



Customer Services - Cannards Grave Road, Shepton Mallet, Somerset BA4 5BT.

Telephone: 0300 3038588 Email: customerservices@mendip.gov.uk Website: www.mendip.gov.uk

STREET TRADING APPLICATION REQUIREMENTS

Please read our Street Trading Policy, application guidance and standard conditions before you make your application.

Please use this pack if you want the Council's consent to street trade in the Mendip District area. Ensure your application is complete before submitting it because incomplete applications will not be processed. The following must be submitted to us for us to start processing the application:-

Requirement	Applicant's use – tick if enclosed	Office Use
Completed application form		
Application fee (see fees sheet attached)		
Written permission from landowner		
Map showing proposed location – 1:2500 scale.		
Endorsed passport sized photograph of the applicant		
3 Photographs of stall/ trailer to be used – front, back and side perspectives		
Electrical safety certificate		
Gas safety certificate		
Public liability and indemnity insurance		
Evidence of Right to Work. Passport (current or expired). Or you can provide a birth certificate <i>along with</i> an official document giving your national insurance number and name, issued by a government agency or previous employer.		
Copy of site notice advertising the application being made to us. On orange coloured paper. (Not required for hawker applications).		

OFFICIAL – SENSITIVE [PERSONAL DATA]

To find out how the Council use the personal data you supply on this form go to;

<http://www.mendip.gov.uk/privacy>



APPLICATION FOR A STREET TRADING CONSENT

Local Government (Miscellaneous Provisions) Act 1982

APPLICATION TYPE

1. Tick one box below:-

Static Consent Short Term Mobile Consent Hawker

2. Tick one box below:-

New Vary existing Renewal

3. Existing consent number

APPLICANT'S DETAILS

4. Full name (including all middle names) and title:-

Title:

First names:

Surname:

5. Permanent home address, including postcode:-

Postcode:

6. Trading name:

7. Daytime telephone number:

8. Alternative contact number:

9a. Email address:

9b. Social media accounts held for business (e.g. Facebook page, Twitter handle)

10. Date of birth:

TELL US WHERE YOU INTEND TO TRADE

11a. Description of location or area where you intend to trade (include postcode or ordnance survey reference number where applicable):-

Note - A map showing the locations/ areas for proposed trading must be attached.

For Short Term Mobile Consents provide additional locations below and continue on separate sheet if necessary (please ensure a map for all locations is attached to the application). Where you trade at more than one location, ensure that you make it clear on what days you intend to trade at each one.

11b. Description of additional location or area where you intend to trade (include postcode or ordnance survey reference number where applicable):-

11c. Description of additional location or area where you intend to trade (include postcode or ordnance survey reference number where applicable):-

TELL US HOW YOU INTEND TO TRADE

12a. How do you intend to trade (e.g. from a stall/ vehicle/ trailer)? Provide details below, including full dimensions of it.

12b. Where is this unit kept overnight (including postcode)?

13. Provide the details of any vehicles that you will trade from, including colour, vehicle registration mark, make and model:-

14. Specify the proposed start date and duration for the consent below:-

Start date:

Duration:

15. On what days of the week and during which hours do you propose to trade?

Late Night Refreshment

If you intend to sell hot food/drink between 23:00 – 05:00 you will need to apply for a Premises Licence. Please contact the Licensing department for further information.

DAY	HOURS (using 24 hour clock)	LOCATION/ AREA
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

16. List all types of product that you propose to sell:-

IF YOU PROVIDE FOOD ANSWER THE QUESTIONS BELOW (if the food business is not registered with a local authority you will not be granted a consent)

18. Provide details of all food safety qualifications for your staff:-

19a. Name of food business operator:

19b. Registered address of food business (including postcode):-

Postcode:

19c. Contact telephone number and email address:-

20. Local authority where the business is registered:-

WHAT ELSE WOULD YOU LIKE TO TELL US ABOUT YOUR PROPOSALS?

21. What other information or factors do you want us to consider in determining your application?

DO YOU TRADE ELSEWHERE OR HAVE YOU IN THE PAST?

22. Do you currently and/ or have you ever carried out street trading in other areas?

Yes No

Details:-

DO YOU HAVE A CRIMINAL RECORD?

23. Have you ever been convicted or received a caution for any criminal offence?

Yes No

23. Tell us about any convictions or cautions that you have ever received:-

YOU NOW NEED TO CONFIRM EVERYTHING THAT YOU HAVE TOLD US IS CORRECT AND TRUTHFUL

Warning:-

If you knowingly or recklessly make any false statement or omit any material information on this form, you may be prosecuted for an offence and the consent may be refused.

Declaration

I declare that the information given by me in this application is correct. I will inform Mendip District Council of any changes in my circumstances that could be considered as relevant to my application.

If granted a consent, I declare that I will comply with any conditions attached to such consent.

Signature.....

Print name.....

Date.....

NOTES ON FEE PAYMENT

All applications require payment of the relevant fee to be considered as duly made applications. Please refer to the enclosed fees sheet or contact us on 0300 303 8588. Please make cheques/postal orders payable to Mendip District Council.

DATA PROTECTION

The information you have provided will be held by Mendip District Council in accordance with the requirements of the Data Protection Act 1998, and used in the performance of its legitimate business. It will be used primarily for the purposes of processing your licensing application and data matching across various licensing functions, and may also be shared with other government agencies and public sector organisations for the protection of public funds, including the prevention and detection of fraud, and auditing purposes.

FREEDOM OF INFORMATION

Information held by the Council may need to be disclosed in response to a request for it within the terms of the Freedom of Information Act 2000. This information excludes that which is in any other way already in the public domain.

LISTS AND PUBLIC REGISTERS

The legislation does not require a public register of street trading consents to be kept, but the Council intends to maintain and publish a register of these consents from 2017, showing the Consent Type, Trading Name and Address, Applicant Name and Consent Dates.



REVISED FEES

18/07/2016

APPLICATION TYPE	DURATION	COMMENTS	CONSENT FEE
Static consent only	Less than 1 month	1 standard sized stall/ vehicle	£30
Static consents for a month or longer # (see notes)	1 month to 1 year	1 standard sized stall/ vehicle	£146
All Short Term Mobile Consents #	Any duration up to 1 year	Up to 5 or less different locations * (see notes)	£146 (plus £43 for each additional location)
All Hawkers #	Any duration up to 1 year		£146
Static consents for traders at Commercial Events	Any duration up to 1 year	These fees are charged on the basis of the organizer working in conjunction with the Authority to permit such trading and to avoid duplication on certain checks.	0 – 10 stalls £161
			11 – 30 stalls £204
			31 + stalls £248

Notes

Fees includes a weighting for additional administration/ monitoring costs for more complex applications.

* For applications relating to more than 1 location - the Authority will charge a further 1 hour of officer time for each additional location sought.



BRIEF GUIDE TO STREET TRADING CONSENT

IN OUR AREA

The Basics

Street trading is selling any item or living thing in a public place. We control street trading in the Mendip district area through the issue of 'consents' that allow successful applicants to trade. To obtain a consent a prospective trader must apply to us in good time and ensure they fulfil all requirements. This guidance explains that process.

There are national and locally set exemptions where you will not need our consent to trade. However, please read our Street Trading Policy for further details, as you may still need to tell us what you are doing to take advantage of local exemptions. The most common exemptions are the following:-

National exemptions – these apply across England and Wales.

Trading at Mendip District Council Markets.

Pedlars

Roundsman - an individual who visits a 'round' of customers and delivers the orders of those customers, for example a milkman. An ice cream van is not classed as a roundsman

News vendors.

Traders permitted at Mendip District Council markets.

Local exemptions – these have been decided locally and are explained in our Street Trading Policy

Trading at not for profit events – including carnivals.

Trading at privately managed shopping centers.

Householders selling items on land contiguous with their property.

Therefore, if you wish to carry out street trading in our area and don't benefit from an exemption, you must obtain the consent of the Council to do so – before you start trading.

NB. To ensure a smooth implementation of this new regime, provided an application is properly made to us prior to 17:00 hours on Friday 2nd December 2016, existing traders may continue to trade as they did prior to making their application until it is determined. In the case of any new traders setting up or existing traders moving to a new location, they must all obtain the consent of the Council to trade before they do so.

Application Process

All applicants must be at least 17 years of age and must submit the following to us:-

- The correct application **form** and application **fee**,
- A scale **plan** of all locations you intend to trade (not applicable to hawkers),
- **Pictures** of the unit/ stall/ vehicle that you will trade from,
- An **endorsed photograph** of you – the applicant,
- All relevant safety certificates for gas and electrical appliances (these appliances should be checked on an annual cycle and we would expect you to demonstrate this is being done),
- Evidence of Right to Work. Passport (current or expired). Or you can provide a birth certificate *along with* an official document giving your national insurance number and name, issued by a government agency or previous employer.
- A copy of the site notice to be displayed (using the attached template). This must be done using orange coloured paper and displayed adjacent to the site(s) to be used for trading - throughout the consultation period.

For food related applications only - ensure all food specific questions are answered in full – it is likely these will be checked and false declarations will lead to refusal of the consent.

All applicants should do the following:-

- Before submitting the application read our Street Trading Policy,
- Ensure that you consider the issues we discuss in our Policy – particularly the grounds we will consider when determining your application,
- Ensure that your application addresses the possible concerns that we may have about the impact of your application, in respect of those grounds, and
- Check that the site notice remains displayed throughout the objection period.

Once an application is received by us we will do the following:-

- Check the application is complete. If it is not – we will not accept it,
- If the application is for a static consent of 1 week or less – we will open a consultation period for 14 calendar days,
- If the application is for a static consent of over a week or a short term mobile/hawker consent for any period – we will allow a period of 28 calendar days for comments on the application,
- We will consult with various bodies and seek their views on the application. If they have concerns we will consider them against our Street Trading Policy,
- We will advertise the making of the application on our website,
- We will check the site notice is displayed properly,
- We may carry out a site visit to see the location where trading is proposed,
- We will consider the application against the grounds laid out in our Policy,
- Once the objection period finishes, we will let applicants know whether there are concerns about the proposal,
- Where there are no concerns about an application, we will grant the consent no later than 5 working days following the end of the consultation period. Where there are concerns, we will determine the application no later than 10 working days following the end of the objection period.
- Where applicants are successful and receive consent from the Council we will issue a laminated paper consent.

All applications will be decided by an officer of the Licensing Team and there is no right of appeal against that decision. An aggrieved applicant may wish to consider Judicial Review of the decision, but they should seek their own independent legal advice before doing so.

What will the Council consider when determining an application?

We will consider objections that have been made against an application during the consultation period. However, we will disregard those we consider are frivolous or vexatious. Our Licensing Officers will also consider the potential impact of the proposed trading and then determine the application.

We will have regard to our Street Trading Policy and amongst other things will consider the following when determining applications:-

- The suitability of the applicant,
- Whether the trading will interfere with normal use of the pavement or highway,

- Whether the trading seems likely lead to crime and disorder/ public nuisance/ risks to public safety/ risks of harm to children.
- Whether the trading will create unfair competition with existing businesses and any potential adverse effects on the offer of the local town and/ or the local economy caused by that inequality.

Who can make comments on an application?

We will send applications to the following, to seek their views:-

The local Police,

Somerset County Highways,

Mendip District Council teams – Neighbourhood Services and Community Health.

The local Parish/ Town Council,

The local Mendip District Councillor.

We will also listen to residents and businesses that believe they are effected by the proposed trading, where we receive their comments in writing or by email by 5pm on the final day of the consultation period.

Where can I find further information?

You will find our Street Trading Policy on the Mendip District Council website and this provides the detail of how we will administer the street trading regime -

<http://www.mendip.gov.uk/licensing>

You can contact the Licensing Team through the following methods:-

Post: Licensing Team, Mendip District Council, Cannards Grave Road, Shepton Mallet. BA4 5BT

Email: licensing@mendip.gov.uk

Phone: 01749 341445