

If you require a translation in your language, please contact:

ਜੇਕਰ ਤੁਹਾਨੂੰ ਆਪਣੀ ਜ਼ਬਾਨ 'ਚ ਅਨੁਵਾਦ ਚਾਹੀਦਾ ਹੈ, ਤਾਂ ਕ੍ਰਿਪਾ ਕਰਕੇ ਸੰਪਰਕ ਕਰੋ:

જો તમને પોતાની ભાષામાં ભાષાંતર જોઈએ છે, તો મહેરબાની કરીને સંપર્ક સાધો:

Se necessitar de uma tradução, contacte por favor:

যদি আপনার নিজের ভাষায় অনুবাদ চান তাহলে অনুগ্রহ করে যোগাযোগ করুন:

اگر آپ کو ترجمہ اپنی زبان میں چاہئے تو براہ کرم ہمارے ساتھ رابطہ کریں۔



01483 750548

If you would like a copy of this document in large print, on tape or in Braille, please contact 01372 732000



Grants and Licensing

Town Hall, The Parade, Epsom, Surrey, KT18 5BY

Tel: 01372 732000 Web: www.epsom-ewell.gov.uk

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Applicants' Guide for Street Trading Licence or Consent



Telephone: 01372 732000
Email: contactus@epsom-ewell.gov.uk
Website: www.epsom-ewell.gov.uk

Useful contacts

Contact us if you would like more help or advice on **01372 732000**.
Alternatively you can email us at licensing@epsom-ewell.gov.uk or
write to us at

Grants and Licensing
Epsom & Ewell Borough Council
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Operational Services
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Ice cream consents

(a) It is an offence to use a loud speaker or public address system. The only exception to this is that ice cream van type chimes may be operated between 12 midday and 7pm in accordance with the Code of Practice on Noise from Ice Cream Van Chimes Act 1982. This Code allows the use of chimes if:

(b) the volume is kept at a reasonable level

(c) a duration of four seconds only

(d) never when the vehicle is stationary and not repeated within three minutes

(e) to trade for not more than one hour at any one site. The chimes must not be played near schools or hospitals, nor may they be used on a Sunday near a church. Operators are advised to read the Code of Practice.

Any licence or consent to street trade may be revoked at the discretion of the Council.



Contents

Background information	4
Definitions	5
Schedule of streets	6
Fees and charges	7
Application procedure	7-9
Split pitches, trial and seasonal licences/consents	10
Licence/consent conditions	10-14
Useful contacts	15

Background information

The ability to control street trading came into operation on 1 June 1991. This enabled traders to operate in certain areas and places within the law, and allows the Local Authority to control where and when trading takes place.

Under the Local Government (Miscellaneous Provisions) Act 1982, Epsom & Ewell Borough Council has powers to control street trading activities within its area. Any person who engages in street trading in a “**prohibited street**”, or trades in a “**consent**” or “**licence street**” without being authorised by the Council to do so, will be guilty of an offence and liable on summary conviction to a fine not exceeding £400 on any one occasion.

The Council’s Licensing department strives to achieve the right balance by protecting the existing street traders and local shops and has placed an identical commodity rule on the Market Place in the High Street, Epsom. This allows no more than two traders selling the same commodity on the Market, thus protecting the existing stall holder. It enables Council Officers to control trading to protect permanent businesses and other street traders who may suffer from a financial impact. It recognises the importance of licensed businesses in the vicinity of the market, as well as the character of the area whilst trying to ensure that the activities do not cause nuisance or annoyance to the people of the area.



Conditions of consents only

Mobile: Mobile food shops (such as ice cream salesmen) may trade for not more than one hour at any one site on a given route in Consent Streets, at a time to be agreed between the hours of 8.30am and 9pm on all days, including Sundays (loud speakers only to be used between 12midday and 7pm).

Static: Street trading may take place at static sites to be identified in Consent Streets, at a time to be agreed between the hours of 8.30am and 9pm (or earlier at environmentally sensitive sites) on Mondays to Saturdays inclusive. No street trading will be allowed on static sites on Sundays.

Static sites on private land adjacent to the public highway


Street trading may take place at static sites adjacent to the public highway to which the public have the right of access without payment provided that:

- (a) the trader has the written consent of the site owner
- (b) the site is acceptable to the Council.

Trading from such sites may be agreed at a time between the hours of 8.30am and 6.30pm on Mondays to Saturdays inclusive. No street trading from such sites on Sundays.

- (c) street trading of any description will not be allowed after 9pm or before 8.30am on any day, ie night-time trading will not be permitted under any circumstances anywhere in the Borough
- (d) all applicants must at all times comply with all relevant legislation, etc.

- Traders shall give every assistance to Council Officers in carrying out their duties
- Traders shall at all times when trading, prominently display the licence/consent supplied by Epsom & Ewell Borough Council
- Failure to comply with conditions may lead to revocation or non-renewal of a licence/consent
- Street traders will maintain public safety, avoid nuisance and generally preserve the amenity of the locality
- Street traders will notify the Local Authority when they will not be trading for periods over two weeks
- The monitoring of pitches will ensure that those street traders who regularly attend will have preference on pitches to those who do not regularly turn up
- Street trading licences may be revoked if the street trader has not made frequent use of pitches
- Street traders and street trading assistants shall wear an identify badge issued by Epsom & Ewell Borough Council when trading.

 STREET TRADING CONSENT	
Name:-	Mr A Johnson
Trade in:-	Food and Drink
Pitch:-	20
Issued:-	02 October 2010
	<div style="border: 1px solid black; width: 60px; height: 60px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> YOUR PHOTO HERE </div>

Definitions

Street trading means the selling, exposing for sale or offering for sale of any article (including a living thing) or the supplying or offering to supply any service in a street for gain or reward.

Under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 a "Street" includes

- (a) Any road, footway, or other area to which the public have access without payment
- (b) A service area as defined in Section 329 of the Highways Act 1980.

The following are not deemed as street trading for the purposes of this Schedule:

- (a) Trading by a person acting as a pedlar under the authority of a pedlars certificate
- (b) Anything done in a market or fair
- (c) Trading in a trunk picnic area as defined in Section 112 of the Highways Act 1980
- (d) Trading as a news vendor (newspapers and periodicals)
- (e) Selling things as a roundsmen (for example a milk roundsmen).

Consent street means a street in which street trading is prohibited without the consent of Epsom & Ewell Borough Council.

Prohibited street means a street in which trading is prohibited.

Market Place, Epsom (Licensed Street) on non-market days Mondays, Tuesday, Wednesdays and Fridays with a total of 16 pitches. A waiting list is in operation for the Market Place for traders wishing to sell identical commodity items.

Epsom Market is run by Operational Services and trades on Thursdays and Sundays.

Schedule of streets

Street trading will only be permitted in licensed and consent streets set out in the schedule listed below. This includes all forecourts, roads, footways, footpaths and other areas (including 'Service Areas' as defined in Section 329 of the Highways Act 1980) to which the public has free access, adjacent to the streets referred to in the schedule, for a distance of 15 metres.

Schedule 1 - Prohibited Streets

All principal roads (Class A), and non-principal roads (Class B and C), except those areas indicated in schedules 2 and 3 below.

Stoneleigh Broadway, except private forecourts as set out in Schedule 3 below.

Clayton Road Kiln Lane	Plough Road The Parade (Epsom)	Depot Road Adelphi Road
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Schedule 2 - Licensed Streets

The High Street, the part which forms the pedestrianised area, known as "The Market Place"

Schedule 3 - Consent Streets

- (i) All forecourts in private ownership in the streets listed hereunder:

Stoneleigh Broadway Chase Road Chessington Road Church Street East Street Grosvenor Road	Heathcote Road High Street, Epsom High Street, Ewell Hook Road Kingston Road Laburnum Road	Langley Vale Road Manor Green Road Pound Lane Ruxley Lane Upper High Street Waterloo Road West Street
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- (ii) All unclassified roads, except those listed in schedules 1 and 2 above.

Conditions of all license and consents

- Trading to be allowed for specified times between the hours of 8.30am and 6.30pm on Mondays, Tuesday, Wednesdays and Fridays
- No Sunday trading will be permitted, nor any on Thursdays and Saturdays when the Market is in operation
- Not to cause an obstruction or hazard
- Not to deposit any litter or rubbish and remove from the site any refuse emanating from your business
- To trade strictly within the days and times stated on your licence/consent
- To trade only in the articles given on your application
- No two pitches shall have the identical commodity at any time on the Market Place
- All vehicles must be off Market Place by 10am. Vehicles may arrive onsite at 4.30pm and be off site by 6pm. Vehicles may only be present when loading/unloading
- For those street traders who use electricity on Market Place, there is a daily charge per pitch which is collected by Operational Services
- Failure to maintain payments may result in the licence/consent not being renewed
- Traders and assistants employed by them shall ensure the public are treated fairly and with courtesy

Split pitches, trial and seasonal licences/consents

Split pitches

As from April 2011, Street Traders will be able to apply for a split pitch. This means that two Street Traders can apply for one pitch on the Market Place. Traders will have to agree at application time who will trade on the appropriate day. A full licence fee will be payable on application.

Seasonal licences/consents

Epsom & Ewell Borough Council issue Seasonal Licences/Consents for a time limited period. All will be subject to Police approval which will take up to three working days.

Trial licences

If you wish to have a trial one month pitch on The Market Place on Mondays, Tuesdays, Wednesdays and Fridays, this option is now available to Street Traders. After one month if you wish to continue then a full fee will be required. If you apply part way through the year then the fee will be calculated pro rata accordingly. All applicants will be subject to Police approval which will take two to three working days

Licence/consent conditions

Should a licence or consent to trade be granted, please ensure that you comply with your licence/consent conditions. Failure to observe this could result in the loss of your licence/consent and legal action being taken against you.

Trading to be allowed for specified times between the hours of 8.30am and 6.30pm on Mondays, Tuesday, Wednesdays and Fridays. Pitches will be identified and agreed by Epsom & Ewell Borough Council.

Fees and charges

The fees for street trading licences and consents are as follows;

Food licence/consent	£575 per year
Non food licence/consent	£482 per year
Mobile food licence/consent	£575 per year
Seasonal Licence/Consent	one off payment of £77
Trial licence for Epsom Market	free for one month, then a full annual fee will be required
Split pitch fee	Half the annual fee per trader
Vary Licence/Add Commodity	£55 per application

Anyone over the age of 17 may apply for a street trading licence or consent.

Application procedure

You will need to provide evidence that you have public liability insurance up to the value of £5 million. You will also be required to provide your passport or birth certificate.

The Council's official approval is required for any person to trade from any of the schedule of streets listed. Applications must be made in writing, on the application form, at least 14 days before the proposed start of trading. Traders must give details of the type of commodity and the size of stall or vehicle to the Council's Grants and Licensing Team. Surrey Police and Ward Councillors are consulted on each application for their comments and/or objections.

Food stall holders must comply with all relevant food hygiene and Health and Safety legislation and must ensure that your business is registered with the Environmental Health Department. Environmental Health will be consulted on all food stall applications.

The location of the intended site or sites must be sufficiently described and be easily identified on an attached plan with your proposed application

All applications will be subject to the following before the grant of a licence or consent will be given:

1. Highway, road safety and environmental considerations
2. Applications are referred to the Police, local Ward Councillors, and the Chairman of the relevant Committee, for their comments or objections
3. Applicants wanting to trade in food goods should immediately contact the Environmental Health Department, where you will be required to produce your registration certificate before a Licence or Consent can be issued
4. Any Licence or Consent to street trade may be revoked at the discretion of the Council
5. Street trading of any description will not be allowed after 9pm or before 8.30am on any day, night-time trading will not be permitted under any circumstances anywhere in the Borough
6. All applicants must at all times comply with all relevant legislation.

There are a limited number of grounds on which an applicant can be refused a licence. If no objections are received, it is likely that consent and licences will be granted, but will be subject to certain conditions dependent upon trading activity. Generally, consents and licences will be renewed annually. The Council also reserves the right to issue street trading licences for any period of less than a year. Where an application is required for any period of less than a year, a reduced fee may be considered and will be at the discretion of the Council Officers.

Street trading licences are issued for a period of up to one year running from the 1 April until 31 March calculated each year. If applicants apply part way through the year then the fee is calculated pro rata. Street traders should then re-submit their renewal application one month before the expiry of their current licence. At this renewal time, the Licensing Officer may consult further to determine if the street trader is a cause for concern.

For those Street Traders who use electricity on Epsom Market a charge will be levied. The fee is collected by Operational Services

Street trading assistants

All Street trading assistants will be required to complete an assistants application form. Applicants will need to supply two passport size photographs for their identity badge, and copies of identification documents such as a passport, driving licence or birth certificate.

Revocation of licence

Epsom & Ewell Borough Council may at any time revoke a street trading licence if they consider:

(a) that owing to circumstances which have arisen since the grant or renewal of the licence there is not enough space in the street to engage in trading without causing interference or inconvenience to persons using the street

(b) that the licence holder is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason

(c) that since the grant or renewal of the licence, the licence holder has persistently refused or neglected to pay fees owed to the Council

(d) that since the grant or renewal of the licence the licence holder has, without reasonable excuse failed to avail himself of the licence to a reasonable extent.