

Appendix A

Street Trading Guidance and Application Form

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Contents

1	Introduction	4
2	New applications	4
2.1	<i>Sites that attract applications from more than one Applicant.....</i>	<i>5</i>
2.2	<i>Mobile Traders.....</i>	<i>5</i>
3	Renewal Applications	5
4	Consultation	5
5	After Submitting an Application	6
6	Making a Decision	6
7	Application Form.....	7

1 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. This 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. This 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.

2 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:-

- A** A completed and signed application form.
- B** Two forms of identification of the applicant (one of which must be photo ID).
- C** Proof of address.
- D** Two passport sized photographs of the Applicant.
- E** Where the proposed activity will take place at a fixed position a map to show all streets in the proximity of the proposed site within at least a radius of 500m of the proposed site should be submitted clearly identifying the proposed location by marking the site boundary with a red line.
- F** Evidence of/or proposals for a valid trade waste disposal agreement or similar to be in place prior to trading.
- G** Three colour photographs of the trading unit illustrating different elevations of the unit. This should be accompanied by a plan which clearly shows the dimensions of the unit.
- H** A list of stall/pitch traders and what they want to sell – the commodities – this may be given a minimum of two weeks before the event.
- I** The application fee.

- J** A copy of the valid certificate of insurance covering third party and public liability risks (minimum £5m).

2.1 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.

2.2 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.

3 Renewal Applications

To ensure continuity of a licence, applications for renewal should be made at least 3 months prior to the expiry of the licence. 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. 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
- Two new photos for applicant if appearance has changed since original application
- A copy of the certificate of insurance covering third party and public liability risks (minimum £5million)
- Such other particulars as the council may reasonably require

4 Consultation

Before any licence is granted the council will normally consult with the following agencies or persons in respect of new applications. A period of 28 days will be allowed for comments to be received.

- The Police
- Planning Department
- Highways Department
- Noise Control
- Food Safety
- Ward Councillors

- Trading Standards
- Any other consultee that officers consider appropriate e.g. Harrow Business Improvement District (BID) Team for the town centre

5 After Submitting an Application

Once a valid application has been received the public protection team may, if reasonably practicable, 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.

6 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.

7 Application Form

STREET TRADING LICENCE – LONDON BOROUGH OF HARROW THE LONDON LOCAL AUTHORITIES ACT 1990

Please complete all sections of this form in BLACK ink and return it (with all necessary enclosures) to: The Public Protection Team, Environment and Enterprise, Central Depot, Forward Drive, Wealdstone, HA1 2US	For office use only
	Fee Received : _____
	Receipt Number : _____
	Licence No. : _____

Please refer to the Guidance Note when completing this form.

1. Name and residential address of the **Licence Holder**:

Individual's Name:

Individual's Address:

Telephone Number:

Age/Date of Birth:

2. Name and residential address of the **Assistant**:

Individual's Name:

Individual's Address:

Telephone Number:

3. Name and address of the **Premises/or street where trading is requested**:

Premises Name:

Premises Address:

Telephone Number:

4. Type of Market and Area of Choice:

5. Duration of Licence:

6. The Licensed Area measures:

7. The Licensed Days and Hours of Operation shall be:

8. The articles currently sold in this area are:

9. The articles to be sold are:

10. Please tick the following as appropriate:

- Private Forecourt _____
- Public Highway _____
- Market _____
- Multiple Applicants _____
- Mobile Trader _____

I enclose:

- A** A completed and signed application form.
- B** Two forms of identification of the applicant (one of which must be photo ID).
- C** Proof of address.
- D** Two passport sized photographs of the applicant.
- E** Where the proposed activity will take place at a fixed position a map to show all streets in the proximity of the proposed site within at least a radius of 500m of the proposed site should be submitted clearly identifying the proposed location by marking the site boundary with a red line with measurements.
- F** Evidence of/or proposals for a valid trade waste disposal agreement or similar.
- G** Three colour photographs of the trading unit illustrating different elevations of the unit. This should be accompanied by a plan which clearly shows the dimensions of the unit.
- H** A list of stall/pitch traders and what they want to sell – the commodities – this may be given a minimum of two weeks before the event.
- I** The application fee.

- J A copy of the valid certificate of insurance covering third party and public liability risks.

Requirements relating to Specific Notes in the Policy

8. Evidence that both the applicant and assistants have completed a food hygiene qualification (if food related licence required). **(Note 4)**
9. An MOT certificate and insurance documents (where a motorised vehicle will be used for street trading). **(Note 2)**
10. A detailed map and evidence of sufficient sanitary accommodation as per guidance (for a fixed site). **(Note 3)**
11. A list of the equipment to be used. **(Note 4)**
12. The number and size of tables and chairs and parasols shall not exceed _____ **(Note 6)**

General

13. Have you been refused a licence in the past? If so please provide details.

14. Have you had a licence revoked? If so please state the reasons.

15. Details of referees are as follows:

16. Name and address to which **Correspondence** in respect of this application should be addressed:

Name :

Address :	
Telephone Number :	
E-mail Address :	
Your reference :	

17. I duly declare that I have checked the information given on this application form and to the best of my knowledge and belief it is correct.

Signed :

Date :

Applications cannot be accepted unless the correct fee has been paid. Licence fees are not subject to VAT.