

STREET TRADING INFORMATION FOR WAVENEY DISTRICT COUNCIL

These guidelines have been produced to help people who want to trade in a street (Street Trading).

They 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 at Riverside (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 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 have to consult with Police, Environmental Services, Planning, all Councillors 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 Beccles or Southwold you must contact the appropriate Town Council before applying to us. We will not accept an application for trading in Beccles unless it is accompanied by the approval by Beccles Town Council.

Beccles - you must first apply to Beccles Town Council. Tel (01502) 712109 Mon – Fri 9.30-14.00. Once you have received their approval you should then make full application to us.

Southwold - you must first apply to Southwold Town Council Tel (01502) 722576. Once you have received their approval you should then make full application to us.

Applications must include:

- the name, address and date of birth of the applicant
- if the applicant wishes to be a stationary or mobile trader, details of the street and location of the pitch or the areas the applicant wishes to trade
- the days and times they wish to trade
- descriptions of articles, things or services intended to be traded and any item that will be used in connection with the trading
- storage arrangements for the vehicle/trailer

In addition if you are planning to use a motorised ice cream van 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

There are also the following requirements:

- An applicant must be an individual of at least seventeen years of age.
- There is an application fee which must be paid at the time an application is made and also an annual payable on the anniversary of the grant of the Licence/Consent.
- You will need to provide evidence that you have Public Liability Insurance to the value of £5 million
- You will need to confirm that your business is registered with your Environmental Health department if you wish to sell food.
- You will need to supply a photograph of the vehicle/stall and a plan map showing your chosen location.

Applications will not be considered without this evidence.

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 Local Councillors
- The Police. For self contained vehicles (eg ice cream vans) they may require you to produce original documentation for the vehicle and any drivers
- The Highways Authority

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 20metres. 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 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 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 Waveney District, including service roads and lay-bys excluding the lay-by at Frostenden

All of the A146 within the District, including service roads and lay-bys

All of the A1117 within the District, including service roads and lay-bys

All parts of car parks owned and/or operated by the Council, whilst being operated as public car parks

All of the B1375 within the 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 (entire length, both sides)

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 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)
Lowestoft Sea Front (from East Point Pavilion to Claremont Pier, 3 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 Lowestoft High Street, London Road North and Lowestoft Sea Front will go to the Licensing Committee for decision.

Applications for the market towns will in the first instance be passed to the relevant Town Council for their approval.

All licences issued will be subject to a daily fee in addition to the annual fee.

CONSENT STREETS

All remaining streets within the Waveney District Council 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.

SCALE OF CHARGES FOR STREET TRADING WITHIN THE WAVENEY DISTRICT COUNCIL AREA

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

CONSENT STREETS

The annual (and application) fee payable in respect of trading in streets which are designated as Consent Streets is currently £360

LICENSED STREETS

The annual (and application) fee payable in respect of trading in Streets which are designated as Licensed Streets is currently £360

The following daily charges also apply: -

The current charge is £23 per day

This will be collected in advance 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 (01502) 523619 or at licensing.wdc@eastsoffolk.gov.uk or write to us at:

Licensing Team
Waveney District Council
Riverside,

4 Canning Road
LOWESTOFT
Suffolk
NR33 0EQ