



Licensing Team

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Street Trading Guidance For applicants

What is street trading?

If you want to sell, expose or offer for sale any article in a street then you require a street trading licence or street trading consent. However there are a number of streets in Bristol where street trading is prohibited.

If you are selling goods on foot door to door, place to place or town to town you may require a pedlars certificate.

Street Trading Policy

On 17 March 2009 the Council's Public Safety and Protection committee agreed that from 1 May 2009 the street trading regime within Bristol would change and identified three designations that can be placed on any street.

- Consent streets
- Licensed street
- Prohibited streets

Consent Street

With the implementation of the new street trading policy the vast majority of streets are identified as consent streets with the exception of prohibited and licence streets.

Licence Street

If a street is designated as a licence street then applications can be made to trade in articles described in the application on certain days on that street.

Applications for street trading licences will continue to be considered on a case by case basis.

Licence Streets in Bristol :

- **Bedminster Area**

British Road from its junction with Canon Street to its junction with Victoria Parade.

East Street and fifty yards each side of every street, courtyard and walkway which adjoins East Street from its junction from East Street.

- **Clifton Area**

Queens Road 10 metres from its junction with University Road.

Prohibited Streets

If a street is designated as a “prohibited street” then a criminal offence is committed by any person engaging in street trading in that street.

Prohibited Streets in Bristol:

- **Broadmead Area**

All Saints Street/ The Arcade / Barrs Court / Bridewell Street / Broadmead East/ Broadmead West / Broad Weir / Callowhill Court / Cannon Street/ Fairfax Street / Hanover Court / Haymarket / Haymarket Walk / The Horsefair / Merchant Street North / Merchant Street South /Nelson Street (part of) from its junction with Bridewell Street to Broadmead / Newgate / Old King Street Court / Penn Street / Pithay Court / Quakers Friars / Silver Street /Union Street / Whippington Court /Wine Street from Broad Street to its junction with The Pithay

Bristol Temple Meads Station and Station Approach

Bristol Temple Meads Station and Station Approach was not included in the changes and as such any trading at this location is managed by the station manager. Please contact them for further details.

What type of consent/licence do I need?

If you want to stay in the same location each day and trade for more than twenty minutes at a time you would need a static consent/licence. This would be the case even if you remove your vehicle outside of trading times.

If you want to trade on different locations, staying at each for no more than twenty minutes at a time, you would need a mobile consent. If you want to trade on multiple locations per day, but want to stay for more than twenty minutes at a time then you'll need a static consent/licence for each location.

What should I consider before submitting my application?

There are a number of factors that the licensing authority take into account when determining an application for a street trading consent, these include public safety, commercial need, prevention of crime and disorder, prevention of public nuisance, sustainability and product type, suitability of the trading unit, and suitability of applicant. Further details of each consideration can be found in the council's Street Trading Policy.

Its likely that if your site is close to other street traders, existing markets, or areas with already substantial offers of a similar nature this will be considered under the commercial need, and may be refused on this basis.

You should also think about the location and consider whether there are any factors which might impact on your application such as whether it is in an area with restricted parking, such as a residents parking zone, or whether there is space for your vehicle at the location.

If you are intending to sell food you should also set out measures to demonstrate how your consent will contribute to protecting the environment and improving the food offer in Bristol. We will generally look favourably on applications where the food businesses hold a Bristol Eating Better award.

The Bristol Eating Better awards aim support and reward businesses who offer healthier food options and promote sustainability. The award is free to apply for and further information can be found on our website here: www.bristol.gov.uk/eatingbetteraward. If you are applying for street trading consent, we would encourage you to apply for the award. You should provide evidence of your award level in your application if you have obtained it already.

When do I need permission of the landowner?

If you make an application for land which is not owned or managed by Bristol City Council you will need to provide written permission from the landowner to trade on that site. This must be the legal owner of the land, some examples are given below:

- If you want to trade in a pub car park its likely to be the brewery, rather than the landlord that is the landowner.
- Many of the commercial and industrial trading estates in Bristol are controlled by management companies, who would be authorised to give permission on behalf of the landowner

Are there any other areas which I might not be able to apply for?

- There are some areas which are restricted due to land management issues, and we would not be able to permit street trading on. The areas are:
 - The new development of the roads and land at temple gate, replacing the gyratory. This area is currently subject to

restrictions, and we would recommend you email us with the location you are considering before submitting an application, as it may be rejected.

What additional requirements are there if the land is owned or managed by Bristol City Council?

There are a number of areas in Bristol which may require additional permissions. Some areas will require an additional rental fee, or an application for a concession. A list of some of these is below, but it is not exhaustive. If you aren't sure about the location you want to apply for please contact the licensing office to check.

- Parks and green spaces – requires concession
- Harbourside area – requires permission from Markets Team and may require a concession
- Central Promenade between St Augustines Parade and Broad Quay – requires concession

We won't be able to process an application for any of these locations, or any location where additional permission is required, without a concession being awarded, or permission from the relevant team that manages the area.

A concession is a site which has been identified as a suitable location for trading by the team managing the area and will be advertised for tender. The winning tender will still need a street trading consent, and must make an application to the licensing authority for this.

All concessions currently available for the Bristol City Council can be found on the e-procurement system at <https://www.bristol.gov.uk/tenders-contract/procurement-rules-regulations>. You can register on the e-procurement system for details of future concessions.

How do I submit an application for a street trading consent/licence?

Your initial application should include the following (electronic versions of photos and documents are acceptable):

- A completed and signed application form.
- Two colour passport size photographs of the applicant.
- A basic criminal records disclosure in the name of the applicant, or in the case of a company a basic criminal records disclosure for each director, which is no more than one month old at the time of submission to the authority (available from www.disclosurescotland.co.uk).
- Static consents: A clear and legible map clearly identifying the proposed location.
- Mobile consents: A list of each street that you wish to trade on. You must specify each street individually.

- Three colour photographs of the trading unit illustrating different elevations of the unit.
- If you wish to have street trading assistants a completed application form and two passport photographs for each individual.
- Permission of the landowner if the land is not owned or managed by Bristol City Council. If the application falls within a site controlled through a concession process you will also need to contact the relevant team and obtain a concession before a consent will be determined.

The following may be submitted at a later stage, but must be received prior to a consent/licence being issued.

- A copy of the certificate of insurance covering third party and public liability risks.
- Evidence of food hygiene qualifications or assessment if available, and confirmation of registration with the relevant local authority in respect of food hygiene.

Once completed you may submit your application in the following ways:

- Online at: www.bristol.gov.uk/streettrading and using the GOV.uk portal
- By email to: Licensing@bristol.gov.uk
- By post to: Licensing Team (Temple Street), Bristol City Council, PO Box 3399, BRISTOL BS1 9NE
- By dropping off at: Citizen Service Point marked FAO: Licensing Team, 100 Temple Street, Bristol BS1 6AG

What happens once I submit my application?

Once you have submitted a complete application a consultation period of twenty-one days will commence.

You must place a notice at the location you have made the application for, in a place where it can be easily read

The notice must be:

- displayed for a period of 21 consecutive days, beginning with the day after the day you submit the application.
- A4 sized or larger
- Printed legibly or typed in black in a font size of point 16 or larger

The notice must contain the following information:

- Trading name of the business
- Location being applied for
- Date application made
- Proposed goods to be sold
- Proposed days and times of trading

- The date by which comments can be received by the licensing authority (21 days beginning with the day after the day the application was submitted)
- How comments can be made to the licensing authority in relation to the application

A template site notice is included at appendix A should you wish to use it.

The site notice must contain the information set out in appendix A, or it may not be valid. You must ensure that the notice is displayed for the full 21 days. You may wish to provide photographic evidence of the notice in situ.

The application will also be advertised on the council's website for the same period of time and the licensing authority will normally consult with the following agencies or persons

- Avon and Somerset Constabulary
- Area Planning - Bristol City Council
- Highways Department - Bristol City Council
- Noise Control - Bristol City Council
- Food Safety - Bristol City Council
- Local residents groups/local amenity groups
- Ward councillors

If for any reason your application is invalid, the licensing authority may require the consultation period to be extended or restarted.

During this time any person may make comments on the application to the licensing authority. After the consultation period the licensing authority will give you copies of the comments, with any personal details redacted, and give you an opportunity to respond to them.

In the event that no adverse comments are received or issues raised in comments are resolved then the application will usually be decided by the Licensing Manager or Licensing Team Leader.

In the event that adverse comments remain unresolved the application will be referred to the Licensing Manager, or Licensing Team Leader, who may determine the application in consultation with the Chair of the Public Safety and Protection Committee. They may decide to grant or refuse the application, or refer it for hearing by the Public Safety and Protection Committee.

Fees

The fee for street trading becomes payable upon a consent being granted, and there is no application fee.

The fees payable from 1 October 2020 depend on where you wish to trade from and the type of consent being applied for. The fees must be paid in advance for the relevant period.

Central Area (including Central, Clifton and Clifton East wards)

- £1505 per quarter
- £502 per month
- £125 per week
- £21 per day
- £11 per day for charitable or educational purposes

Outside central area

- £383 per quarter
- £10.50 per day
- £5 per day for charitable or educational purposes

Mobile traders

- £436 per year

If my application is granted what happens next?

You'll need to submit any outstanding documents such as public liability insurance and evidence of food hygiene requirements, and pay any fees.

Once the licensing authority has all the required documents we will issue a street trading consent to you. A consent/licence may be issued for 3, 6, 9, or 12 months.

The consent will be issued with standard conditions attached to it, and any unique conditions the licensing authority determines are appropriate. The standard conditions can be found at appendix B of this guidance.

If my application is refused what happens next?

If your application for consent is refused you will be notified in writing with reasons for the decision. There is no right of appeal against a decision made by the licensing authority on a street trading consent.

If my application is referred to the Public Safety and Protection Committee what happens?

Officers will present a report to the committee and the applicant will be invited to address the committee

After everyone has had the opportunity to speak the committee will then determine the application. They may be minded to;

- Grant the application
- Grant the application with amendments or additional conditions

- Refuse the application

The minutes for the hearing will be published on the council's website, giving reasons for the decision. There is no right of appeal against a decision made by the licensing authority on a street trading consent.

The information in this guidance was accurate when produced, but you are always advised to seek your own legal advice should you have any queries and you should note that the Council cannot be liable in any way for the contents of this guidance.

APPENDIX A

Sample site notice

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)
ACT 1982**

Application for the Grant of a Street Trading Consent/Licence

An application for street trading consent/licence has been submitted to Bristol City Council for the following:

Trading Name

Location applied for

.....
.....

Details of application

Proposed days and times

Proposed goods for sale

The record of the application may be inspected on the Council’s website at www.bristol.gov.uk.

Application Date

Any person may make written representation to the Licensing Authority by(representation end date)

Such representation shall be made in writing to Licensing Team (100TS) PO BOX 3399 Bristol BS1 9NE or via email to: licensing@bristol.gov.uk

APPENDIX B

STREET TRADING CONSENT GENERAL CONDITIONS

1. The consent holder shall only trade on the days and between the times stated on the consent.
2. The consent holder shall only trade in the description of articles stated on the consent.
3. The consent holder shall not carry on business on any street so as to cause obstruction or cause danger to people using the street.
4. The consent holder shall not carry on business from any vehicle or erect or place any stall or other structure in any street except in the area mentioned in the consent.
5. The consent holder shall not sell, offer or expose for sale any goods or articles other than those described within the principle terms of this consent.
6. The consent holder shall on all occasions, when carrying on business, be strictly sober, and conduct him/herself in a proper, civil and courteous manner, and he/she shall not carry on his/her business in such a way as to cause annoyance to the occupier or person in charge of any shop, business, resident, or any person using the street.
7. The consent holder shall at all times conduct his/her business and position any vehicle used by him/her in connection with his/her business in such a manner that no danger is likely to arise to persons trading or intending to trade.
8. The consent holder shall at all times conduct his/her business in a clean and tidy manner.
9. The consent holder shall ensure that a copy of the consent is clearly visible to the public.
10. The consent holder shall not permit any person to assist him/her in his/her trading unless the details of that person have been supplied to the Licensing Authority. Any such person shall be issued with an identification badge by the Licensing Authority.
11. If, during the currency of any consent any material change occurs in the facts of which particulars and information were contained in, or given along with, the application for the consent, the holder of the consent shall report such changes to the Licensing Authority within 72 hours of that change.

12. Any motor vehicle used for the purpose of street trading shall at all times be in a roadworthy condition and have the relevant documents i.e insurance, tax and MOT to make the use of that vehicle on a road legal. These documents will be produced by the consent holder to any police officer or authorised officer of the Council.
13. Neither the consent holder nor any assistant shall display merchandise which is likely to cause offence or distress to any other person or which would be deemed an offence under any other legislation.
14. A consent holder selling food shall at all times comply with any food hygiene regulations in force at that time, and when required by the Licensing Authority, shall produce appropriate food handling certificates.
15. The city council reserves the right to alter or amend these conditions at any time.
16. The subletting of any consent is prohibited.
17. The consent holder shall be responsible for the temporary storage of refuse, liquid and other material accumulated or created whilst trading and its subsequent removal from the site. The removal and disposal must be to the satisfaction of the council.
18. The consent holder shall not cause any nuisance or annoyance to persons using the street.
19. The consent holder, if intending to sell food from a stationary vehicle/stall shall operate from a purpose made vehicle/stall constructed and managed so as to comply with the relevant hygiene regulations currently in force within the provisions of the Food Safety Act 1990, and any subsequent changes to those regulations.

N.B This consent is issued without prejudice to any other statute, by-law or regulation. This consent does NOT over-ride any regulations regarding parking, food hygiene, obstruction, etc