



## **STREET TRADING INFORMATION FOR EAST SUFFOLK COUNCIL**

These guidelines have been produced to help people who want to trade in a street (Street Trading). Street Trading is controlled only in the geographical area formerly known as Waveney and not the rest of the East Suffolk district. Any reference to the 'Council' means East Suffolk Council.

These guidelines are not intended to cover every aspect. If after reading them you are still not clear about something, either contact the Council's Licensing Team (the address and telephone number is set out at the end of this note) or seek your own further advice.

### **The General Position**

The law defines "Street Trading" as "the selling or exposing or offering for sale of any article (including a living thing) in a street".

There are certain exceptions from this definition but generally the definition is wide and covers most forms of trading.

The Council has designated some Streets within the area formerly known as Waveney District Council area as **Prohibited** Streets and some as **Licensed** Streets. The remaining Streets are **Consent** Streets. Please see the following explanation and refer to the lists of Prohibited and Licensed Streets attached.

A "street" is also given a wide definition. For the purposes of this designation, "Streets" includes any road, footway, promenade, pavement, public car parks and all other areas adjacent to the said streets for a distance of 20 metres to which the public have access without paying.

A Licence/Consent cannot be issued to anyone under the age of 17.

A licence or consent will last at the most for one year. It is your responsibility to ensure you make a renewal application in good time before the expiry of your Licence/Consent, if you wish to continue trading.

When issuing a Licence/Consent the Council may apply such conditions as it considers reasonably necessary. Conditions will obviously vary according to the circumstances of each case.

The Council will **not** grant a Licence/Consent if: -

- It is not satisfied about arrangements for clearing away and disposing of any refuse created by the trading taking place.
- The trading is likely to disturb or annoy people living in the immediate area.

An application will take a **minimum** of 28 days, as we must consult with Police, Environmental Services, Planning, all District Councillors, Town Councils and Highways at Suffolk County Council. We will not begin to consider an application unless **all** the relevant documentation is sent in with the application form.

**If you are trading in food** (including ice cream) please contact our Environmental Health section for further information regarding details of food safety regulations and the registration of a food business (this is a legal requirement). The vehicle/stall will be subject to an inspection to determine its suitability and to check compliance with food and safety regulations.

For trading in any of the **market towns (Beccles, Bungay, Halesworth, Lowestoft and Southwold)** you must contact the appropriate Town Council before applying to us.

Beccles	Tel: 01502 712109	Email: <a href="mailto:admin@becclestowncouncil.gov.uk">admin@becclestowncouncil.gov.uk</a>
Bungay	Tel: 01986 894236	Email: <a href="mailto:clerk@bungaytowncouncil.gov.uk">clerk@bungaytowncouncil.gov.uk</a>
Halesworth	Tel: 01986 874517	Email: <a href="mailto:clerk@halesworthtowncouncil.org.uk">clerk@halesworthtowncouncil.org.uk</a>
Lowestoft	Tel: 033 0053 6019	Email: <a href="mailto:admin@lowestofttowncouncil.gov.uk">admin@lowestofttowncouncil.gov.uk</a>
Southwold	Tel: 01502 722576	Email: <a href="mailto:townclerk@southwoldtowncouncil.com">townclerk@southwoldtowncouncil.com</a>

We will not accept an application for trading in the market towns unless it is accompanied by the approval of the appropriate Town Council. Once you have the approval of the Town Council you may make your application to us.

**Applications must include:**

- the name, address and date of birth of the applicant. An applicant must be an individual of at least 17 years of age
- details of the street(s) and location of the pitch or the areas the applicant wishes to trade
- the days and times they wish to trade
- descriptions of articles or things intended to be traded and any item that will be used in connection with the trading
- storage arrangements for the vehicle/trailer
- the fee (there is also a fee due on annual renewal)
- a copy of your public liability insurance for a minimum of £5,000,000
- a photograph of the vehicle/stall and a plan map showing your chosen location.

In addition, if you are planning to use a motorised catering unit you will also need to provide

- Vehicle registration certificate
- Proof of MOT
- Proof of vehicle insurance – specifically business use
- Driving licence for all prospective drivers

Applications will not be considered without this evidence.

**Application procedure**

Once a full and complete application has been received a consultation period will commence when your application details are circulated to:

- Environmental Services
- Planning
- All District Councillors
- The Police. For self-contained vehicles (e.g. ice cream vans) they may require you to produce original documentation for the vehicle and any drivers
- The Highways Authority
- Town Council (if required)

A Consent or Licence may not be granted when adverse comments are received from the consultees, or where there is a possible risk to road safety or possibility of a nuisance being created.

A council will grant an application unless there are grounds for refusal.

### **PROHIBITED, LICENSED AND CONSENT STREETS**

If the Council has designated a street as a **prohibited street** it means that **no Street Trading at all can take place**, this includes all other adjacent areas to a distance of 20 metres. In these streets there is no point in applying for a Licence because the Council will not issue one. See attached list.

The Council has designated the remainder of streets within the area formerly known as Waveney District Council area as either **Licensed or Consent Streets**. The licensed streets are identified on the attached list. All remaining streets, if they are not prohibited or licensed are consent streets.

A Street Trading Licence or consent when granted will be subject to various conditions, which will be attached to the Licence.

### **LIST OF PROHIBITED & LICENSED STREETS**

#### **PROHIBITED STREETS**

For the purposes of paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, the following streets within the former Waveney District Council administrative area be designated as Prohibited Streets for the purposes of Street Trading, the effect of such designation being to prohibit any street trading in any of the streets so designated:

#### **General**

All of the A12 Trunk Road within the area formerly known as Waveney District including service roads and lay-bys excluding the lay-by at Frostenden

All of the A146 within the area formerly known as Waveney District, including service roads and lay-bys

All of the A1117 within the area formerly known as Waveney District, including service roads and lay-bys

All parts of car parks owned and/or operated by the former Waveney District Council, whilst being operated as public car parks except for the portion of Royal Green car park within 20 metres of the East Point Pavilion project area.

All of the B1375 within the area formerly known as Waveney District, including service roads and lay-bys

#### **Lowestoft**

Swimming Pool Road (entire length, both sides)

Whapload Road (entire length, both sides)

Leisure Way (from A12 junction to entrance to Pleasurewood Hills (both sides)

London Road South (entire length, both sides)

Marine Parade (from first junction with Royal Green Car Park to junction with Victoria Terrace)

Kensington Road (entire length, both sides)

Kirkley Cliff Road (entire length, both sides)

Claremont Road (entire length, both sides)

Waterloo Road (entire length, both sides)

London Road Pakefield (entire length, both sides)

The Boulevard Oulton Broad (entire length)

Victoria Terrace (entire length, both sides)  
Wellington Esplanade (entire length, both sides)

### **Beccles**

Blyburgate (entire length, both sides)  
Newgate (entire length, both sides)  
The Walk (entire length, both sides)  
Ballygate (entire length, both sides)  
St Mary's Road (entire length, both sides)  
Peddars Lane (entire length, both sides)  
Fen Lane (entire length, both sides)

### **Southwold**

Ferry Road (entire length, both sides)  
Southwold Harbour (from the junction with Ferry Road to the junction with Blackshore Road, both sides)  
High Street (entire length, both sides)  
North Parade (entire length, both sides)  
East Street (entire length, both sides)  
Parts of the cliff top path from junction with North Parade to junction with Gun Hill (including promenade)  
Gun Hill  
Godyll Road and Blackshore Road (entire length, both sides)

### **Halesworth**

Market Place (entire length, both sides)  
London Road (entire length, both sides)  
Saxons Way (entire length, both sides)  
Norwich Road (entire length, both sides)

### **LICENSED STREETS**

For the purposes of paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, the following streets within the area formerly known as Waveney District Council administrative area be designated as Licensed Streets for the purpose of Street Trading, the effect of such designation being to permit street trading in any of the streets so designated upon the issue of a Street Trading Licence by the Council and any street trading thereafter permitted being subject to the terms and conditions of the issued Licence:

Lowestoft High Street (both sides, from the junction with Camden Street to its southernmost extent)  
London Road North, Lowestoft (from Milton Road East to Station Square). 2 Stalls in total

The Thoroughfare, Halesworth (entire length, both sides)  
Bridge Street, Halesworth (entire length, both sides)

Newmarket Beccles (entire length, both sides)  
Old Market Beccles (entire length, both sides)  
Exchange Square Beccles (entire length, both sides)  
Sheepgate Beccles (entire length, both sides)  
The Quay Beccles

All applications for licences for London Road North will go to a Licensing Sub-Committee for decision. All **licences** issued will be subject to a daily fee in addition to the annual fee.

### **CONSENT STREETS**

All remaining streets within the area formerly known as Waveney District administrative area which have not been expressly designated as Prohibited Streets or Licensed Streets be designated as Consent Streets for the purpose of Street Trading, the effect of such designation being to permit street trading in any of the streets so designated upon the issue of a Street Trading Consent by the Council and any street trading thereafter permitted being subject to the terms and conditions of the issued Consent.

### **UNDESIGNATED STREETS**

Lowestoft Sea Front between East Point Pavilion and Claremont Pier, Royal Terrace, Royal Plain, Parade Road North, Marine Parade between Parade Road North and the first junction of the Royal Green Car Park and the portion of Royal Green Car Park within 20 metres of the East Point Pavilion Project Area, are undesignated from the Street Trading Policy. A Street Trading Licence is not required to trade on an undesignated street. The consent of the landowner is still required. All other applicable statutory and regulatory requirements must also be complied with.

### **SCALE OF CHARGES FOR STREET TRADING WITHIN THE AREA FORMERLY KNOWN AS WAVENEY DISTRICT COUNCIL AREA**

**Please note the fee applies to each stall/vehicle being operated and is subject to review.**

### **CONSENT STREETS**

The application and annual fee payable in respect of trading in streets which are designated as Consent Streets is currently £438.

### **LICENSED STREETS**

The application and annual fee payable in respect of trading in Streets which are designated as Licensed Streets is currently £438.

The following daily charges also apply: -

The current charge is £29 per day

This will be collected by way of invoice in advance on a monthly basis for all days on the licence.

This is applicable to all Licensed Streets, which are listed on the List of Prohibited and Licensed Streets for every day on your licence **whether you trade or not**. The only exceptions are for holidays advised to us in advance, or periods of sickness lasting more than one week advised to us as soon as is practicable.

**Once a licence/consent is issued it is your responsibility to ensure you make a renewal application in good time before the expiry date if you wish to continue trading.**

If you have any queries please do not hesitate to contact the Licensing Team on 01394 444802 or at [licensing@eastsoffolk.gov.uk](mailto:licensing@eastsoffolk.gov.uk) or write to us at:

Licensing Team, East Suffolk Council  
Riverside, 4 Canning Road  
LOWESTOFT, NR33 0EQ