



HILLINGDON  
LONDON



# Notice of Hearing

## Licensing Sub Committee (South)

**Date:** FRIDAY, 8 AUGUST 2014

**Time:** 10.00 AM

**Venue:** COMMITTEE ROOM 6 -  
CIVIC CENTRE, HIGH  
STREET, UXBRIDGE UB8  
1UW

**Meeting  
Details:** Members of the Public and  
Press are welcome to attend  
this meeting

**This agenda and associated  
reports can be made available  
in other languages, in Braille,  
large print or on audio tape on  
request. Please contact us for  
further information.**

### Councillors on the Sub-Committee:

David Yarrow (Chairman)  
Janet Gardner (Labour Lead)  
Roy Chamdal  
Brian Stead

### Important Information

On receipt of this notice, you **MUST** notify  
the Committee Clerk (contact details  
below) by the following date:

**Wednesday 6 August 2014**

If you don't notify you may lose your right  
to speak at the hearing. When notifying  
you must confirm:

- 1) Whether you intend to attend or to be  
represented by someone at the  
hearing;
- 2) If you consider a hearing to be  
unnecessary and;
- 3) Whether to request that another  
person attends (other than your  
representative) as a witness

**Published:** Thursday, 24 July 2014

Contact: Nadia Williams  
Tel: 01895 277655  
Fax: 01895 277373  
Email: [democratic@hillingdon.gov.uk](mailto:democratic@hillingdon.gov.uk)

This Agenda is available online at:

<http://modgov.hillingdon.gov.uk/ieListDocuments.aspx?CId=301&MId=2200&Ver=4>

***Putting our residents first***

Lloyd White  
Head of Democratic Services  
London Borough of Hillingdon,  
3E/05, Civic Centre, High Street, Uxbridge, UB8 1UW  
[www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)

# Useful information for residents and visitors

## Travel and parking

Bus routes 427, U1, U3, U4 and U7 all stop at the Civic Centre. Uxbridge underground station, with the Piccadilly and Metropolitan lines, is a short walk away. Limited parking is available at the Civic Centre. For details on availability and how to book a parking space, please contact Democratic Services

Please enter from the Council's main reception where you will be directed to the Committee Room.

## Accessibility

An Induction Loop System is available for use in the various meeting rooms. Please contact us for further information.

## Electronic devices

Please switch off any mobile devices before the meeting. Any recording of the meeting is not allowed, either using electronic, mobile or visual devices.

## Emergency procedures

If there is a FIRE, you will hear a continuous alarm. Please follow the signs to the nearest FIRE EXIT and assemble on the Civic Centre forecourt. Lifts must not be used unless instructed by a Fire Marshal or Security Officer.

In the event of a SECURITY INCIDENT, follow instructions issued via the tannoy, a Fire Marshal or a Security Officer. Those unable to evacuate using the stairs, should make their way to the signed refuge locations.



# Agenda

## CHAIRMAN'S ANNOUNCEMENTS

- 1 Apologies for Absence
- 2 Declarations of interest in matters coming before this meeting
- 3 Minutes of the meetings held on 7 March, 5 June & 11 June 2014
- 4 Matters that have been notified in advance or urgent
- 5 To confirm that the items of business marked Part 1 will be considered in Public and items marked Part 2 will be considered in Private

## Part 2 - Members Only

*These items are included in Part II as they contains information relating to the financial or business affairs of any particular person (including the authority holding that information) and the public interest in withholding the information outweighs the public interest in disclosing it (exempt information under paragraph 3 of Part 1 of Schedule 12A to the Local Government [Access to Information] Act 1985 as amended).*

	<b>Title of Report / Address of application</b>	<b>Time</b>	<b>Page</b>
<b>6</b>	Cancelled Licence Premises/Club Gaming Machine Permit for Non-Payment of Annual Fees	10am	7 - 10
<b>7</b>	Cancelled Licence Premises/Club Gaming Machine Permit for Non-Payment of Annual Fees	10am	11 - 14

## Part 1 - Members, Public and the Press

	<b>Title of Report / Address of application</b>	<b>Ward</b>	<b>Time</b>	<b>Page</b>
<b>8</b>	Application for a Temporary Street Trading Licence - Shop Front	Hillingdon East	10.30am	15 - 58

This page is intentionally left blank



**HILLINGDON**  
LONDON

## Minutes

### LICENSING SUB COMMITTEE (SOUTH)

7 March 2014

Meeting held at Committee Room 3 - Civic Centre,  
High Street, Uxbridge UB8 1UW

	<p><b>Committee Members Present:</b> Councillors David Yarrow (Chairman), Janet Gardner (Labour Lead), Josephine Barrett and Peter Kemp</p> <p><b>LBH Officers Present:</b> Stephanie Waterford, Licensing Service Manager Tim Brown, Legal Advisor Nadia Williams, Democratic Services Officer</p>
30.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies had been received from Councillor Mike Bull with no substitute Member.</p>
31.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>There was no declaration of interests notified.</p>
32.	<p><b>MINUTES OF THE MEETING ON HELD ON 7 FEBRUARY 2014</b> (<i>Agenda Item 3</i>)</p> <p>The minutes of the meeting held on 7 February 2014 were agreed as a correct record.</p>
33.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None were notified as in advance or as urgent.</p>
34.	<p><b>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE</b> (<i>Agenda Item 5</i>)</p> <p>It was confirmed that all items would be heard in Part 2.</p>
35.	<p><b>SUSPENSION OF PREMISES LICENCES FOR NON-PAYMENT OF ANNUAL LICENSING FEES</b> (<i>Agenda Item 6</i>)</p> <p>The Licensing Manager introduced the report and circulated an amended schedule of premises for which annual licence fees were still outstanding.</p> <p>Members agreed to suspend the licence for the premises listed below, due to non-payment of their annual licence fee:</p> <ul style="list-style-type: none"> <li>• St Clarets Catholic Social Club, Botwell Centre, Botwell Lane,</li> <li>• Pavilion Bar, Hayes, Imperial College Sports Grounds, Sipson Lane</li> </ul>

	<ul style="list-style-type: none"> <li>• Waters Edge, Packet Boat Lane, Uxbridge</li> <li>• The White Horse, Bath Road, Longford</li> <li>• Militia Canteen, Elthorne Road, Uxbridge</li> <li>• Barnards Lodge, Western Parade, Hillingdon</li> <li>• Sutton Wines, Crescent Parade, Long Lane</li> </ul> <p><b>Resolved - That the Licensing Sub-Committee suspend the licences as per the amended schedule of premises set out above for the non-payment of annual licence fees.</b></p>
	<p>The meeting, which commenced at 10.00 am, closed at 10.04 am.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Nadia Williams on . Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

## Minutes

### LICENSING SUB COMMITTEE (SOUTH)

5 June 2014

Meeting held at Council Chamber - Civic Centre,  
High Street, Uxbridge UB8 1UW



	<b>Committee Members Present:</b> Councillors David Yarrow (Chairman), Brian Stead, Roy Chamdal and Janet Gardner (Labour Lead)
1.	<b>ELECTION OF CHAIRMAN</b> ( <i>Agenda Item 1</i> )  <b>RESOLVED: That Councillor David Yarrow be elected Chairman of the Licensing Sub-Committee South for the 2014/2015 municipal year.</b>
	The meeting, which commenced at 9.05 pm, closed at 9.06 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Danielle Watson on 01895 277488. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

This page is intentionally left blank



**Minutes****LICENSING SUB COMMITTEE (SOUTH)****11 June 2014**

**Meeting held at Committee Room 6 - Civic Centre,  
High Street, Uxbridge UB8 1UW**

	<p><b>Committee Members Present:</b> Councillors David Yarrow (Chairman) Brian Stead Roy Chamdal Lynne Allen</p> <p><b>Also Present:</b> Inspector David George Acting Police Sergeant Ian Wares Gary Grant (Counsel) for the Police Galiya Maritirosova, Mini Pupil Detective Sergeant John Price Jamie Flanagan, MPS Legal Services</p> <p>Ms Parmjit Dhillon, Instructed Solicitor Mr Rajbinder and Mr Jasbinder Singh Sarai, Licence holders Mr Archangelo Power (Counsel) for the Licence holders</p> <p><b>LBH Officers Present:</b> Ian Meens, Licensing Officer Sarah White, Legal Advisor Stephanie Waterford, Licensing Services Manager Nadia Williams – Democratic Services Officer</p>
2.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies had been received from Councillor Janet Gardner and Councillor Lynne Allen attended as a substitute.</p>
3.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>None were declared.</p>
4.	<p><b>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE</b> (<i>Agenda Item 4</i>)</p> <p>Items of business marked Part 1 were considered in Public and items marked Part 2 were considered in Private.</p>
5.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 5</i>)</p> <p>No matters were notified in advance or urgent.</p>

6.	<p><b>THE VICTORIA PUBLIC HOUSE, 32 NORTH HYDE ROAD, HAYES, UB3 4NE</b> (Agenda Item 6)</p> <p>In introducing the report, the licensing officer advised that this was an application that had been submitted by Superintendent Rock of the Metropolitan Police Service for the review of the Premises Licence (under S53A of the Licensing Act 2003) of the Victoria Public House, 32 North Hyde Road Hayes.</p> <p>Members were informed that on 15 May 2014 an expedited review hearing was held, at which the Sub-Committee made the decision of suspending the licence pending determination of the full review of the premises licence.</p> <p>The licence holders were not present at this meeting. Representatives from the Metropolitan Police force were present.</p> <p>The legislation permits the licence holders to make representations against the interim step of suspension taken by the Licensing Authority. On receipt of such representations the Licensing Authority must hold a hearing within 48 hours of receipt and therefore a hearing was held on 23 May 2014. Although advance notice was provided, the representatives from the Metropolitan Police force were not present at this meeting.</p> <p>At this meeting the Sub-Committee determined that the suspension of the Licence was the only appropriate interim step for the promotion of the Licensing Objectives and therefore Members determined not to modify or withdraw the interim step.</p> <p>It was explained that the Licensing Authority must hold a full review of the premises licence within 28 days after the day of receipt of the Superintendent's application (received at 13:00 on 15 May 2014) and had led to this meeting now being held.</p> <p><b>Decision</b></p> <p><b>The Sub-Committee considered all of the relevant representations made available to it and in doing so took into account the relevant provisions of the Licensing Act 2003, the Secretary of State's Guidance issued under Section 182 of the Act, the Council's Statement of Licensing Policy, the Licensing Objectives and the Public Sector Equality Duty.</b></p> <p><b>The Sub-Committee decided on the balance of probabilities to REVOKE the Premises Licence of the Victoria Public House.</b></p> <p><b>Interim Steps.</b></p> <p>Both parties were given the opportunity to make representations to the Sub-Committee as to whether the interim steps previously imposed (on 15 May and reviewed and confirmed on 23 May 2014) should continue pending the outcome of any appeal in the Magistrates' Court or alternatively the expiry of the appeal period and following deliberations the Sub-Committee indicated that the interim steps, namely the suspension of the licence, should continue.</p>
	<p>The meeting, which commenced at 2.00 pm, closed at 7.30 pm.</p>

--	--

These are the minutes of the above meeting. For more information on any of the resolutions please contact Nadia Williams on 01895 277655. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

This page is intentionally left blank

# Agenda Item 6

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government (Access to Information) Act 1985 as amended.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government (Access to Information) Act 1985 as amended.

Document is Restricted

This page is intentionally left blank



Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government (Access to Information) Act 1985 as amended.

Document is Restricted

This page is intentionally left blank

## APPLICATION FOR A TEMPORARY STREET TRADING LICENCE – SHOP FRONT

<b>Committee</b>	Licensing Sub-Committee
<b>Officer Contact</b>	Stephanie Waterford, Residents Services
<b>Papers with report</b>	Appendix 1 - Application form Appendix 2 - Objections from Ward Councillors Appendix 3 - Submission from Street Scene & Traffic Manager Appendix 4 - London Borough of Hillingdon Street Trading & Markets Policy.
<b>Ward(s) affected</b>	Hillingdon East

### SUMMARY

The Licensing Service has received an application for a new street trading licence – (1 metre Shop Front) for a 6 month period in respect of Asha London Ltd, 8 Marlborough Parade, Uxbridge Road, Hillingdon, UB10 0LR.

### RECOMMENDATION

**That the Licensing Sub-Committee determine the application with a decision from the following options:**

- A. Refuse to grant the licence**
- B. Grant the licence for a shorter period as determined by the Licensing Sub-Committee**
- C. Grant the licence for a reduced/increased size as determined by the Licensing Sub-Committee**
- D. Grant the licence in full as per the application or with further conditions.**

### INFORMATION

The Licensing Service received a Street Trading Shop Front Licence application from Mr Raj Mumjal in respect of Asha London Ltd, 8 Marlborough Parade, Uxbridge Road, on 17<sup>th</sup> June 2014. The application was supplied with all the necessary supporting documents, appropriate fee and in full compliance with the Council's application procedures. A copy of the application is attached as Appendix 1.

The application is for 1 metre of shop front space with the request to display fruit and vegetables between the hours of 08:00 – 23:00 Monday to Saturday and 09:00 - 22:30 on Sundays.

---

## PART 1 - MEMBERS, PUBLIC AND PRESS

Licensing Sub-Committee (South) - 8 August 2014

Commodities will be displayed outside the front of the premises.

The Licensing Service consulted with Ward Councillors, Licensing Committee Members, Investigations Team and the Highways Service.

Two objections were received from Cllr Pat Jackson and Cllr Wayne Bridges, expressing concerns around obstruction and litter. The objections are attached as Appendix 2.

Supplementary information was sought from the Highways Service on the obstruction issue, attached as Appendix 3.

The Licensing Sub-Committee are requested to determine the application.

## **LEGAL COMMENTS**

1. Section 25(4) of the Act specifies that a street trading licence may not be granted:
  - a. To a person under the age of 17 years.
  - b. To a company incorporated under the Companies Acts, an unincorporated association or a partnership except where such an application is made to carry on ice cream trading.
  - c. In respect of an application for a street trading licence which, if granted, would authorise trading in a street which is not a licence street. An exception to this prohibition is where the application is for the grant of a temporary permit and the proposed trader has the permission of the owner of the land to carry out trading activities. In such a situation, the applicant is required to provide sufficient evidence of such permission to the Licensing Sub-Committee.
  - d. Where the goods that the trader proposes to trade in are prohibited or embargoed by a resolution passed in compliance with Section 24(1)(b) of the Act.
2. In accordance with Section 25(4)(b), a licence may not be granted unless the Sub-Committee is satisfied that there is enough space in the street for the applicant to engage in the trading activity without causing undue interference or inconvenience to persons or vehicular traffic using the street.
3. In accordance with Section 25(6) of the Act, the council may refuse an application on any of the following grounds:—
  - (a) That there are enough traders trading in the street or in any street adjoining the street in respect of which the application is made in the goods in which the applicant desires to trade;
  - (b) That the applicant is on account of misconduct or for any other sufficient reason unsuitable to hold the licence;
  - (c) That the applicant is an individual who has without reasonable excuse failed personally to avail himself fully of a previous street trading licence;
  - (d) That the applicant has at any time been granted a street trading licence by the borough council which was revoked or could have been revoked on the grounds that he had refused or neglected to pay fees or other charges due to them in respect of the licence;

(e) That the applicant has failed to provide or to identify suitable or adequate premises for the storage of any receptacles or perishable goods in which he proposes to trade when street trading is not taking place;

(f) that:

(i) the application is for the grant (but not the renewal) of a street trading licence; and

(ii) the only available position is in that part of the street which is contiguous with the frontage of a shop; and

(iii) the articles, things or services mentioned in the application are sold or provided at the shop;

(g) that:

(i) the application is for the grant (but not the renewal) of a street trading licence; and

(ii) the only available position in the street is within the curtilage of a shop; and

(iii) the applicant is not the owner or occupier of the premises comprising the shop.

4. If the Council consider that grounds for refusal exist under section 25(6)(a) or (c) referred to above they may grant the applicant a licence which permits him—

(a) to trade on fewer days or during a shorter period in each day than is specified in the application; or

(b) to trade only in one or more of the descriptions of goods specified in the application

5. As at 26 February 2010, all public pavements immediately in front of any shop within the London Borough of Hillingdon have been designated as a licence street for the purposes of street trading under the Act.

The London Borough of Hillingdon Street Trading and Markets Policy is attached at the end of this report as Appendix 4.

## **BACKGROUND DOCUMENTS**

London Local Authorities Act 1990 (as amended).

This page is intentionally left blank





**HILLINGDON**  
LONDON

## Application for a Street Trading Licence

Pursuant to the London Local Authorities Act 1990 (as amended)

### Important Notes:

1. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
2. You may wish to keep a copy of the completed form for your records
3. Incomplete applications will not be processed and returned to the applicant

### Section 1. – Premises details

#### 1.A Address/location of premises;

Trading Name of Premises ASHA LONDON LTD  
 Address 8 MALBOROUGH PARADE  
UXBRIDGE ROAD, UXBRIDGE  
MIDDLESEX Post Code UB10 0LR  
 Contact number at premises 01895 234 881

#### 1.B Please tick the type of licence you are applying for;

- ☒ Shop Front  
☐ Tables & Chairs  
☐ Pitch

#### 1.C Please tick whether your application is for a new licence or to renew your existing licence;

- ☒ New Licence application  
☐ Renewal application

#### 1.D Information relating to Shop Front applications only;

Size of shop front licensed area; ☒ 1 Metre ☐ 2 Metres ☐ 3 Metres

#### 1.E Information relating to Tables & Chairs applications only;

How many Tables & Chairs will you be placing in the licensed area? 0

#### 1.F Information relating to Pitch applications only;

Please provide details of the size and location of the proposed pitch

N/A

## Section 2. – About the Applicant & Assistants

### 2.A Applicants details;

Title MR First Name/s RAJ  
Surname/s MUNJAL  
Address .....  
.....  
Post Code ..  
Date of Birth (D/M/Y) ..... Place of birth ..  
Mobile number ..... email ..

### 2.B Assistant 1 Details;

Title MR First Name/s AJAY  
Surname/s WADHWA  
Address .....  
.....  
Post Code ...

### 2.C Assistant 2 Details;

Title ..... First Name/s .....  
Surname/s .....  
Address .....  
.....  
Post Code .....

## Section 3. – Details of trading

### 3.A Hours of trade;

Please give the days and times during which street trading activities will take place;

Monday <u>8:00</u> to <u>23:00</u>	Friday <u>8:00</u> to <u>23:00</u>
Tuesday <u>8:00</u> to <u>23:00</u>	Saturday <u>8:00</u> to <u>23:00</u>
Wednesday <u>8:00</u> to <u>23:00</u>	Sunday <u>9:00</u> to <u>22:30</u>
Thursday <u>8:00</u> to <u>23:00</u>	

**3.B Articles/Commodities/Services for sale;**

FRESH Fruit & FRESH VEG, VEGETABLE

**Section 4. Checklist & Declaration**

**4.A Checklist**

Please tick;

- ☒ I have enclosed a copy of my Photo ID (*Passport, Driving Licence etc*)
- ☒ I have enclosed proof of home address for myself and the assistants
- ☒ I have enclosed the licence fee (*Please refer to fee schedule*)
- ☒ I have enclosed a plan/map of the proposed licensed area
- ☒ I have enclosed evidence of public liability insurance to £2million.
- ☒ I have enclosed passport size photos of myself and the assistants
- ☒ I understand that I must display a notice of application in the window of the application premises for 21 days
- ☒ I understand that if I do not comply with the above requirements, my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE NOT EXCEEDING £20,000, FOR ANY PERSON TO MAKE A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT, OR WHICH HE DOES NOT BELIEVE TO BE TRUE IN CONNECTION WITH AN APPLICATION FOR THE GRANT, VARIATION, RENEWAL OR TRANSFER OF A STREET TRADING LICENCE.**

**Applicant**

I RAJ MUNDAL (insert name) declare that the information given in this application is true and complete in every respect.

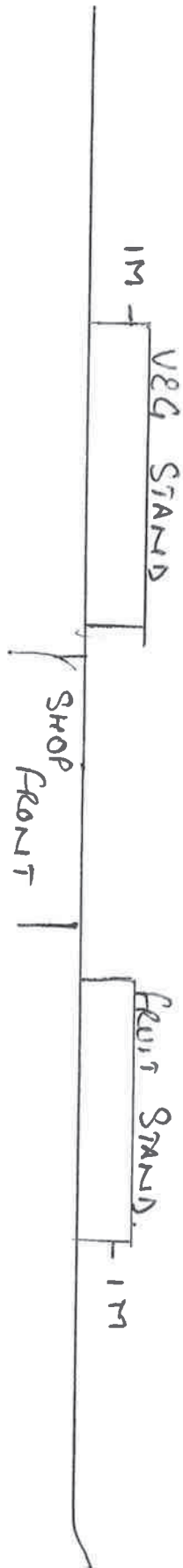
Signature;  Date; 10/06/14

**Please send your application and its enclosures to;**

**The Licensing Service  
London Borough of Hillingdon  
Civic Centre  
High Street  
Uxbridge  
UB8 1UW**

ASHA LONDON LTD.  
8 TRALBOROUGH PARADE  
UXBRIDGE ROAD UB10 0LR.

FOOT PATH  
WIDTH 3.40M.



From: **Cllr Wayne Bridges** <[wbridges@hillingdon.gov.uk](mailto:wbridges@hillingdon.gov.uk)>  
Date: 19 June 2014 20:55  
Subject: Re: New Street Trading Application - Asha London Ltd, 8 Marlborough Parade  
To: Applications Processing Team <[applicationsprocessingteam@hillingdon.gov.uk](mailto:applicationsprocessingteam@hillingdon.gov.uk)>  
Cc: Cllr Alan Chapman <[achapman@hillingdon.gov.uk](mailto:achapman@hillingdon.gov.uk)>, Residents Services Members Enquiries <[ResidentsServicesMembersEnquiries@hillingdon.gov.uk](mailto:ResidentsServicesMembersEnquiries@hillingdon.gov.uk)>, Cllr Patricia Jackson <[pjackson@hillingdon.gov.uk](mailto:pjackson@hillingdon.gov.uk)>

I would also like to submit my objections to this application.

The parade already suffers badly from constant items being dumped along this stretch, everything from rubbish bags to mattresses, so having fresh fruit and veg in close proximity to this and then selling it to members of the public would raise serious health issues in my opinion.

Secondly, these footpaths are narrow and are used by a number of pedestrians on both mobility scooters and mothers with pushchairs, there would therefore be accessibility issues to consider.

Thirdly, how will this affect current deliveries being made to the shop, will there be more loading and unloading in the service road during the day to make the additional deliveries?

Finally, i note that the license will be as late as 2300hrs, assuming the fruit and vegetables will be on stands and other bulky outdoor furniture, what disruption will this cause to people living above the shops when they are dismantling outdoor furniture late at night close to midnight?

Kind regards,

Cllr. Wayne Bridges  
Hillingdon East Ward  
Conservative Group Office  
Phase II  
Civic Centre  
Uxbridge  
UB8 1UW

01895 250316 (Group office)  
07725 038944 (Mobile)

**Hillingdon East Councillors ward surgery**

The Hillingdon East ward Councillors hold an advice surgery on the fourth Saturday of each month at **Oak Farm Library, Sutton Court Road, UB10 9PB** from **0930-1030**. No appointment is needed.

On 19 June 2014 16:29, Cllr Patricia Jackson <[pjackson@hillingdon.gov.uk](mailto:pjackson@hillingdon.gov.uk)> wrote:

Stephanie,

Both Cllr Alan Chapman and I are against this application as this parade of shops with flats above has always been a problem area for rubbish and litter.

To reduce the clear passage on the pavement for pedestrians is not acceptable.

As a Ward the three councillors are totally against this application for the following reasons.

This parade of shops and flats is a major concern to the council, other residents and general public. There is always household rubbish, and every other kind e.g. bedding, clothes, suitcases, toys, soft furnishing and furniture left out every day of the week through out the year.

The most disgusting incident I witnessed was the contents of a freezer dumped outside the flat door which was defrosting and rotting. This was on a hot Sunday afternoon.

The pavement may be wide enough to accommodate this but with the long hours and waste element involved in the street trading (vegetables etc) the area will become even worse and more unsightly and set a precedent for other shops to follow suit.

I will send a recent photo to you by separate email.

We are trying our best to get this parade of shops looking better and by granting a street trading licence is not the answer.

Regards, Pat Jackson

***Pat Jackson***

**CONSERVATIVE Ward Councillor**

Hillingdon East

01895 250316

**Hillingdon East Councillors ward surgery**

The Hillingdon East ward Councillors hold an advice surgery on the fourth Saturday of each month at **Oak Farm Library, Sutton Court Road, UB10 9PB** from **0930-1030**. No appointment is needed.







This page is intentionally left blank



From: **John Fern** <jfern@hillington.gov.uk>  
Date: 4 July 2014 09:33  
Subject: Re: New Street Trading Application - Asha London Ltd, 8 Marlborough Parade  
To: Stephanie Waterford <swaterford@hillington.gov.uk>

Steph,

The footway at this location is just over 3 metres wide and therefore 1 metre of shop front trading would not in my opinion cause unnecessary obstruction to the use of the footway by pedestrians especially as it is not a main town centre thoroughfare. The criteria placed on these issues by the Committee has been to allow for 2 metres of available footway.

I note that Cllr Bridges has pointed out a number of objections but these are not within the remit of highways.

Regards  
John

John Fern  
Service Manager Street Environment (and Traffic Manager)  
Residents Services  
Civic Centre 4W/07  
High Street  
Uxbridge  
Middx  
UB8 1UW  
Tel: 01895 277557

This page is intentionally left blank



# HILLINGDON

## LONDON

### **London Borough of Hillingdon**

### **Street Trading & Markets Policy**

Effective from 7<sup>th</sup> September 2011  
Made by the London Borough of Hillingdon  
Pursuant to: Section 27(3) of  
London Local Authorities Act 1990 (as amended) and  
Food Act 1984 (Part III)

## Contents

### Paragraph

1.0	Introduction	Page 2
2.0	Intention of the Policy	Page 2
3.0	Street Trading Licences	Page 3
4.0	Eligibility Criteria and Suitability of Applicants	Page 3
5.0	Making an Application – the documents needed	Page 3
6.0	Fees	Page 3
7.0	Temporary Applications - Pitches	Page 4
8.0	Permanent Applications - Pitches	Page 4
9.0	Succession of Licences	Page 4
10.0	Renewals	Page 5
11.0	Variation	Page 5
12.0	Licensing of Markets and Occasional Street Markets	Page 5
13.0	A Single Licence for Markets	Page 5
14.0	Occasional Street Markets	Page 6
15.0	Charity & Community Markets	Page 6
16.0	“Approval in Principle”	Page 7
17.0	Applications and supporting information	Page 7
18.0	Fees	Page 7
19.0	Consultation and advertisement	Page 8
20.0	Objections	Page 8
21.0	Consideration of applications	Page 8
22.0	Hearings	Page 9
23.0	Decision-Making & Grounds for Refusal	Page 9
24.0	Appeals	Page 10
25.0	Duration of licences	Page 11
26.0	Enforcement Action	Page 11
27.0	Designation of Licence Streets	Page 12
28.0	Other legislative considerations	Page 13
29.0	Policy review	Page 13
30.0	Exemptions	Page 13
31.0	Commodities	Page 13
32.0	Ice Cream Traders	Page 14
33.0	Definitions	Page 14
34.0	Licence Conditions	Page 14
Appendix 1	Schedule of licence streets	Page 16
Appendix 2	Commodities	Page 18
Appendix 3	Schedule of streets where mobile or “itinerant” ice cream trading is prohibited.	Page 21
Appendix 4	Terms and Conditions for all Street Trading and Market Licences	Page 23
Appendix 5	Conditions specific to Tables & Chairs Licences	Page 26
Appendix 6	Conditions specific to Shop Front Licences	Page 27
Appendix 7	Conditions for Market Operators	Page 29
Appendix 8	Conditions for Market Traders	Page 30

## **1.0 Introduction**

This document sets out Council policy on the regulation of street trading and markets, and a procedure for applications for street trading licences. The policy proposes a simplified process for licensing of street markets and community events and offers a simple prior approval process to support applicants so that their proposals have the greatest chance of success when a final application is made.

---

## **2.0 Intention of this policy**

The development of a street trading policy presents an opportunity to encourage small independent businesses and traders and increase employment opportunities, by minimising bureaucratic licensing burdens, but at the same time maintaining sensible levels of public protection and complimenting trading from permanent businesses.

The policy will be reviewed in light of developing practice, guidance and changing legislation as necessary, replaces all previous Terms & Conditions and covers the regulation of:

- Street trading pitches
- Tables & chairs
- Shop fronts
- Markets
- Community trading events

The policy sets out the Council's approach and requirements clearly, to help applicants and operators. It also aims to guide and re-assure the public, and other public authorities, ensuring transparency and consistency in decision making. This policy is meant as a guide to the Council's decision making process; all relevant factors will be taken into consideration in determining any application.

The grant of a licence for street trading does not override the need for licensees to comply with planning, building control, environmental, consumer protection, health and safety and other legislation. If necessary, the policy will be amended to prevent conflict with other legislation.

## **3.0 Street Trading Licences**

Unless in respect of a market (see para 12.0), street trading licences will be determined under Part III of the London Local Authorities Act 1990 (as amended), referred to as "the Act" in this policy.

- a) Applications can be for permanent or temporary licences.
- b) The term "street trading" covers "pitches" (a defined or licensed area where a stall may be set up), "tables and chairs" – for example serving a café, and "shop fronts" – where there may be a display of goods outside a shop, directly concerned with that shop.
- c) "Street trading" means the sale, and exposing or offering for sale of any article (including a living thing) in a street. A display of goods or services within seven metres of the Highway will require a street trading licence.

Street trading without a licence is an offence under licensing and highways legislation.

#### **4.0 Eligibility criteria & suitability of applicants**

- a) Applicants must be aged 17 years or older.
- b) Suitability will be assessed on a case by case basis and information about an applicant's enforcement history with the Council may be referred to.

#### **5.0 Making an application – the documentation needed**

Applications for street trading licences must be made in writing or online, using the Council's application form, and must include the following;

- a) Two standard full face passport photographs;
- b) Evidence of public liability insurance for a minimum of £2 million cover;
- c) Proof of address;
- d) Identification that includes a photograph of the applicant; (such as a new style photo driving licence)

Sometimes, the Council may be able to accept alternative supporting documents, but by individual agreement.

#### **6.0 Street Trading fees**

Fees may be reviewed on an annual basis, and will be advertised in accordance with the legislation. Fees must be paid in full when the application for the grant, renewal, variation or transfer of a street trading licence is made. There will be no refund of licence fees should a licence for any reason become revoked or surrendered.

A list of current street trading and market licence fees can be found on the Council's website [www.hillingdon.gov.uk/licensing](http://www.hillingdon.gov.uk/licensing) or by contacting the Licensing Service on 01895 277524

#### **7.0 Temporary applications - pitches**

All applicants licensed as temporary traders under the London Local Authorities Act 1990 will have the same conditions as those for permanent street trading licences. However, the legislation does not give temporary licence holders the right of appeal to the Council or the relevant committee against a decision not to grant a licence, or to revoke or vary a licence.

The issue of a temporary licence is without prejudice to the Council's application process for a permanent licences – this means that if a trader is issued with a temporary licence, it does not guarantee that permanent licence will be issued.

The Council reserves the right to issue licences to traders who offer things for sale or goods ("commodities") which will enhance a shopping area or locale, before any other trader or applicant offering other commodities.

The Council reserves the right, *but only when appropriate*, to suspend the licence of any trader holding a temporary licence, without notice and without any reason having been given in writing. A trader who holds a temporary street trading licence must therefore stop trading straight away, when asked to do so by the Council, or a police officer.

## **8.0 Permanent applications - pitches**

A pitch trader must have traded continuously under a temporary licence for a minimum of three years within the London Borough of Hillingdon prior to applying for a permanent licence.

Permanent licences must be renewed annually. Officers will advise licensees on the period of renewals and applications for permanent licences. However, responsibility for ensuring that a renewal occurs before the expiry of permanent licence lies with the licensee.

## **9.0 Succession of licences**

“Succession” means when a permanent licence is transferred or “passed on” to a relation. There are rules about this in the legislation.

Succession of the street trading licence may only be granted to a relation of the licence holder specified in the legislation and under the following circumstances, listed in the legislation:

- a) When the licensee dies; or
- b) When the licensee retires, having reached the normal age for retirement; or
- c) When the licensee advises the Council that owing to ill-health, he is unable to continue to operate the licence, and submits evidence to satisfy the Council as to his ill-health.

Licensing officers can provide more detail on the subject of succession and it is always best to clarify what may be involved before any assumptions about any entitlement are made.

## **10.0 Renewals**

The licensee must apply to the Council for a renewal, at least 28 days before the current licence's expiry. If an application for renewal is not granted by the expiry date, then licence lapses, and the trader will have to cease trading.

The licensing service will aim to send renewal reminder notices to licensees up to 8 weeks before the date of expiry. No renewals should be accepted after the expiry date and in such cases any application should be treated as a new application, undergoing the full application process. No trading will be permitted unless a renewed licence has been issued.

## **11.0 Variation**

Licensees may apply to the Council to vary their licence at any time during the licence period. Applications may be made to vary the commodities traded, the pitch size and any assistants.

## **12.0 Licensing of Markets and Occasional Street Markets**

The Council is “invoking its market rights” under the Food Act 1984 (as amended) in the Borough.

The Food Act 1984 allows a local authority to establish a market within its area, and may designate a market place within its area and the days and hours during which markets may be held.

### **13.0 A Single Licence for Markets**

The Authority will consider market applications on a case by case basis for markets proposed within the borough boundary to which there is a free public access, and which may have multiple stalls or pitches to sell commodities,

The Council will regulate markets under a single licence, as per Part III of The Food Act 1984. Markets held in the following locations are exempt from the market provisions of the Food Act 1984;

- a) Any Council park or green space
- b) Any private building
- c) Enclosed shopping centres
- d) Any school / community / church hall or similar

The licence issued will authorise a number of traders in a particular area, on predetermined days or dates (a market), or where trading takes place from a stall, a series of stalls or pitches, on an occasional basis.

The market licences may be granted to a private market operator(s), resident's associations or similar, or community/charitable groups. The Council does need to enforce its market rights in the interests of public safety, and so will determine the area, size of stalls etc and their general layout as well as relevant timings for trading to take place. Efforts will always be made to work with operators or groups, to agree and explain matters.

### **14.0 Occasional Street Markets**

Occasional street markets can encourage economic activity and enhance shopping areas by offering variety and by increasing visitor numbers.

A market operator or a group of traders may apply to the market authority for a licence to hold an occasional street market, for commercial trading purposes. This is a market which takes place on specified dates or days.

### **15.0 Charity & Community Markets**

It is recognised that regulation can sometimes have unwanted impacts on residents, businesses and community groups based in the borough. To minimise these burdens, specific arrangements for local community and charitable group events are outlined below.

- a) A charity or community group may apply for a licence to hold a market for the purpose of supporting a community event e.g. a fun day, or Christmas event.
- b) Applicants for a charity or community market must identify community or charitable benefit, or provide evidence of charitable status and intention.
- c) Charity or community applicants should apply to the Council for a waiver of market application fees. The Council will consider any applications for waivers on a case by case basis, and in light of the paragraph immediately above.



- d) Where a charity or community event market includes trading by commercial enterprises, a waiver of fees should also be applied for. Applications will be assessed on a case by case basis, but such events should mainly be community based, benefiting the social and economic wellbeing of an area.
- e) Licensees must ensure that the terms and conditions that come with the market licence are kept to by the individual traders, that they have adequate insurances, and sensible, that they have the required food hygiene training and registration certificates.
- f) Charity or community market operators will be required to make their market applications at least three months prior to the market event taking place.
- g) Where road closures are required, any initial approval in principle will be entirely subject to subsequent approval by the Highway Authority before the market application is made. Evidence of the approval will be required as part of the market application.

## **16.0 “Approval in Principle”**

The Council wants good well promoted markets or events to go ahead. To save wasted effort, increase convenience and to ensure that applications have the smoothest possible journey to approval, the Licensing Service will give support in the form of “approval in principle”.

- a) Where early applications are made, not including full details of traders and their commodities, the Council may approve the application in principle, pending full details of the traders and their commodities being submitted, at least two weeks prior to the market event.
- b) Operators or organisers will be able to hold early meetings with licensing officers to encourage general dialogue, discuss proposals and the Council’s requirements, and agree layouts etc, before a full application is made. No fee is to be charged for these meetings. However, it is anticipated that most events will need one, or perhaps two meetings to agree matters.

Any approval in principle issued by the Council will be subject to other legislative requirements i.e. road closures, parking suspension, alcohol licensing etc.

## **17.0 Applications and supporting information**

The Council will expect applicants for Market Licences to be of a good standard and competence. The Council may seek references from boroughs in which the Market has previously operated prior to the determination of the licence.

Market operators must make applications using the Council’s own form or online and should provide the following information and documents as part of the application;

- a) Two standard full face passport photographs;
- b) Evidence of public liability insurance for a minimum of £2 million cover;
- c) Proof of address;
- d) Identification that includes a photograph of the applicant; (such as a new style photo driving licence)
- e) Plan of the proposed market showing location, sizes and layout of stalls/pitches;

- f) Evidence of or proposals for a trade waste disposal agreement or similar;
- g) Photos/images showing the appearance and style of stall / pitch;
- 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 in the “approval in principle” process.

Sometimes the Council may be able to accept alternative supporting documents, by agreement.

## **18.0 Market Fees**

Market operators for occasional street markets are required to pay a fee in line with the current fee schedule.

Applicants for charity / community markets should apply to the market authority for a waiver of market licence fees. Information on current street trading fees is on [www.hillingdon.gov.uk/licensing](http://www.hillingdon.gov.uk/licensing) or can be obtained from the Licensing Service on 01895 277524.

## **19.0 Consultation and advertisement**

On receipt and acceptance of any application for a new or renewal street trading licence, or application for a variation to an existing one, the Licensing Service will carry out consultation with relevant ward members, town centre management, traders or businesses in the area, and any others in the area that the Council sees as appropriate. The consultation period will be 21 days beginning on the day after receipt of the application.

In addition to the above, for applications for shop front and / or tables and chairs licences, consultation and advertisement will take the form of a “Notice of Application” which must be placed in the window of the relevant premises – so that it can be easily seen from outside. The notice will be at least A4 in size and must be in place and easily visible from the outside throughout the consultation period.

Where market applications are received, the Licensing Service will carry out consultation with ward members, town centre management, traders / businesses in the area and any others in the area that the Council sees as appropriate. The consultation period will be 21 days beginning on the day after receipt of the application.

## **20.0 Objections**

Objections must be made in writing and made by those persons, bodies, or their representatives, who are likely to be affected (in the “vicinity”, or area) by the operation of the licence. Frivolous, vexatious, repetitious and competition based representations will not be accepted.

E.g. “Vicinity” has the common sense meaning of the word and is taken to mean the area in which objectors who are likely to be affected by the operation of the licence are located. E.g. “Frivolous” objections may be based on a one off issue concerning a licence that has previously been managed well. E.g. “Repetitious” means the objection is identical or substantially similar to an objection already discounted E.g. “Vexatious” means the objection is not genuine – ie. It could have been made as a result of a dispute between neighbouring residents or businesses.

## **21.0 Consideration of Applications**

Applications which have not been objected to will be considered by the Deputy Chief Executive and Corporate Director of Planning, Environment and Education Services or by officers authorised for the purpose of determining street trading applications.

If relevant objections are received during the consultation period for a licence application, a Licensing Sub-Committee will determine the application. Where applications are heard by a Licensing Sub-Committee, the Committee may exercise its discretion on accepting late representations where they have been received outside of the consultation period.

## **22.0 Hearings**

Where the Licensing Sub Committee is to determine an application for the grant, variation or revocation of a street trading licence, the hearing will be held as soon as is reasonably practicable.

Where a permanent trader wishes to appeal a decision to grant/vary or revoke his/her licence, an appeal, and the reasons for the appeal, must be made in writing to the Licensing Service within 21 days of the decision being made. The appeal will be heard by a Licensing Sub-Committee as soon as reasonably practicable.

## **23.0 Decision-Making & Grounds for Refusal**

All uncontested applications will be considered by the Deputy Chief Executive and Corporate Director of Planning, Environment and Education Services or by officers authorised for the purpose of determining street trading applications. Where valid objections are received to an application, a Licensing Sub-Committee will determine the application.

The complete application process may take up to three months and this is to take into account the 21 day consultation period, and also, if required, the arrangement of hearings of the relevant Licensing Sub-Committee.

Where there are no objections to an application, the Council aims to determine applications within one month of receipt of a fully completed application.

Standard conditions will be attached to every street trading licence and these may be varied by the Council at any time. Where relevant, specific trading conditions may be attached to a street trading licence by a Licensing Sub-Committee.

In considering applications for the grant or renewal of a street trading licence the following factors will be considered, and may be grounds for refusal, when the authority may refuse a street trading licence application.

- (a) Public safety - Whether the street trading activity represents, or is likely to represent, a substantial risk to the public from the point of view of obstruction of the highway to emergency vehicles, or otherwise, a fire hazard, unhygienic conditions or other danger that may occur when a trader is using the site.

- (b) Prevention of crime and disorder - whether the street trading activity represents, or is likely to represent, a substantial risk to public order. This is potentially more of a problem for licences operating late in the evening.
- (c) Prevention of public nuisance or environmental damage - whether the street trading activity represents, or is likely to represent, a substantial risk of problems from damage to street surfaces, or from noise, litter, refuse, vermin, fumes, odours or antisocial behaviour, particularly in residential areas.
- (d) For markets licensed under the Food Act 1984, appearance and suitability of the stall or vehicle from which trading takes place - the stall or vehicle must be of a good quality design, of good appearance and meet the criteria, including size, laid down in the standard licence conditions. It is advised that applicants provide photographs or sketches including dimensions of the stall with all new applications.
- (e) Needs of the area – amongst other things, the Council will consider the demand for the articles for sale, and the geographical location of the proposed site.
- (f) History of the applicant - the suitability of the applicant must be considered. Previous failures, without reasonable excuse, to comply with licence conditions or failure or neglect in paying licence fees may result in a licence being refused, revoked or not renewed.
- (g) Pedestrian or vehicular access – whether there is sufficient space for pedestrians and vehicles (including pedestrians using mobility aids and parents with pushchairs/buggies) to continue to use the public highway safely and unhindered.

In addition to the considerations listed above, the Council may refuse or revoke a licence if any of the following statutory grounds exist:

- h) the applicant wishes to trade for less days than any minimum required trading days;
- i) the applicant has been determined unsuitable to hold a licence do to any previous convictions or for other reasons;
- j) the licence holder has failed to pay fees due under another street trading licence or have failed to use a previous street trading licence.

Occasionally, if some grounds for refusal do exist, the Council may still decide to award a licence – but this could be for a shorter period than required, or to allow trading only in certain commodities.

## **24.0 Appeals**

A Licensing Sub-Committee will determine appeals from permanent licence holders unhappy with a decision to grant / revoke / vary their street trading licence. In the event that a permanent licence holder is unhappy with the decision of the Licensing Sub-Committee, an appeal may be lodged with the Magistrates Court within 21 days of the date of the decision of the Licensing Sub Committee.

In the case of temporary licences, the legislation gives no right of appeal. Temporary licence holders may apply for a judicial review of decisions, though.

## **25.0 Duration of licences**

Permanent licences will last for one year. Temporary pitch licence holders may apply for permanent licences after 3 years of continuous trading within the London Borough of Hillingdon.

Temporary licences are issued for six months, or a shorter period if the Licensing Committee / Applicant specifies otherwise. A shop front or tables and chairs licence shall be a temporary licence, and a permanent licence may not be issued to a trader who applies for a shop front or tables and chairs licence.

Market licences will be issued for a period in accordance with the application and / or any Licensing Sub-Committee decision made to alter the licence period.

## **26.0 Enforcement Action**

The decision to use enforcement action will be taken on a case by case basis and, to ensure consistency of approach, in accordance with this and any other more specific policies which may be applicable. The action taken, which may be immediate, will be proportionate to the seriousness and nature of the non-compliance.

Factors that will be taken into consideration include, but are not limited to:

- a) The risk that the non-compliance poses to the safety, health or economic welfare of the public at large or to individuals;
- b) Evidence suggests that there was pre-meditation in the commission of an alleged offence;
- c) The alleged offence involved a failure to comply in full or in part with the requirements of this policy and / or the terms of the street trading licence;
- d) There is a history of previous warnings or the commission of similar offences;
- e) Aggravated circumstances such as obstruction of an officer or aggressive behaviour towards the public;
- f) If the alleged offence, though not serious itself, is widespread in the area where it is committed;
- g) The gravity of an alleged offence, taken together with the seriousness of any actual or potential harm;
- h) There has been a repetition of a breach that was subject to a formal caution or issue of a Fixed Penalty Notice;
- i) False information has deliberately been supplied and/or intention to deceive.

The Council may take any of the following types of enforcement action (*in no particular order*):

- a) Verbal/written warnings – e.g. a contravention and / or where Officer contact has not resolved the contravention;
- b) Simple cautions;
- c) Licence review or application for licence revocation e.g. when fees go unpaid, a breach of a licence condition;
- d) Fixed Penalty Notices;
- e) Prosecution.

Any decision to prosecute will be taken as a last resort and such a decision will be made in accordance with the Code for Crown Prosecutors. Council enforcement services will carry out their

enforcement-related work with due regard to the Enforcement Concordat. Information concerning non-compliance may be shared with other enforcement agencies. Any such action will only be undertaken in the public interest and in compliance with the Data Protection Act 1998.

Officers will regularly inspect street trading areas to ensure compliance with the licence terms and conditions i.e. the trader is only trading in the licensed pitch area. In addition, all complaints of unlicensed street trading will be investigated.

The Licensing Sub-Committee will hear all applications for the revocation, variation, or suspension of a street trading licence in the event that a trader significantly or persistently breaches such a licence.

Any trader who is convicted of an offence that is contrary to the Act or regulations made in pursuance of it may be requested to appear before the Licensing Committee or a Licensing Sub committee, when the determination of the recommendation to revoke the licence will be made.

Any contravention of licence terms and conditions by an assistant to the licensee will be viewed as a contravention by the licensee whether present or not.

Any breach of the conditions relating to Market Licences will be investigated and enforcement action taken where necessary. Any history of enforcement action may be considered as part of the application process.

## **27.0 Designation of Licence Streets**

If the Council considers that street trading should be allowed or licensed in any area, it may pass a resolution designating any further street or part of a street as a licence street under Section 24 of the Act. In deciding if a street or site should be designated for street trading, the following may be considered;

- a) The presence of any existing or planned street furniture;
- b) The proximity and nature of any road junctions and pedestrian crossing points;
- c) The number of street trading sites already licensed in the vicinity;
- d) Whether the proposed site for designation would impact on accessibility for members of the public i.e. pedestrians, pushchairs, wheelchairs etc.
- e) If the safety of the public will be put at increased risk;
- f) Whether the proposed site will leave the recommended clearance of 2 metres clear passage between the trading area and the edge of the kerb or footway;
- g) If there will be a negative impact on the character or appearance of the area.

For designation, there is a consultation period of 28 days, when the Council consults with the Police and Highways Authority, and any other relevant body. The Council may also pass a resolution to rescind or vary the designation of a licence street, and must consult on any intentions to do so in a notice published in a local paper. After publishing the consultation notice, the Council will consider any representations received, before making a decision.

A street does not have to be designated as a licence street for street trading purposes where a temporary street trading licence is issued. A list of current licence streets may be found in

### **Appendix 1**



## **28.0 Other legislative considerations**

Apart from the legislative requirements of the London Government Act 1990 (as amended) and the Food Act 1984, the Council will take into account its duties under other legislation including, but not limited to;

- a) Section 17 of the Crime & Disorder Act 1998, which places the Council under a duty to exercise its functions with due regard to the likely effect on, and the need to do all it reasonably can to prevent crime and/or disorder in the Borough.
- b) The Regulator's Compliance Code (set out in the Regulatory Reform Act 2006) which requires the Council not to impede economic progress by its regulations, and particularly to consider the impact on small businesses.
- c) The Provision of Services Regulations 2009 which requires the Council to ensure that its requirements are non-discriminatory; proportionate to the public interest; objective; clear and unambiguous; made public in advance; transparent and accessible.
- d) The Disability Discrimination Act 1995 which makes it unlawful to treat disabled persons less favourably than other people, for a reason related to their disability.

### **EU Services Directive**

Tacit consent will apply to street trading licence applications if no objections are received and the applicant is not notified of the determination process within 28 days after receipt of a valid application.

## **29.0 Policy review**

This Policy may be reviewed by Cabinet. Minor changes to this Policy may be made by the Deputy Chief Executive and Corporate Director of Planning, Environment, Education & Community Services, acting in consultation with the Leader of Council.

## **30.0 Commodities**

Applications for street trading licences must be made in accordance with the Council's approved list of commodities and banned commodities (Included as Appendix 2). The Licensing Service will consider commodities that are not on the approved list at its own discretion.

The Council may amend this list in order to ensure fair trading opportunities to all traders in the relevant area. The Council may, from time to time, ban certain commodities in certain areas where there is a need to do so. If the Authority amends the list of banned commodities, a 21 day consultation with traders will be held in the affected area prior to a decision being made.

## **31.0 Ice Cream Traders**

Ice cream trading means the selling, exposing or offering for sale of goods consisting wholly or mainly of ice cream, frozen confectionery or other similar commodities from a vehicle.

Itinerant ice cream trading means ice cream trading from a vehicle which goes from place to place remaining in any one location in the course of trading for periods of 15 minutes or less and not returning to the same location or any other location in the same street on the same day.

The Council may, from time to time, ban ice cream traders in certain areas where there is a need to do so. The Council will carry out the statutory consultation and advertisement before any decision is made. A full list of areas where a ban on ice cream traders is currently in force can be found in **Appendix 3**.

### **32.0 Licence Conditions**

The various licences in this policy are issued under the terms and conditions below. These are effectively the rules by which licensees must operate. They are meant to allow trading to be carried out safely, responsibly and in harmony with the surroundings, other traders and residents.

Full schedules of conditions relating to street trading and market licences can be found in the following appendices;

**Appendix 4** – Conditions applicable to all street trading and market licences

**Appendix 5** – Additional conditions applicable to tables & chairs licences

**Appendix 6** – Additional conditions applicable to shop front licences

**Appendix 7** – Additional conditions applicable to market operators

**Appendix 8** – Additional conditions applicable to market traders

### **33.0 Definitions**

The definitions used in the conditions and elsewhere are from the legislation that the Council is given to manage licensing in the borough. Some of the meanings may not be clear – Licensing officers will try to answer any queries from residents, organisers or licence holders.

- a) "The Act" means Part III of the London Local Authorities Act 1990 as amended by the London Local Authorities Acts 1994, 1999, 2004 & 2007";
- b) "Assistant" means a named person, or persons, under the direction of the licensee, who is in control of the trading activities when the licensee is not present. Details of this person(s) must be formally notified in writing to the Council;
- c) "Licensed Street Trader" means any person who is licensed for a street trading under Part III of the Act;
- d) "Licensed Street Trading Pitch" means an area in any authorised street or place at which street trading may be conducted in by a licensed street trader, and includes any temporary alternative place approved by the Council.
- e) "Market" means a concourse of buyers and sellers to trade commodities.
- f) "Premises" means any land, building or part of a building and includes any commercial premises adjacent to a licensed street trading pitch.
- g) "Shop Front Trading" refers to a licence which permits the display of shop goods on a street in a manner permitted by the Act.
- h) "Street trading" shall have the meaning described in Section 21 (1) of the Act.
- i) "Tables and Chairs Licence" refers to a licence authorising the placement of tables and chairs on a street.
- j) "Trader" means a person or that person's assistant in whose name a current street trading licence is held, authorising street trading from a licensed street trading pitch. The street trading licence may be a permanent or temporary licence.



## Appendix 1

### SCHEDULE OF LICENCE STREETS

Pursuant to Section 24(10) of the London Local Authorities Act 1990 (as amended) the following streets are designated as “licence streets” for the purposes of street trading.

<p> Bakers Road, Uxbridge  Barra Hall Circus, Hayes  Belmont Road, Uxbridge  Betam Road  Botwell Lane, Hayes  Bourne Avenue, Gloucester Parade, Hayes  Byron Way, West Drayton  Cocks Yard, Uxbridge  Coldharbour Lane, Hayes  Coleridge Way, West Drayton  Cowley Road 100-118, Uxbridge  Cowley Road 18-20, Uxbridge  Dawley Road 1-19, Hayes  Dawley Road, Dawley P  arade, Hayes  East Lane, Hayes  Eastcote High Road, Black Horse Parade,  Eastcote  Falling Lane, Yiewsley  Field End Road, Eastcote  Field End Road 702-724, South Ruislip  Green Lane, Northwood  Harlington Road 305-315, Hillingdon  Harmondsworth Road, West Drayton  Harlington Road 305-315, Hayes  Harvil Road, Harefield  Hayes By-Pass (The Parkway)  Hercies Road, Hillingdon  High Road 28-34, Cowley  High Road 81-97, Ickenham  High Road, Ickenham  High Street, Cowley  High Street, Dellfield Parade, Cowley  High Street, Harefield  High Street, Harlington  High Street, The Parade, Cowley  High Street, Uxbridge  High Street, Uxbridge – <i>pedestrianised area  between Vine Street and Belmont Road.</i>  High Street, Ruislip  High Street, Yiewsley  High Street 110-118, Northwood </p>	<p> High Street 2-88, Northwood  Hillingdon Hill, Hillingdon  Horton Road, Yiewsley  Howletts Lane, Ruislip  Ickenham Road, Station Parade, West Ruislip  Ickenham Road, Ruislip  Joel Street, Northwood Hills  Kingshill Avenue, Hayes  Lansbury Drive, Hayes  Laurel Lane, West Drayton  Long Lane 1-12, Ickenham  Long Lane 305-321, Hillingdon  Long Lane 370-396, Hillingdon  Long Lane, Crescent Parade, Hillingdon  Long Drive, South Ruislip  Manor Way, Ruislip Manor  Maxwell Road, Northwood  Moorfield Road, Cowley  Moorhall Road, Harefield  Mulberry Crescent, West Drayton  North Hyde Road 141-171, Hayes  Old Stockley Road  Park Way, Ruislip Manor  Park Lane, Harefield  Pasadena Close  Pembroke Road, Ruislip Manor  Pield Heath Road, Cowley  Pinner Road, Northwood  Pinner Road, Northwood Hills  Pump Lane, Hayes  Pump Lane (Eastern end)  Redmead Road, Hayes  Rickmansworth Road, Harefield  Romney Road, Romney Parade, Hayes  Royal Lane, Yiewsley  Ryefield Avenue, Hillingdon  Salisbury Road, Eastcote  Silverdale Road  Sipson Road, West Drayton  Skyport Drive  Springfield Road  Station Approach, South Ruislip  Station Road, West Drayton </p>
--	--

## Appendix 1 (Cont)

<p> Station Road, Cowley  Station Road, Hayes (<i>NOT pedestrianised</i>)  Station Road Hayes, <i>pedestrianised area between Pump Lane and Crown Close</i>;  St Dunstons Road, Hayes  Sutton Court Road, Hillingdon  Swakeleys Road 1-31, Ickenham  Swallowfield Way  Swan Road 58-66 and 81, West Drayton  The Green 1-16, West Drayton  Victoria Road, South Ruislip  Victoria Road, Ruislip Manor  Victoria Road 439-445 and 490, South Ruislip  Violet Avenue 53-65, Yiewsley  West Drayton Road 177-183, Yiewsley  West End Road, Ruislip Gardens  Whitby Road 143-163 and 208-218, South Ruislip  Windmill Hill, Ruislip Manor  Uxbridge Road 1172-1380, Hayes End </p>	<p> Uxbridge Road 124-152, Hayes  Uxbridge Road 641-693, Hayes  Uxbridge Road 759-849, Hayes End  Uxbridge Road, Blenheim Parade, Hillingdon  Uxbridge Road, Byron Parade, Hillingdon  Uxbridge Road, Crescent Parade, Hillingdon  Uxbridge Road, Heathside Parade, Hillingdon  Uxbridge Road, Marlborough Parade, Hillingdon  Uxbridge Road, Westbourne Parade, Hillingdon  Uxbridge Road, Whiteleys Parade, Hillingdon  Vine Street, Uxbridge  Welbeck Avenue, Yeading  Willow Tree Lane, Hayes  Windsor Street, Uxbridge  Yeading Lane, Yeading </p>
--	---

## Appendix 2

### Commodities

Category	Commodity
Clothing	<ul style="list-style-type: none"><li>• Womens clothing</li><li>• Gents clothing</li><li>• Childrens clothing</li><li>• Babywear</li><li>• Sportswear</li><li>• Clothing accessories i.e. hats scarves, ties, belts etc</li><li>• Underwear/Nightwear</li><li>• Footwear/slippers</li><li>• Other items (must be specified)</li></ul>
Flowers	<ul style="list-style-type: none"><li>• Cut flowers and plants</li><li>• Uncut flowers and plants</li><li>• Artificial flowers</li><li>• Flower accessories i.e. pots, food, hanging baskets etc.</li><li>• Seasonal i.e. Christmas Trees, Holly, Mistletoe etc</li><li>• Other items (must be specified)</li></ul>
Fruit & Vegetables	<ul style="list-style-type: none"><li>• Raw fruit/vegetables</li><li>• Other items (must be specified)</li></ul>
Food	<ul style="list-style-type: none"><li>• Pre-packed groceries</li><li>• Dried fruit, seeds, pulses, beans etc</li><li>• Cheese and dairy</li><li>• Meat/fish</li><li>• Bread/cakes</li><li>• Deli food i.e olives, pickles, nuts etc</li><li>• Confectionary</li><li>• Other items (must be specified)</li></ul>
Household goods	<ul style="list-style-type: none"><li>• Cleaning products</li><li>• Laundry products</li><li>• Cleaning utensils</li><li>• Plastic storage and accessories e.g. crates, boxes etc</li><li>• Lightbulbs</li><li>• Other items (must be specified)</li></ul>
Toiletries & Cosmetics	<ul style="list-style-type: none"><li>• Toiletries</li><li>• Hair products</li><li>• Make-up</li><li>• Perfume</li><li>• Other items (must be specified)</li></ul>

## Appendix 2 (Cont)

Soft furnishings	<ul style="list-style-type: none"> <li>• Cushions &amp; throws</li> <li>• Bedding</li> <li>• Curtains &amp; blinds</li> <li>• Rugs &amp; mats</li> <li>• Dining linen</li> <li>• Other items (must be specified)</li> </ul>
Kitchen/Dining	<ul style="list-style-type: none"> <li>• Cookware</li> <li>• Serveware</li> <li>• Glassware</li> <li>• Tablewear</li> <li>• Other items (must be specified)</li> </ul>
Electrical & Audio/Visual	<ul style="list-style-type: none"> <li>• Audio/amplification equipment</li> <li>• Visual/display equipment</li> <li>• Computer hardware and accessories</li> <li>• Games consoles</li> <li>• Musical Instruments</li> <li>• Cameras</li> <li>• Electrical accessories</li> <li>• Other items (must be specified)</li> </ul>
Travel Accessories	<ul style="list-style-type: none"> <li>• Luggage</li> <li>• Sports bags</li> <li>• Handbags</li> <li>• Other items (must be specified)</li> </ul>
Jewellery and accessories	<ul style="list-style-type: none"> <li>• Costume jewellery</li> <li>• Precious jewellery</li> <li>• Hair accessories</li> <li>• Sunglasses</li> <li>• Watches</li> <li>• Other items (must be specified)</li> </ul>
Stationery	<ul style="list-style-type: none"> <li>• Office supplies</li> <li>• Paper</li> <li>• Greetings cards</li> <li>• Wrapping supplies/giftbags</li> <li>• Other items (must be specified)</li> </ul>
Toys	<ul style="list-style-type: none"> <li>• Childrens toys</li> <li>• Outdoor games and toys</li> <li>• Baby/nursery equipment</li> <li>• Other items (must be specified)</li> </ul>
Textiles	<ul style="list-style-type: none"> <li>• Fabric</li> <li>• Haberdashery</li> <li>• Yarn/Wool</li> <li>• Knitting/Sewing supplies</li> <li>• Other items (must be specified)</li> </ul>

## Appendix 2 (Cont)

Tools, DIY & Gardening	<ul style="list-style-type: none"> <li>• Tools</li> <li>• Garden tools</li> <li>• DIY supplies</li> <li>• Other items (must be specified)</li> </ul>
Furniture	<ul style="list-style-type: none"> <li>• Furniture including antiques</li> <li>• Other items (must be specified)</li> </ul>
Sports equipment	<ul style="list-style-type: none"> <li>• Exercise equipment</li> <li>• Track &amp; Field</li> <li>• Golf</li> <li>• Sports equipment</li> <li>• Other items (must be specified)</li> </ul>
Pet supplies	<ul style="list-style-type: none"> <li>• Pet food</li> <li>• Pet beds</li> <li>• Pet cages/hutches/tanks/carriers</li> <li>• Grooming and care supplies</li> <li>• Other items (must be specified)</li> </ul>
Arts & Crafts (original handmade goods)	<ul style="list-style-type: none"> <li>• Art</li> <li>• Sculpture</li> <li>• Craft items</li> <li>• Handmade textiles</li> <li>• Other items (must be specified)</li> </ul>
Miscellaneous	<ul style="list-style-type: none"> <li>• Other items not in any category above (must be specified by the applicant)</li> </ul>

## Banned Commodities

Commodity	Ward/Area of ban
Continuous or regular street trading of food (e.g. Mobile food traders)	Uxbridge Town Centre ( <i>as agreed by Cabinet 17<sup>th</sup> March 2011</i> )

## Appendix 3

Prohibition of mobile or “itinerant” ice cream trading.

1. Any street or part of streets or side streets within 65 metres of any exit used by children from the following premises:
  - (i) Primary schools
  - (ii) Under 5 centres
  - (iii) Day nurseries
  - (iv) Secondary schools
  - (v) Special schools
2. Any street or side street falling within the Uxbridge Town Centre. The Uxbridge Town centre falls within the area bordered in red on the map below.
3. All streets, part of streets and side streets falling within major retail areas in
  - (i) Eastcote
  - (ii) Harefield
  - (iii) Harlington
  - (iv) Hayes
  - (v) Hillingdon Circus Area
  - (vi) Ickenham
  - (vii) Northwood
  - (viii) Northwood Hills
  - (ix) Ruislip
  - (x) Ruislip Manor
  - (xi) South Ruislip
  - (xii) Uxbridge
  - (xiii) Uxbridge Road Hayes
  - (xiv) Yiewsley and West Drayton



Area of Uxbridge town centre.



## **Appendix 4**

### **Terms and Conditions for all Street Trading Licences & Market Licences**

#### **1. FEES**

A fee is payable to the Council for consideration of the grant, renewal or variation of a licence. The prevailing fees can be found on the Council's website. Fees must be paid at the time of application for the application to be accepted as "duly made".

#### **2. SURRENDER OF LICENCES**

A licence shall cease to have effect when it is returned to the Council by the licence holder. A receipt shall be provided by the Council confirming this. All fees and charges are due, up to and including the day accepted as the day of surrender of the licence.

#### **3. TRADING LOCATION OR POSITION**

The trader shall trade only from the position indicated on the licence, unless otherwise directed by an authorised officer. The Council reserves the right to suspend any licensed street pitch/market place if the highway is obstructed or if health and safety concerns emerge. If this happens, another street trading pitch/market place may be allocated by the Licensing Service, if one is available.

#### **4. PITCH SIZE**

The licensed area must be within the dimensions shown on the licence, or any relevant pitch limits marked out on the ground by the Council. An awning may be permitted to extend 30 cm (12 inches) at the front of the pitch/market area, but no articles are to be suspended from the awning beyond the permitted pitch/market area.

#### **5. COMMODITIES / ITEMS TO BE TRADED OR SOLD**

Only those commodities or groups of specified on the licence may be sold from the licensed street trading pitch/market place.

#### **6. ADVERTISEMENTS**

No advertisement shall be displayed on the licensed pitch/market place for goods, commodities or services other than those licensed for sale or provided on that pitch/market place.

#### **7. DAYS AND TIMES OF TRADING OR BUSINESS**

Trading may only take place on the days and during the times specified on the licence. The Council shall advise traders/market operators of any extension of trading times for specified trading periods when and as relevant.

#### **8. TRADING ALONGSIDE PERMANENT BUSINESSES**

Licence times shall be the same as trading times applicable to shops in the vicinity of the licensed street trading pitch/market place. However, traders may trade only during the times stated on the licence.

#### **9. REFUSE OR WASTE**

It is the trader's/market operators responsibility to ensure that all litter and waste generated by their licensed activity is collected for recycling or disposal, in ways that are compliant with legislation. This can mean storage in suitable bins or containers within the licensed area until collection can take place by a registered carrier of waste.

To prevent blockages, odours or nuisance to others, road gullies or surface water drains may not be used for the disposal of food based liquid wastes or other noxious substances.



#### 10. PORTABLE GENERATORS

Generators shall be positioned so that they do not present problems for other street users or traders. Flammable fuel must be used safely and stored in suitable containers.

#### 11. STREET CLEANLINESS

The trader/market operator must keep the immediate licensed area, and the area within 5 metres in any direction from the licensed area, free of any wastes or spillages resulting from the trading activity, throughout the trading day. When trading is finished or upon leaving the site the trader/market operator must leave it in a clean condition.

#### 12. DISPLAY OF LICENCE

The licence must be shown at all times, in a prominent position, so that it can be easily read.

#### 13. SAFETY OF EQUIPMENT

Electrical equipment must be approved by the Council before being used on a trading pitch. Regular testing may be required.

#### 14. USING A MAINS VOLTAGE ELECTRICAL SUPPLY

Traders/market operators using a mains electrical supply must have consent from the Council before seeking installation from an electricity supplier. Where relevant, the trader/market operator and the electricity supplier will be required to provide the Council with certification for the safety of the electricity supply.

#### 15. INTERFERENCE WITH ELECTRICAL SUPPLIES

A trader/market operator will be subject to suspension of a licence if they tamper with, or use an electricity supply belonging to the Council without a prior arrangement to do so. A trader/market operator causing damage to any Council installation or equipment will be required to pay the full cost of any repair or replacement.

#### 16. PITCH EQUIPMENT, OR TRADING STALLS

Pitch equipment or stalls should be easily and quickly assembled and removed. The Council reserves the right to inspect for stability and safety and to ensure that they are fit for purpose. Any obviously dangerous item must be made safe or immediately removed on request. It is the trader's/market operators responsibility to ensure that items and structures are put up and taken down safely, are properly designed, well sited and in a good, clean condition.

#### 17. GENERAL CONDUCT

Any trader/market stall holder and/or any assistants employed by them shall conduct themselves in a decent manner and ensure that all members of the community are fairly treated and shown courtesy and respect. Trading activities should not give rise to noise inappropriate to the area, or cause other nuisance.

#### 18. PRODUCTION OF LICENCES ON REQUEST

All licensed traders shall produce their licence when requested to do so by an authorised officer the Council or a police officer.

#### 19. NOTIFICATION OF LOCATION FOR STORAGE OF FOOD COMMODITIES, PITCH EQUIPMENT, OR TRADING STALLS etc.

Traders in foodstuffs must notify the Council in writing of any change of address or addresses at which the pitch equipment stalls etc (the "receptacles") and any commodities are stored. Such

notice must be given within 7 days of the change. Checks may be made to confirm details and suitability.

#### 20. EMPLOYED ASSISTANTS

Traders shall notify the Council in writing of the name, address of every assistant who may be given responsibility for the pitch in the absence of the trader. Details of any subsequent change of assistant or any other relevant information regarding assistants should be given in writing to the Council.

#### 21. EMPLOYMENT OF CHILDREN

A licensed trader shall not employ any person under the age of 17 years in any capacity in the course of his trade or business.

#### 22. ASSISTANCE TO COUNCIL OFFICERS

A trader shall give immediate assistance to Council officers when requested to do so. In dealing with an emergency, this might mean moving a stall or equipment away from the area, quickly.

#### 23. CHANGE OF ADDRESS AND CIRCUMSTANCES

A trader shall give notice in writing to the Council of the change of any of the addresses and circumstances. Unless a trader is unable to do so for good reason, notice of a change of address should be given within seven days of any change. Proof of new address will need to be submitted to the Council.

#### 24. FOOD RELATED TRADING

Food traders shall comply with the necessary food hygiene, food hygiene training and food registration requirements as required by the Councils Food, Health & Safety Team.

## **Appendix 5**

### **Conditions Specific to Tables & Chairs Licences**

In addition to the conditions relating to all street trading and market licences, these conditions apply specifically to “Tables and Chairs” licences.

1. The grant of a tables and chairs trading licence does not give any approval or consent which may be needed under any other legislation other than under the Act(s).
2. A copy of the tables and chairs licence must to be displayed in the window of the licensed premises. The copy licence is to be displayed so as to be clearly visible and legible from the street.
3. Only those commodities sold in the relevant shop premises can be served under the tables and chairs licence.
4. Only those services provided within the relevant shop premises can be provided in the licensed area where a licence permits tables and chairs to be placed on the street.
5. A tables and chairs licence is not transferable.

## **Appendix 6**

### **Conditions Specific To Shop Front Licences**

In addition to the conditions relating to all street trading and market licences, these conditions apply specifically to “Shop Front” licences only

1. Any display or part of a display of goods or services sold or offered within a shop and that is located on a public forecourt adjacent to the shop shall require a shop front licence, if the display is placed within 7 metres of the boundary at the rear of the footway delineating between the private property and the public Highway, as may be evidenced by Deeds of the property and / or the Highway register.
2. A copy of the shop front trading licence must to be displayed in the window of the premises outside which trading is permitted. The copy licence is to be displayed so as to be clearly visible and legible from the street.
3. Food Traders shall comply with the necessary food hygiene and food registration requirements as required by the Councils Food, Health & Safety Team.
4. Monetary exchange or payment cannot be made in the licensed street trading pitch.
5. The dimensions of a licensed street trading pitch shall be such that a minimum of 2m clear of any obstruction shall be maintained on the Public Highway for the safe pass, re-pass and free flow of pedestrian and vehicular traffic.
6. No equipment, stall, container, or display or tables(s) or chair(s) shall at any time be permitted to obstruct an entrance or exit to any adjacent premises or to any part of the building to which the licence applies that is under separate occupation.
7. Temporary barriers of an approved type must be in place during licensed hours and the same must be removed outside of the hours permitted by the licence
8. A shop front trading licence is not transferable.
9. Only those commodities sold in shop premises can be displayed outside premises provided they are not excluded items as defined in these regulations.
10. A separate street trading licence shall be required in the event that a commodity that is not sold in the shop is displayed or offered for sale on the licensed street trading pitch.
11. Only that equipment, stall, container, or display or tables(s) or chair(s) and containers which is suitable and fit for purpose and approved by the Council shall be used by the licence holder and assistants for shop front trading or ancillary to shop front trading.
12. The following items may not form part of the commodities displayed under a shop front licence:
  - a. Alcoholic beverages, tobacco and tobacco products;
  - b. Lottery tickets, phone cards, raffles, tombola and/or other games of chance;
  - c. Medicines, drugs and other prescribed substances
  - d. Uncooked meat or fish

- e. New and used cars and motorcycles
- f. Pets and livestock
- g. Containers of Liquid Petroleum Gas (LPG) including any which are fully or partly discharged or emptied;
- h. Explosives, including fireworks;
- i. Goods considered by the Council to pose a Health and Safety risk to the public.

13. The dimensions of a licensed street trading pitch shall be such that a minimum of 2m clear of any obstruction shall be maintained on the public highway for the safe pass, re-pass and free flow of pedestrian and vehicular traffic.

14. Items that are likely to cause damage the street or street furniture may not be used.

15. An awning may be permitted to extend up to a maximum of 30 cm (12 inches) at the front of the licensed shop front pitch but no articles are to be suspended from the awning beyond the permitted area. Additionally, the placement of the awning must permit safe pass and re-pass by pedestrian traffic.

## **Appendix 7**

### **Standard licence conditions for market operators**

In addition to the conditions relating to all street trading and market licences, these conditions apply specifically to “market operator” licences only.

***The licensed market operator must ensure that the following conditions are adhered to;***

- 1) No person shall sell goods in a market place other than during market hours;
- 2) No person shall bring a vehicle into the market place during market hours unless in case of emergency;
- 3) No stall shall cover or obstruct a fire hydrant. Clear access must be maintained at all times.
- 4) No person in charge of a vehicle shall, during market hours, allow it to stop in the market place, or in its immediate approaches, for longer than is reasonably necessary for the loading or unloading of goods;
- 5) No person shall place any goods on, or occupy any stall or pitch without the permission of the licensed market operator;
- 6) No person shall light a fire in the market place;
- 7) No person shall keep or sell any explosive or highly flammable substance in the market place;
- 8) No person shall bring a petrol generator into the market place. NB. Diesel generators are permitted.
- 9) No person shall post or display any bill, placard or poster, other than a description of goods advertised for sale, in any part of the market place, except with the prior permission of the market authority;
- 10) No person in the market place or in its immediate approaches shall, except by way of sale, distribute or attempt to distribute to the public any printed matter unless prior consent has been obtained from the market authority;
- 11) No person shall bring into or allow to remain in the market place any animal;
- 12) Food traders shall comply with the necessary food hygiene and food registration requirements as required by the Council’s Food and Health & Safety Team.
- 13) The market operator shall ensure that each trader is able to demonstrate adequate public liability insurance cover of £2million minimum.

## Appendix 8

### Standard Licence Conditions for Market Traders

In addition to the conditions relating to all street trading and market licences, these conditions apply specifically to “Market” licences only

- 1) Every Market Trader;
  - a. Ensure that the stall/pitch is properly cleansed before and after market hours as often as may be necessary during those hours;
  - b. Ensure that all refuse accumulated in connection with the stall is placed in a bin or container provided *or* approved by the Council for that purpose;
  - c. As often as is necessary, ensure that the contents of the bin or receptacle are removed to an area designated by the Council for that purpose
- 2) Traders shall have in place the following documentation at the time of trade and must produce them if requested to do so by an Authorised Officer of the Council;
  - a. Food hygiene documentation (where the traders commodity is food)
  - b. Valid public liability insurance of £2million minimum
- 3) Traders shall not bring petrol generators into the market place. *NB. Diesel generators are permitted.*
- 4) The use of gas cylinders is permitted only where;
  - traders have checked the valves and hoses of gas cylinders for defects before bringing them into the licensed market place, and;
  - the cylinders are in safe working order

This page is intentionally left blank