
**Local Government (Miscellaneous Provisions) Act 1982 – Schedule 4
Draft Street Trading Policy**

Report by the Director of Customer Services

1. Summary

- 1.1 Members are requested to agree a draft statement of Street Trading Licensing Policy, prepared in accordance with the requirements of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, as a basis for consultation with stakeholders.

2. Background

- 2.1 Street Trading means the selling, or exposing, or offering for sale, of any article in a street. A street for the purposes of this definition includes any road, highway, footway, beach or other area to which the public have free access without payment.
- 2.2 In 1988 Worthing Borough Council first adopted controls under the provisions of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 (the act) to control street trading in certain areas of the town centre where complaints had been received regarding the conduct of some street traders. Over the years other areas have been added to the list of streets in which street trading is regulated to address specific concerns associated with different areas of the borough.
- 2.3 When these controls were first adopted members formulated some basic principles that officers have used to consider street trading applications. Applications that have not met the criteria have been refused under delegated powers or been referred to this committee for consideration.
- 2.4 The act does not require that Local Authorities publish a statement of Licensing Policy but members and officers have expressed their opinion that a formal Worthing Borough Council street trading policy would assist in administering the function and any future deliberations regarding street trading applications.
- 2.5 This draft policy incorporates the original principles members set out in 1988.
- 2.6 When adopting a formal licensing policy it is standard practice that the council undertakes consultation with our partner authorities, including the Police, and representatives of other stakeholders, including businesses and local residents before any statement is considered for adoption.

3. Consideration

- 3.1 A draft statement of Street Trading Licensing Policy is attached to this report. The draft statement accords with the provisions of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. (Appendix A)
- 3.2 This document has been prepared as a starting point for members' consideration. The policy will need to be considered section by section. Although it may suggest one particular approach it is only guidance and members will have to consider each point on its merits. The policy attached has been drafted to stimulate debate and members will need to decide if this is appropriate and need to be satisfied that they are not fettering their discretion but setting up a general standard. Members need to be aware that they can move away from and/or review any aspect of the policy at any time in the future if they wish.
- 3.3 The draft policy that is given initial approval by members will then be used as a basis for consultation. An eight week consultation period is proposed. A list of proposed consulted is included. (Appendix B)
- 3.4 The consultation results and a final version incorporating any changes to be considered will be brought back to this committee towards the end of this year.

4. Legal Implications

- 4.1 In determining this matter the principles of the Human Rights Act 1998 must be taken into consideration and the convention rights of both individuals and businesses given due weight.
- 4.2 Members must consider each licensing matter on its own merits, and in accordance with the principles of natural justice, as well as the provisions of the Local Government (Miscellaneous Provisions) Act 1982. All relevant factors must be taken into account, and all irrelevant factors must be disregarded.
- 4.3 All licensing matters, before Committee, must be considered against the backdrop of anti-discriminatory legislation, such as the Equality Act 2010 and also in accordance with the Council's stated policy on Equal Opportunities.
- 4.4 In accordance with Section 17 of the Crime and Disorder Act 1998 the Council is 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 disorder in its areas.

5. Other Implications

- 5.1 Any decision taken will have regard for the local environment and, in particular, any conditions attached for the purposes of preventing public nuisance will take this principle into account.
- 5.2 There are no significant crime & disorder, equal opportunities, race relations or financial implications arising from this report. Crime and disorder, and environmental implication have been considered.

6. Recommendation

- 6.1 **Members are asked to consider and comment on the attached draft statement of Street Trading Licensing Policy.**
- 5.2 **Members are asked to approve the adoption of the draft policy, with any amendments agreed at the meeting, as the basis for consultation; and to agree to receive a further report to consider the results of the consultation**

Jane Eckford
Director of Customer Services

Principal Author and Contact Officer:

Simon Jones

Senior Licensing Officer - Tel: 01273 263191 or simon.jones@adur-worthing.gov.uk

Background Papers:

- Local Government (Miscellaneous Provisions) Act 1982 – Schedule 4
<http://www.legislation.gov.uk/ukpga/1982/30/contents>
- Adur & Worthing Councils' Guide to Street Trading
<http://www.adur-worthing.gov.uk/licensing-and-permits/streets-highways-towns/>

Appendices:

- Appendix A - Draft statement of Street Trading Licensing Policy & Appendices
- Appendix B - Draft List of Consultees

Commerce Way, Lancing

Ref: SJ/Lic.U/WBC Street Trading Policy

Date: 7 July 2014.

Schedule of other matters

1.0 Council Priority

1.1 Matter considered and no issues identified.

2.0 Specific Action Plans

2.1 Matter considered and no issues identified

3.0 Sustainability Issues

3.1 Matter considered and no issues identified

4.0 Equality Issues

4.1 Brought to the attention of members within the report otherwise no issues identified.

5.0 Community Safety issues (Section 17)

5.1 Matter considered and no issues identified

6.0 Human Rights Issues

6.1 Human rights concerns are brought to the committee's attention within the report.

7.0 Reputation

7.1 Matter considered and no issues identified.

8.0 Consultation

8.1 Standard consultation suggested and detailed in appendix B of the report.

9.0 Risk assessment

9.1 Matter considered and no issues identified.

10.0 Health & Safety Issues

10.1 No issues identified

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership working

12.1 Matter considered and no issues identified.

Appendix A



**DRAFT STATEMENT OF STREET TRADING
LICENSING POLICY**

Local Government (Miscellaneous Provisions) Act 1982

July 2014

Draft 2



WORTHING BOROUGH COUNCIL STREET TRADING POLICY

The Borough of Worthing is situated in the County of West Sussex which contains seven local councils in total; Worthing is a compact urban seaside borough. It is one of the largest towns in terms of population in West Sussex with around 100,000 residing in an area of 3300 hectares. Worthing Borough Council and Adur District Council are served by a single officer structure but remain separate Authorities

Adur & Worthing Councils are committed to working in partnership to support and improve the local economy by supporting businesses in the creation of jobs and regenerating neighbourhoods whilst promoting and supporting charity and community events.

Both councils seek to strengthen ties with Business Partnerships such as the Adur and Worthing Chamber of Commerce and Adur & Worthing Business Partnership and will endeavor to reduce red tape in regulation and regeneration and will always look for opportunities for economic development and allow communities to be more involved in decisions.

1. Introduction

Street trading is defined as selling, or exposing or offering for sale, of any article (including living things and vehicles) in a street. Street trading is controlled under provisions of the Local Government (Miscellaneous Provisions) Act 1982. Due to complaints received from the public over the years, regarding the activities of some street traders, both Adur District & Worthing Borough councils have adopted powers under the above act to regulate this activity.

Worthing Borough Council (The Council) is the Licensing Authority under the Local Government (Miscellaneous Provisions) Act 1982 responsible for the administration and enforcement of the Act within the borough of Worthing. This includes, among other duties, the granting of street trading permissions and enforcement of the legislation. These duties have been delegated to the Council's Licensing & Control Committee and Licensing Unit.

This statement has been prepared and updated in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1982. The statement sets out the policies the Council will generally apply to promote its licensing objectives when making decisions on applications made under the Act.

2. Licensing Objectives

In accordance with Section 17 of the Crime and Disorder Act 1998 the Council is under a duty to exercise its licensing functions with due regard to the likely effect on, and the need to do all it reasonably can to prevent, crime and disorder in its areas. The possible crime and disorder implications are clearly relevant factors in the consideration of all street trading consent applications.

In giving "due regard" to these possible implications officers and members, when considering a street trading application, renewal or review, will consider and weigh up all the information available and any representations made particularly those from the Police.

The Local Government (Miscellaneous Provisions) Act 1982 does not define objectives but Worthing Borough Council considers the following as the main objectives that have to be addressed when considering any licence or consent application:

- Prevention of Crime & Disorder
- Prevention of Public Nuisance

- Public Safety
- Protection of children & vulnerable persons

3. Purpose

The purpose of the Council's street trading policy is to create a street trading environment which complements premises-based trading, is sensitive to the needs of residents, provides diversity and consumer choice, and seeks to enhance the character, ambience and safety of local environments. It is further intended to set out the requirements and standards expected of street traders in Worthing.

4. What is Street Trading?

Street trading means selling, exposing or offering for sale any article or the supplying of or offering to supply any service in a street. The term 'street' includes any road, footway, the beach, seafront or other open area to which the public have access without payment. The street trading policy will therefore include all hot and cold food vendors (including ice cream vendors) and all vendors of non-food products who trade on static pitches from any vehicle (including bicycles and/or motorbikes), stall, barrow, trailer, basket, bag, box, vessel, easel, board or tray or any other thing (whether specifically constructed or adapted for such use) used as a container for or the display of any article. The policy also covers the selling of vehicles and other seasonal items (such as Christmas trees).

In 1988 Worthing Borough Council adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 in a number of areas in the borough and has extended these controls in a number of other areas since.

Much of the borough of Worthing is unregulated as far as street trading is concerned. As long as a trader complies with his or her general legal requirements they are free to trade in these unregulated streets. The only obvious obligation the trader has trading in an unregulated area is to ensure their stall, van or trailer is legally & safely parked and is not causing an obstruction either itself or through its customers.

Other areas of the borough do have controls in place. There are two types of designated area in Worthing with Street Controls. Certain streets have been designated as 'prohibited streets' for street trading purposes and others 'consent streets'. No trading can take place in 'prohibited streets'. Trading can take place in the 'consent streets' but only with the formal permission of the Council.

A full list of the prohibited and consent streets is included in Appendix 1.

5. Exemptions from the need to obtain Consent

Some types of trade are legally exempt from the need to obtain a street trading consent. These include:

- a person trading under the authority of a pedlars' certificate granted under the Pedlars Act 1871. Pedlars should remain mobile and not occupy the same location for any period longer than 5 minutes, unless trading commences within that 5 minutes, in which case he/she should leave as soon as he is able after trading ceases. Each new location occupied should be at least 200m away from the previous one and at least 50m away from a location being occupied by another person.
- trade carried out by delivery drivers making regular deliveries to households e.g. milkmen;
- trade carried on at a petrol filling station;

- newspaper vendors trading in accordance with paragraph 1(3) of schedule 4

6. Fee Structure

Worthing Borough Council will require payment of a fee before granting a street trading consent. The fee will primarily reflect the area in which trading will take place, the length of time for which a licence may be granted. The fees will be reviewed on an annual basis. Consents may be applied for and granted for:

- Annually
- Quarterly
- Monthly
- Daily

The Council's Licensing & Control Committee, having delegated authority under the Council's Constitution, may set fees and review the fee structure annually in relation to their areas of responsibility, in consultation with other appropriate Council Officers and Committees.

7. Other Street Trading Issues

Other activities related to street trading that would not normally require the issue of a licence:

- Events based and run for the benefit of the community such as fetes and carnivals, where any financial gain from such events is entirely reinvested in the community. Organisers of such events should contact the Worthing Town Centre Manager for guidance.
- Sales of articles by householders on non-public land adjoining their homes (e.g. garage sales), so long as the sale is not being run as a business. Consent will not normally be required for these activities.
- Trading at or adjoining a shop premises as part of the business or shop would not need an additional street trading licence.
- Markets, car boot sales and other related activities organised or permitted by the council on land owned by the council would not normally require a licence.

8. Consultation

Before publishing this Policy Statement, the Council consulted with Sussex Police, Adur & Worthing Safer Communities Partnership, the Environmental Protection Team, West Sussex County Council Highways Agency, West Sussex County Council Trading Standards Service, Worthing Town Centre Initiative and bodies representing local businesses and residents in the Borough.

The Council apportions proper weight to the views expressed by all the persons/bodies consulted before its Policy Statement takes effect.

Before any new streets are designated as 'prohibited' or 'consent', or changes made to their designation is authorised, the Council will consult and seek written observations from relevant parties listed above and any

others that it appears to the Council are likely to be affected by the authorisation, ward councillors and officers, and/or from other parties as directed by the Licensing & Control Committee.

The Council will also advertise the proposals as stipulated in the act and consider any responses received. Any objection from consultees will be assessed against the criteria in 9 below and may be referred to the Licensing & Control Committee for determination.

Any proposed change to standard conditions (see 12 below) will be consulted with appropriate parties where relevant.

Sussex Police, WSCC Highways Agency and Worthing Town Centre Initiative have been identified as 'responsible authorities' with regard to street trading applications. They will be consulted on all applications for new street trading consents in the town centre. The Senior Licensing Officer is empowered to consult any other parties he/she deems relevant.

9. Site Assessment

The Council has identified suitable sites for street trading that are largely in areas where commercial activity is already taking place or problems have dictated controls are required. Other areas within the borough may be considered if there is a strength of local opinion that they should be included.

In determining whether to consider other areas to allow street trading, the Council will have regard to:

- any effect on road safety, either arising from the siting of the pitch or from customers visiting or leaving;
- any loss of amenity caused by noise, traffic or smell;
- existing Traffic Orders e.g. waiting restrictions;
- any potential obstruction of pedestrian or vehicular access;
- any obstruction to the safe passage of pedestrians;
- the safe access and egress of customers and staff from the pitch and immediate vicinity (including adequacy of lighting);
- disabled access.

10. Nature of Goods and Trading Hours

Worthing Town Centre

Applications for street trading consents within the town centre will only be considered in respect of Montague Street, Montague Place, South Street (northern end), Bath Place and Portland Road (South of Shelley Road) which are currently the only designated "consent" streets in the town centre. Applications will be considered on individual merit but are only likely to be given consent in exceptional cases where the proposed activity will add colour and interest to the local environment. Applications for permits in Bath Place and Shelley Road will normally only be considered for organised markets.

Consents will not normally be granted where the proposed trading would compete directly with shops and businesses in the vicinity unless the Council considers the increase in footfall attracted to the area by the street trading to be sufficiently beneficial to the area as a whole to justify making an exception. In such cases

it may grant consent for the sale of goods and services which complement those provided by nearby shops but may decide to grant such authorisation on a trial basis.

Consents will not be granted where the proposed trading would have an undesirable effect on the character of the area, create excessive obstruction, lead to an increase in litter or over-use of the area. In addition trailers and mobile vans, or the like, will not normally be permitted. The number of 'permanent' consent permits issued is limited and currently set at 3 permits in and around Montague Place.

Marine Crescent & Marine Drive

Applications for street trading consents for the coast roads in Worthing will only be considered in respect of Marine Crescent & Marine Drive. These are the only designated 'consent' streets, under the provisions of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. Brighton Road, Marine Parade and West Parade are designated 'prohibited' streets and permission to trade cannot be granted.

Controls were adopted in this area because of residents' complaints regarding the conduct of fast food caterers. Applications will again be considered on individual merit but consent is only likely to be given to registered ice cream vans or if the proposed business is sympathetic to the sea side area and in exceptional cases where the proposed activity will add colour and interest to the local environment.

Consents will not be granted where the proposed trading would compete directly with businesses in the vicinity or would have an undesirable effect on the character of the area; create excessive obstruction, lead to an increase in litter or over-use of the area.

Consent to trade in Marine Crescent & Marine Drive will normally only be given to trailers, stalls, mobile vans or the like. The number of consent permits issued is limited and currently set at 10 permits

Hours

Street trading hours will be determined on a pitch-by-pitch basis and consideration will be given to the trading hours of shops in the immediate vicinity and the service being provided to residents and visitors in the area. Trading will normally be restricted to between the hours of 08.00hrs and 19.00hrs but exceptions will be considered.

The size, design and appearance of the van, trailer, stall, barrow, or cart etc. used must be agreed by the Senior Licensing Officer.

The selling of motor vehicles on the public highway on a commercial basis will not be permitted and all applications for this specific activity will be declined.

11. Issue of Street Trading Consent

Street trading consents will normally be issued for a period of twelve months, to be used for a minimum of five days per week, unless the applicant can provide an alternative scheme acceptable to the Senior Licensing Officer.

Shorter term Consents will also be considered on a daily, weekly or monthly basis.

- an application should be made on the appropriate form (see Appendix 2) and must be completed in full before any application for a street trading consent will be considered. Any incomplete application will be returned;
- fees for consents must be paid in full at the time of application and should be submitted by cheque or postal order made payable to Worthing Borough Council;

- any application must be received at least 28 days prior to the first proposed day of trading;
- where an application is refused the fee will be returned less an administration fee of £25;

The holder of a street trading consent will be made aware that it may be necessary for the Local Authority to clean and maintain pavements, verges or the highway within the area granted Consent. If possible, prior notice will be given of any work required or of any planned routine maintenance, which will affect the ability to trade.

There may however be times when the permitted area will be unavailable for trading purposes due to utility, maintenance or construction. This is a normal function of the Highway Authority and will not, therefore, be subject to compensation.

In accordance with this policy the Senior Licensing Officer will determine applications after consultation with Sussex Police, WSCC Highways Agency and Worthing Town Centre Initiative. In addition he/she may consult any interested parties deemed relevant and other council officers. Applications that do not comply with this policy may be refused by the Authorised Officer or referred to the Licensing & Control Committee for determination.

If more than one application is received for a pitch at one time, it will be offered to the applicant whose proposal is considered most suitable for the particular pitch and at the discretion of the Senior Licensing Officer; such applications may be referred to the Licensing & Control Committee.

Consent cannot be issued to a person under the age of 17 years.

Licences are not transferrable. If a business with an existing licence ceases to trade a new licence will need to be obtained by any trader intending to use the same location.

All consents will expire, unless renewed, on the date specified in the consent. There is no automatic right of renewal. A 'consent permit' may not be renewed by the council for any reason, for instance if changes to the use of the area or local environment are planned. Refusal to renew will not be subject to compensation under any circumstances.

12. Refusal of Applications

The Senior Licensing Officer will consider all applications for consent on their individual merit but an application may be refused if the application does not fit in with the council's policy, the applicant is unsuitable to hold the consent by reason of having been convicted of an offence, the application does not address the council's licensing objectives or for any other reason. The Applicant will be notified of and given reasons for the refusal in writing.

If the Applicant is not satisfied with the decision, they may make a written representation within 28 days of notification of the refusal, that the application be put before the Licensing & Control Committee for further consideration. Once arrangements have been made for the representation to be heard by the Licensing & Control Committee, the applicant will be advised in writing of the date, time and place where the representation will be heard.

The Local Government (Miscellaneous Provisions) Act 1982 does not allow any legal appeals against the decision of the Council in relation to the refusal of Street Trading Consents. However, an applicant aggrieved by a decision of the Council may seek a Judicial Review of the decision, should it be felt necessary.

13. Conditions and Enforcement

Standard conditions will be attached to the 'street trading consent' detailing the holder's responsibilities to address the licensing objectives by maintaining public safety, avoid creating nuisance and generally preserve the amenity of the locality. (See appendix 3)

In addition, specific conditions may also be attached in connection to the days and hours when street trading is permitted, the goods which may be sold and the size of the pitch.

Failure to promote the licensing objectives or comply with any condition may lead to revocation of the street trading consent by the Senior Licensing Officer or referral to the Licensing & Control Committee for a review hearing. Where a 'consent' has been revoked by the Senior Licensing Officer the permit holder has the right to request his case be referred to the Licensing & Control Committee for a review hearing within 28 days of receiving the written notification. If a 'street trading consent' is revoked no refund of the 'consent' fee will be made.

The proprietor or stallholder may be held liable for any damage caused to the verge, pavement, highway or any other item of street furniture caused through the operation of his/her business.

Persons trading in prohibited streets and in consent streets without consent and who are not exempt will commit an offence and may be the subject of enforcement action. Other relevant offences which can be committed are set out in paragraph 10 of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. Enforcement action may include the seizure and forfeiture of any article in the possession and / or control of a person committing a relevant offence.

14. Food Safety Requirements

Registration of a Food Business

Food businesses are required to register with the Local Authority where the business operates or in the case of mobile vehicle the Local Authority where the vehicle is kept. Registration must take place at least 28 days before the business starts trading. Registration is free and simply informs the Council that a business will be starting up. It does not mean that the Council has approved the business as complying with the law nor does it give the business any special rights to trade.

Food Safety Act 1990

The Food Safety Act requires that food, which is handled, is safe for consumption. The detailed requirements that must be met to ensure that food is safe are laid out in the Food Hygiene (England) Regulations 2006.

In addition to the above legislative requirements, proprietors of food businesses are also required to provide a documented food management system. Information on food hygiene legislation and providing a documented food management system is available on the Food Standards Agency Website at www.food.gov.uk.

15. Other relevant legislation

In addition to the conditions attached to the street trading consent, applicants should be aware that there may be other relevant legislation which may impact on their business whilst they are trading such as:

- Health and Safety;

- Electrical Safety;
- Fire safety;
- Storage of Liquid Petroleum Gas (LPG);
- Food Hygiene;
- Pricing, labelling and copyright;
- Nuisance
- Waste storage and duty of care
- Licensing Act 2003

This policy will be the subject of periodic monitoring and review on a frequency of no more than five years. This policy will inform the detailed conditions attached to every street trading consent and will be applied in a manner which is consistent with the Council's equalities policies.

16. Concessions

Concession areas include Worthing promenade from King George V Avenue along to East Worthing and the beautiful Beaches, Parks and Gardens within Worthing borough & Adur district. These areas are owned by the Councils and concessions are let to local businesses following approval by the Concessions Working Group, which includes relevant Members & Officers of the Councils. Certain concessions are subject to tender, although most are not. Concessions are managed by the Regeneration Team at Adur & Worthing Councils.

Useful Contacts:

- The Licensing Unit, Housing, Health & Community Safety
Adur & Worthing Councils
9 Commerce Way, Lancing
BN15 8TA
Email: licensing.unit@adur-worthing.gov.uk
Tel: 01273 263192
- Sussex Police - Worthing & Adur Licensing Team
Email: ws_licensing_wor@sussex.pnn.police.uk
- Housing & Environmental Protection Group
Email: environmental.protection@adur-worthing.gov.uk
- Development Control Group
Planning Services
Email: planning@adur-worthing.gov.uk

- West Sussex Trading Standards Service
Email: trading.standards@westsussex.gov.uk
- West Sussex Highways Agency
Email: highways.southern@westsussex.gov.uk
- Worthing Town Centre Initiative
Email: info@worthingtowncentre.co.uk

Appendix One:
List of Prohibited Streets:

Ann Street
Anscombe Road
Ardsheal Road
Bedford Row
Bernard Road
Boulevard (North of Nelson Road)
Broadwater Street West
Brighton Road
Buckingham Road
Chapel Road
Chatsworth Road
Columbia Drive
Crescent Road
Cross Street
Dominion Road
Findon Road
George V Avenue
Goring Way
Graham Road
Ham Road
High Street
Liverpool Road
Liverpool Terrace
Marine Parade
Marine Place
Mulberry Lane
New Street
Offington Lane
Oxford Road
Portland Road (North of Shelley Road)
Prospect Place
Railway Approach
Rectory Road
Sompting Road
South Farm Road (north of Ardsheal)
South Street
South Street Tarring
Steyne
Teville Gate
Teville Place
Teville Road
Union Place
Victoria Road
Wallace Avenue
Warwick Street
West Buildings
West Parade

No street trading of any description, including the sale of motor vehicles, is allowed in these streets and the Council under this act has no power to make exception.

List of Consent Streets:

Montague Street
Montague Place
South Street Square

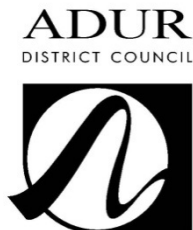
The Council allows street trading in these streets under licence but has a strict policy that vendors are not competing with local shops, not selling fast food, not operating from a van or trailer and are adding colour to the town. Fast Food and Ice Cream Vans clearly would not receive a licence to operate in the above consent streets. Plots are strictly limited.

Bath Place
Portland Road (South of Shelley Road)

The Council allows street trading as part of an organised approved market.

Marine Crescent
Marine Drive

These are consent streets on West Worthing sea front and the licensing of Ice Cream vans and/or beverage vendors is considered but not fast food or the sale of motor vehicles. The number of licences issued is strictly limited.



Licensing Unit, 9 Commerce Way, Lancing, BN15 8TA

Application for a Street Trading Consent for Worthing Town Centre

Local Government (Miscellaneous Provisions) Act 1983 – Schedule 4

IMPORTANT: Please read attached guidance notes before completing the form.

1.	Name of Applicant in full:			
	Address:			
	Telephone Number:			
2.	State the precise location at which you wish to trade (a sketch plan would be helpful) (Note: Street Trading is permitted in Montague Street, Montague Place and South Street (Northern end) only.			
3.	What articles do you wish to trade in?			
4.	Give details (including dimensions) of any portable stall or other equipment which you wish to use in connection with your trading (<u>But</u> – see Guidance Note 2)			
5.	What is the duration of the consent for which you are applying?	(1 day/1 week/1 year/other) – please specify		
6.	Which days of the week do you wish the street trading consent to cover?			
7.	Between what times do you wish to be authorised to trade?			
8.	Please give details of any convictions you have relating to acts of violence or dishonesty :			
	Date of Conviction	Convicting Court	Offence	Penalty

I apply for a street trading consent on the terms set out above and declare that the information given on this application form is, to the best of knowledge and belief, correct.

Signed

Dated

Notes :

1. It is an offence (punishable with a fine of up to £1,000) for a person, in connection with an application for a street trading consent, to make a false statement which he or she knows to be false in any material respect, or which he or she does not believe to be true. It is also an offence to trade at a different place or at different times to those specified in the consent.

2. The fee for a day's trading consent or for a week's trading consent is payable on application. The fee for a one year consent is payable on grant or in quarterly instalments, if more convenient.

3. If a 'consent' is granted, the applicant will be required to submit two passport size photographs and proof of £5,000,000 public liability insurance.

Data Protection

It should be noted that Adur & Worthing Councils may make any enquiries considered necessary (e.g. from another Section or Department of the Councils, Department of Social Security, employer, bank or other financial institution), to assess licence applications.

Details regarding licensing applications (whether or not they proceed) will be retained in paper form and/or in a computer record by Adur & Worthing Councils. Applicants should be aware that the Councils will retain the information provided in connection with applications for a period of up to 10 years and such information may be retained as either hard copy or as a computerised record.

Applicants have the right to see certain records held about them on payment of an appropriate fee under the provisions of the Data Protection Act.

Please return form to :

**Licensing Unit
Adur & Worthing Councils
9 Commerce Way
Lancing
BN15 8TA**

Licensing Unit, 9 Commerce Way, Lancing, BN15 8TA

**Application for a Street Trading Consent for
Marine Crescent & Marine Drive, Worthing**

Local Government (Miscellaneous Provisions) Act 1983 – Schedule 4

IMPORTANT: Please read attached guidance notes before completing the form.

1.	Name of Applicant in full	
	Address (home and where the vehicle is stored if different)	
	Telephone Number(s) including mobile	
2.	Vehicle Details (including registration number, date of registration, vehicle make, and livery)	
3.	What articles do you wish to trade in?	
4.	Give details (including dimensions) of any portable stall or other equipment which you wish to use in connection with your trading (<u>But</u> – see Guidance Note 2)	
5.	Food Business Establishment registration – Name of local authority and date of last inspection.	
6.	On what date due you wish the consent to begin?	

7.	Which days of the week do you wish the street trading consent to cover?			
8.	Between what times do you wish to be authorised to trade on each of the days specified in (6.) above?			
9.	Please give details of any convictions you have.			
	Date of Conviction	Convicting Court	Offence	Penalty

I apply for a street trading consent on the terms set out above and declare that the information given on this application form is, to the best of knowledge and belief, correct.

Signed

Dated

Notes:

- 4. It is an offence (punishable with a fine of up to £1,000) for a person, in connection with an application for a street trading consent, to make a false statement which he or she knows to be false in any material respect, or which he or she does not believe to be true. It is also an offence to trade at a different place or at different times to those specified in the consent.**
- 5. The fee for a year's trading consent is payable on approval of your application.**
- 6. If a consent is granted, the applicant will be required to submit two passport size photographs, proof of public liability insurance and a cheque for the full fee.**

Data Protection

It should be noted that Adur & Worthing Councils may make any enquiries considered necessary (e.g. from another Section or Department of the Councils, Department of Social Security, employer, bank or other financial institution), to assess licence applications.

Details regarding licensing applications (whether or not they proceed) will be retained in paper form and/or in a computer record by Adur & Worthing Councils. Applicants should be aware that the Councils will retain the information provided in connection with applications for a period of up to 10 years and such information may be retained as either hard copy or as a computerised record.

Applicants have the right to see certain records held about them on payment of an appropriate fee under the provisions of the Data Protection Act.

Appendix 3

Standard Conditions of Trading Consents

The Trader shall:

1. not trade otherwise than on the days and between the times specified in the consent;
2. not trade otherwise than at the location specified in the consent;
3. not trade in any articles other than those specified in the consent;
4. keep the consent so that it can be immediately produced for inspection by an authorised Officer of Worthing Borough Council or Sussex Police;
5. hold public liability insurance cover in the sum of £5,000,000 to cover injuries or loss to members of the public;
6. remove all litter from the site at the end of each period of trading;
7. not cause obstruction in the street or danger to persons using it;
8. not cause any nuisance or annoyance to any person (whether using the street or otherwise).

Appendix 4

Street Trading Fees 2014/15

Street Trading Consents – Town Centre (non-vehicles)

Annual	1950.00
Week	110.00
Day	45.00

Street Trading Consents – Marine Crescent & Marine Drive (vehicles)

Annual	117.00
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Appendix B



Local Government (Miscellaneous Provisions) Act 1982 – Schedule 4 Draft Street Trading Policy Consultation List

July 2014

1. INTERNAL CONSULTEES

- Alex Bailey – Chief Executive
- John Mitchell – Director of Communities
- Scott Marshall - Director for the Economy
- Paul Yallop – WBC Leader
- Bryan Turner – WBC Deputy Leader
- All Councillors

2. PUBLIC CONSULTEES

- Adur & Worthing Councils' Web Pages

3. AUTHORITY CONSULTEES

- Sussex Police
District Commander – Cl Jo Banks
Worthing & Adur Licensing Team
- Fire & Rescue Service

Central Operations Group Station Manager – Roy Barraclough

- West Sussex County Council Highways Dept.
Brian Morgan
- Worthing Town Centre Initiative
Sharon Clarke
- West Sussex Trading Standards Service
Richard Sargeant

4. INDUSTRY CONSULTEES

- Worthing & Adur Chamber of Commerce
17 Liverpool Gardens, Worthing, West Sussex
- National Market Traders Federation
Email: genoffice@nmtf.co.uk

5. RESIDENTIAL CONSULTEES

- Becket Residents' Association
E-mail: porterrussj@gmail.com
- Broadwater (Worthing) Community Association
chairmanbca@ntlworld.com
- East Worthing Community Association
East Worthing Community Association, Pages Lane, Worthing, West Sussex, BN11 2NQ
- Findon Valley Residents' Association
E-mail: d.goncalves@zoom.co.uk
- Friends of Homefield Park
E-mail: homefieldparkaction@gmail.com
- Goring Residents' Association
Email: janzalexander@gmail.com
- Goring Chase Residents' Association Ltd
E-mail: robert.smytherman@ntlworld.com
- Heene Community Association
E-mail: heene.community@ntlbusiness.com
- High Street Tarring Residents' Association
High Street, West Tarring, Worthing, West Sussex, BN14 7NR
- High Salvington Residents' Association
E-mail: mary.hsra@hotmail.co.uk

- Offington Park Residents Association
e-mail: chris@caratscafebar.com
- South Broadwater Residents' Association
Email: tim.nicholls1@ntlworld.com
- The Community House
E-mail: aedwards@worthing-homes.org.uk
- The Ilex Conservation Group
E-mail: fandalee@ntlworld.com

6. NON INDUSTRY CONSULTEES

- West End Traders Association - Diane Guest
food@thesandwichbar.co.uk
- Worthing Pubwatch Chairperson – Peter Wilson
wilson@totalise.co.uk
- Rotary Club of Worthing
- Adur & Worthing Safer Communities Partnership
safer.communities@adur-worthing.gov.uk