalls) (Date(s) of Market _____) | |

FOR THE FOLLOWING LOCATION (Insert name and address of premises / location in CAPITAL letters)

Anyone wishing to make objections in respect of the application must do so in writing to:

Technical Services, Harrow Council, Civic Centre, PO Box 18, Station Road, Harrow HA1 2UT

Or email: Technicalservices@harrow.gov.uk

By no later than 28 days after date above

This notice must be completed and, 48 hours after the application is made, must be exhibited on a conspicuous part of the premises where it can be easily be seen and read by persons in the street. The notice must be exhibited for not less than 28 days.

Copies of objections are sent to the applicant and the original letters are kept on file, which is open to scrutiny by members of the public, press and / or broadcasting media. Persons making representations in respect to the grant of a Licence must be prepared to attend in person at a hearing before a committee of the Council.