

**RULES GOVERNING APPLICATIONS FOR TEMPORARY STREET TRADING LICENCES (EXCEPT TEMPORARY MARKETS) IN STREETS (OR PARTS THEREOF) THAT ARE NOT LICENSED STREETS UNDER SECTION 24 OF PART III OF THE LONDON LOCAL AUTHORITIES ACT 1990 (AS AMENDED)**

**DEFINITIONS:**

Act	Means Part III of the London Local Authorities Act 1990
Application	means an application for a Temporary Street Trading Licence under section 31 of the Act in relation to streets (or parts thereof) that have not been designated as a 'licence street' under section 24 of Part III of the Act.
Stall:	Includes any receptacle, vehicle or stall and any structure, box, table, stand, basket, bag, vessel, stand, easel, board, tray or thing which is used (whether or not constructed or adapted for such use: <ol style="list-style-type: none"><li>1. As a container for or the display of any article, thing or equipment for sale or offer, or</li><li>2. For the display of any article, thing or equipment in connection with the provision of a service., or</li><li>3. To protect the goods and/or the licence holder and staff attending the Stall.</li></ol>
Licence	Means any temporary licence granted under section 31 of the Act
Licensing Committee	Means the Councils Licensing Committee and where the Licensing Committee has delegated its functions to officers of the Council, those officers.
Street Trading:	Has the meaning given to it in section 21(1) of Part III of the Act

**PART A OF THESE RULES ARE FOR APPLICATIONS FOR STREET TRADING INVOLVING THE USE OF STALLS (INCLUDING, VEHICLES, UNITS, TABLES, AND OTHER APPARATUS OR INSTALLATIONS).**

**PART B OF THESE RULES ARE FOR APPLICATIONS FOR LEAFLETING AND OTHER FORMS OF ADVERTISING DISTRIBUTION, AND WALKING/STATIONARY HUMAN ADVERTISING (E.G. PERSONS WITH BILLBOARDS) WITHOUT THE USE OF STALLS ETC.**

## **PART A**

### **APPLICATIONS FOR STREET TRADING INVOLVING THE USE OF STALLS (INCLUDING, VEHICLES, UNITS, TABLES, AND OTHER APPARATUS OR INSTALLATIONS).**

#### **1. CONSULTATION ETC**

- 1.1 The Council may notify such persons/bodies and carry out such consultation as it believes appropriate in relation to an Application, and that such notification to or consultation with may include (but not exclusively) the Metropolitan Police Service, HM Revenues and Customs, UK Border Agency, Ward Councillors, Council Departments, and residents and businesses that may be affected by the grant of the Application. Because of the differing types of Stalls and goods/services to be provided and matters that may arise that could affect the suitability or status of the Stall/ applicant the matter of how and who the Council notifies or consults with will be at the Council's absolute discretion.
- 1.2 A record or copy of any licence granted may be placed on a public register, but such record or copy will not contain the personal details of any person except for their name.

#### **2. APPLICANTS ETC**

- 2.1 The Application may only be made in the name of an individual(s) or a corporate body. In the case of individuals, they must be 17 years of age or over

#### **3. APPLICATION**

- 3.1 Applications shall be made on the form(s) approved by the Council.
- 3.2 The completed Application form shall be accompanied by
- a) Four plans drawn to a scale of 1:100 showing the exact location of the Stall in relation to the nearby road(s) and building(s), local landmarks such as telephone boxes, bus stops etc and the width of the pavement.
  - b) Four plans drawn to a scale of 1:50 of the Stall itself, which must show its exact dimensions (including height), awnings, counters, display units etc, and the materials and colours to be used.
  - c) The Application fee.
  - d) Proof that the land to be traded on has the appropriate planning consent for an explanation as to why it's use or is exempted from such planning consent.
- 3.3 If the completed Application form(s) is not accompanied by the appropriate Application fee and required documentation the Application will be invalid and of no effect.
- 3.4 It is the responsibility of the applicant(s) to ensure the safe arrival of the completed Application form, plans, documents and fee at the offices of the Council's Licensing Team.
- 3.5 An applicant shall submit such other information as the Council may require for the purposes of assessing and considering the Application, within 21 days of their being requested in writing (unless an extension of time is agreed by the Officer).

#### **4. TACIT CONSENT**

- 4.1 There is no 'tacit consent' in relation to an Application, and no Application shall be deemed to be approved or refused until such time as the applicant has been notified in writing of the grant or refusal of the Application. The Council shall endeavour to determine an Application:
- within 2 months of receipt of the Application or
  - when further information is requested from the applicant under number 3.5 above within 2 months of the Council's receipt of the information.

#### **5. DETERMINATION OF VALID APPLICATIONS**

- 5.1 All valid Applications will be determined by the Licensing Committee (unless delegated to an officer by the Licensing Committee).
- 5.2 In reaching its decision the Licensing Committee will take into account its Guidelines to assist in the determination of Applications, and the ability of the applicant to comply with the Council's standard licence conditions.
- 5.3 The Licensing Committee may impose terms and special conditions on any licence that it decides to grant.
- 5.4 All licences granted will normally be subject to the Council's standard licence conditions.
- 5.5 The Licensing Committee may determine that no licence be issued or become effective until the applicant has supplied proof that they have Public Liability Insurance of at least £5,000,000 (five million pounds) for any single claim, and in the case of a Stall and other installations on public land and that the said public liability insurance indemnifies the Council against all claims arising out of the use of the land under the licence.
- 5.6 The applicant shall be sent notification in writing of the decision of the Licensing Committee as to whether the Application has been granted or refused within 3 working days of the decision being made.

#### **6. WAIVER OF RULES**

- 6.1 In any particular case any of the Rules may be waived, altered or modified by the Licensing Committee at their absolute discretion, provided that any such waiver, alteration, or modification does not contravene the provisions of Part 3 of the London Local Authorities Act 1990 (as amended).