



## EXPLANATORY NOTES

### STREET TRADING

1. All streets within the Metropolitan Borough of Walsall have been designated as consent streets from the 1 December 2024.
2. You must decide the location you wish to trade from or if you wish to trade as a mobile trader, you would be required to provide a route plan of the streets that you wish to trade from.
3. You must also establish whether your proposed trade is a suitable one. All fixed site applications must be accompanied by a site location plan, which must show the exact proposed trading position together with the dimensions of the vehicle, trailer, stall or cart to be used.
4. The application must be accompanied by the relevant fee:

**New applications:** A £50.00 administration fee is payable at application, should the application be successful the £50.00 fee will be deducted from the consent/consent fee.

**Renewal applications:** The application should be accompanied by the full consent fee.

#### Payment methods

Payment of the relevant fee may be made by:

- credit or debit card over the telephone
- BACS payment or;
- bank transfer.

Please note: payment must only be made **AFTER** an officer has confirmed your application to be complete and valid. Please do not make any payment until you have received this confirmation.

5. Applicants may not commence trading until their application(s) (including fee) have been submitted to the Licensing Unit, and have been determined by the Licensing Unit.
6. Applicants are asked to note that all permits will require renewal with effect from 31st March each year irrespective of the duration of permit issued.



## Street Trading Fees

### A) Consents

1 year	£560
9 months	£430
6 months	£360
3 months	£275
1 month	£215

### Licensing of Street Traders

That in pursuance of the powers conferred upon it by virtue of Section 3 and schedule 4 of the Local Government (Miscellaneous Provisions) Act, 1982, the Council hereby makes the following designation, that all 'streets' as defined in schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 i.e all road, footways, service areas (as defined by section 329 of the Highways Act 1980), beaches or other areas to which the public have access without payment in the controlled borough of Walsall be designated as consent streets.

Such designation to come into force on the 1 December 2024, and that the director of Economy & Environment be authorised to make the necessary statutory advertisements:-

### **Conditions with Regard to Street Trading Consents**



## Local Government (Miscellaneous Provisions) Act,1982 (the Act)

### A. Definitions

1. Operator means the holder of a street trading consent and all his employees or agents.
2. Consent – includes a street trading consent.
3. Vehicle – includes any stall, barrow, cart etc, used in connection with trading.
4. Trading – the offering for sale of any goods or items including food.
5. Street – shall include any area to which the public has free access without payment.
6. Any other term not defined in these conditions shall have the same meaning as in the act.

### B. General

1. The operator must make his consent available at all times to any authorised officer of the council or police officer.
2. The consent document provided by the council shall be displayed at all times in a visible place on the vehicle.
3. The operators consent must be forwarded to the local authority before 31st March each year for renewal.
4. The times and areas defined on the consent must be strictly adhered to.
5. Any granting by the local authority of a consent does NOT imply any permission whatsoever with regard to planning permission under the Town & Country Planning Acts.
6. The granting of a consent does not give any authority to infringe any bye-laws, regulations or statutes whatsoever and the same must be strictly observed.
7. The operator shall comply with all reasonable requests made by authorised officers of the council and police officers.

### C. Environmental Health

1. The operator (where trading in food) shall at all times observe the provisions of all relevant regulations passed by virtue of the food and drugs Act 1953, these include The Food Hygiene (general) Regulations, 2006 and the Food Hygiene (Markets, Stalls and Delivery Vehicles) Regulations, 1990.
2. The operator shall not cause a nuisance of any kind. If such a nuisance is being caused the permitted site can be changed.
3. The operator shall ensure that no refuse waste is dropped from the vehicle and shall ensure that any litter deposited near the vehicle shall be removed at regular intervals and in particular at the close of trading.
4. The operator shall at all times comply with the reasonable instructions of officers from Environmental Health and consumer services.



5. All premises within the borough used for the storage of food must be registered with Environmental Health and Consumer Services.
6. No waste water is to be discharged from the vehicle.
7. The vehicle shall be available at any reasonable time for inspection by officers from Environmental Health and Consumer Services.
8. Suitable food storage premises should be provided and shall be to the satisfaction of officers from Environmental Health and Consumer Services. Domestic accommodation is not suitable.

## D. Planning & Transportation

1. The granting of a street trading consent does not give any permission (express or implied) for the operator to infringe any Traffic Regulation Order.
2. All parking restrictions in any street must be strictly adhered to by the operator.
3. The operator of the vehicle must not obstruct the free flow of pedestrians at any time.
4. The operator must not park or site their vehicle within 200 metres of any school entrance.
5. The operator must not trade from a point within 200 metre of an existing trader of a similar nature.

(Note: this condition does not apply in respect of sites in Walsall Town Centre. A full consultation exercise will be undertaken before an approval is given to the scale of any commodity to be sold from street trading sites in Walsall Town Centre.)

6. The operator must not park or site their vehicle on a classified road or prohibited area at any time.
7. The operator must comply with all reasonable instructions given by officers from Planning & Transportation services regarding the initial location and relocation of sites and other such related matters.
8. The type and appearance of units by consent holders (static traders only) to be approved by officers from Planning & Transportation services.

(N.B. The criteria for determining compliance with the above condition is detailed below);-

(a) mobile units only to be used (i.e all units must be on wheels so that they can be moved quickly in an emergency);

(b) all units must be free standing;

(c) stands which are to be assembled on site are not to be used;

(d) The appearance of all units must not be detrimental to the existing properties in the area in which the units are located.

9. The following condition will be applied at the discretion of Planning & Transportation Services:

A licensed vehicle must not be parked or sited within 20 metres of any road junction.



## **E. Public Liability Insurance**

1. All street traders are required to provide original documentary evidence to confirm that public liability insurance has been arranged in the sum of £5 million.

## **F. Environmental Health Conditions on Chimes & Loudspeakers**

The following conditions apply to ice cream vans and any other vehicle from which food will be sold using a chime or loudspeaker.

1. The loudspeaker should only be operated between 12:00 pm till 19:00.
2. The loudspeaker is fixed to a vehicle used for the conveyance or sale of perishable food.
3. The loudspeaker is used solely for informing members of the public that goods are for sale.
4. The loudspeaker is not operated in a way as to give rise to annoyance to persons in the vicinity.
5. The volume of the chime or music must be carefully adjusted so as to avoid distortion of the sound.
6. The noise level from a loudspeaker should not exceed 80 dB(A) in any direction.
7. The chime must not last more than 4 seconds.
8. The chimes must be played only once on the approach to each stopping place, never when the van is stationary, and never at intervals of less than 3 minutes.
9. The chimes should not be played when in sight of another van which is also in operation.
10. The chimes should not be played within 50 metres of any hospital.
11. Chimes should not be played within 50 metres of a school during school hours.
12. The chimes should not be played within 50 metres of a place of worship on a recognised day of worship.



## LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT, 1982

### APPLICATION FOR A STREET TRADING CONSENT

#### A. Applicant's Details

Full name of applicant	
Previous names(s)	
Address of applicant	Postcode:
Date of birth	
National Insurance No.	
Telephone number	
Email address	

Name and registered address of business (if different from above)	Postcode:
Registered number	

#### B. Items of Trade

Please provide a full list of all goods to be traded in (continue on another sheet if necessary)	
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#### C. Type of Consent Required

a) Boroughwide Consent - Period of consent required (Please tick as appropriate)	1 month	<input type="checkbox"/>	3 months	<input type="checkbox"/>	6 months	<input type="checkbox"/>
	9 months	<input type="checkbox"/>	Annual	<input type="checkbox"/>		
Will you be trading from a static location or mobile? Please tick one only						
	Static	<input type="checkbox"/>	Mobile	<input type="checkbox"/>		



## E. Description of Stall

Description of stall / container to be used in connection with trading, including any registration / identification number, size specifications and photos if available.	
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## F. Proposed Days and Times of Trade

Please specify all days and times of trading.	
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## G. Fixed Location Trading – Site Plan

If you are applying for a fixed trading site you must provide a site location plan. The plan should be clear, accurate and, where possible, to scale. If you require any assistance in producing a site plan please contact the Licensing Unit Your consent will be issued to this specific location.

I have enclosed a site location plan/ List of streets for my route (please tick as appropriate)	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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## DECLARATION

I declare that as far as I know the information on this form is true and correct. I understand that the information given on this form may be used within the Authority for the prevention and detection of fraud. The information may also be shared with other bodies administering public funds, solely for these purposes. [Further information is given below]

I am aware that, by signing this application form, I am giving my consent to a criminal record check being carried out. I also consent to the Police making further enquiries into this application, as necessary.

I hereby confirm that I have read the conditions with regard to street trading consents and consents contained in the street trading information pack and declare that I will comply therewith and ensure that I will not trade within 200 metres of an existing trader of a similar nature.

(Note: Failure to comply with these conditions could result in non-issue or revocation of your consent. Applications which are not fully completed will be returned)

Signature \_\_\_\_\_

Date \_\_\_\_\_

Return to: Licensing Unit, Clean & Green Depot, 200 Pelsall Road, Brownhills, WS8 7EN

Please enclose appropriate fee

We will use the information you provide to assess your eligibility for a consent/permit/registration against the published criteria. Walsall Council will only ever create, use, store and or share your data in accordance with the GDPR and the Data Protection Act 2018. Walsall Council is required by law to protect the public funds it manages. To do this we may use the information you give us to assist in the prevention and detection of fraud and for other lawful purposes. On occasion we may also share information with other council services and other bodies responsible for auditing and administering public funds for these purposes.

For more detail regarding how to access a copy of your information, or how the local authority uses and shares your information, please visit the Privacy notice at [https://go.walsall.gov.uk/privacy\\_statement](https://go.walsall.gov.uk/privacy_statement)