

APPENDIX I

LONDON BOROUGH OF ISLINGTON

STANDARD STREET TRADING LICENCE CONDITIONS

DEFINITIONS

"Street trading" shall have the meaning ascribed in Section 27 (1) of the London Local Authorities Act 1994.

"The Council" means the London Borough of Islington.

"Licensed street trader" means any person who is licensed for street trading under part III of the London Local Authorities Act 1994.

"Advertisement" means any word, letter, model, sign, placard, board, notice, whether illuminated or not, in the nature of, and employed wholly or partly for the purpose of, advertisement, announcement or direction and includes any hoarding or similar structure or any balloon used, or adapted for the display of advertisements, and shall be construed accordingly.

"Assistant" means a person employed by and acting under the directions of a trader to assist him/her about the business of the stall, and whose name and address has been notified to the London Borough of Islington.

"Awning" means a sheet of canvas or other material, used as a protection against the weather, which projects as an extension of the roof beyond the structure of the stall.

"Goods" means any goods, wares or merchandise for sale or stored at a stall.

"Licensed street trading pitch" means a pitch in any street authorised as a place at which street trading may be engaged in by a street trader, and includes any temporary alternative place approved by the Council or a duly authorised officer of the Council.

"Premises" means a shop, house or block of flats immediately behind the licensed pitch.

"Refuse" includes any waste material.

"Stall" means any structure used by a trader for the display of goods, or in connection with his/her business, and includes all goods offered or to be offered for sale and any additional structure or equipment used as part of a stall business. This also includes rubbish created as a result of the business.

"Stall limits" means the authorised ground markings defining the area within which the stall is to be contained.

"Trader" means a person in whose name a current licence is held authorising street trading from a licensed street trading pitch.

"Temporary licensee" means a licence holder who is on a six month probationary period.

GENERAL CONDITIONS

- 1) The grant of a street trading licence shall not be deemed to include any approval or consent which may be needed under any Bye-law, enactment or regulation other than Part III of the London Local Authorities Act 1994.
- 2) These conditions may be dispensed with or modified by the Council in any particular case.
- 3) Where in these conditions there is reference to the consent or agreement of the Council such consent or agreement may be given on such terms and conditions and subject to such restrictions as may be so specified.
- 4) The council will provide each trader with a set of standard guidelines /conditions relevant to that trading area.
- 5) Traders may be prosecuted for the infringement of the standard conditions and persistent breaches of the standard conditions will be reported and may lead to the revocation of their licence.
- 6) If a trader wishes any of the terms of a licence to be varied or the Council's agreement under these rules, application must be made in writing to the Council.

SPECIFIC CONDITIONS

- 7) Each street trading application form must be completed and presented together with:
 - (a) three full-face passport size photographs of the trader taken within the past twelve months. One of the photographs will be attached to the licence and must be carried by the licensed street trader at all times whilst trading is taking place. The second photograph will be retained for official use. The third photograph will form part of the stall card.
 - (b) proof of third party public liability insurance (which must be renewed as necessary throughout the trading period)
 - (c) proof of address (a recent utility bill, bank statement, contract from landlord etc)
 - (d) proof of identity (passport, driving licence, birth certificate etc)
 - (e) the appropriate fees as requested
- 8) All new applicants for full licences must complete an initial six-month probationary period before the granting of the licence. This is to ensure that both the trader

and the council are satisfied with their trading activities, payment patterns and understanding of what is expected of them.

- 9) The council reserves the right to withdraw the licence of any Temporary licensee without the need of Committee or Officers Panel approval on any breach licence conditions.
- 10) The trader shall trade only from the position, which is indicated on the licence, unless approved by a duty street trading officer.
- 11) The trading area shall not exceed the dimensions specified on the licence and any stall limits marked on the ground. This includes all goods and receptacles.
- 12) Only those goods specified on the licence may be sold on the licensed street trading pitch. The council reserves the right to restrict commodities to only one class of commodity (e.g. fruit and vegetables, or ladies wear, menswear, or haberdashery and other compatible commodities).
- 13) Trading may only take place on the days and during the times specified on the licence.
- 14) Traders shall on request show their street trading licence, which must be carried at all times when trading, to an authorised officer of the Council or to a police officer.
- 15) All traders are expected to make suitable arrangements to pay their weekly dues, in advance of trading, preferably by means of a standing order with their bank/building society and must maintain such payments throughout the term of their licence unless otherwise agreed by the Council.
- 16) Apart from absences for illness or holidays, all traders shall be in personal attendance on their pitch for the majority of the working day and for a minimum of three days per week.
- 17) Traders shall at all times display a stall card supplied by the Council, indicating the licence and pitch number, name and photograph of licensee, location and size of pitch, market and commodities sold. The stall card must be kept and permanently exhibited on the stall whilst trading is taking place.
- 18) No advertisement shall be displayed on the licensed pitch, which relates to any goods, commodities or services other than those offered for sale or provided on that pitch.
- 19) Traders must at all times adhere to the legislation relevant to their business. Advice and Guidance can be requested through the Street Trading Officers.
- 20) The trader shall ensure that all refuse arising as a result of the activities of the trader shall be placed in suitably covered containers specified by the Council and kept exclusively for that purpose. Such refuse containers shall be kept as clean as is reasonably possible and be emptied whenever possible into any vehicle, container or compactor provided by the Council for that purpose.

- 21) Heat producing equipment (e.g. braziers, barbecues) shall be so placed within the trading area as to offer maximum safety to the public. The position of such equipment in relation to other goods or materials shall be agreed with the Council's officers in advance of trading.
- 22) All electrical power supplies shall have the appropriate consent from the Council.
- 23) All electrical cables that are suspended over the public footway shall have a minimum clearance of 8'6" from the footway surface and 18'6" from the surface of the carriageway.
- 24) Where mobile electrical generators are employed they must be so positioned that:
- a) they do not present a danger to the passing public,
 - b) do not present a fire or similar hazard risk to the stall or goods displayed therein,
 - c) do not cause a noise or fume nuisance,
 - d) Any inflammable fuel is stored away from the stall in a London Fire Brigade approved container.
- 25) All electrical wiring and components shall comply with the basic Electrical specification and be earthed and insulated accordingly. Electrical power shall only be used for the purpose of lighting and the operation of electrical scales and tills, or other agreed services.
- 26) Where electrical boxes are supplied traders shall ensure not to exceed the maximum wattage.
- 27) The distance above ground level of any part of the roof, awning, or supports of the stall or goods suspended from any of these, shall, unless the Council has granted a dispensation, be at least 8'6". The roof awning or any other projection shall be contained within the pitch area unless agreed by the Council.
- 28) Days and times of trading should be as specified on the licence and varied according to the trading area.
- 29) The Council reserves the right to specify that only awnings of a certain colour type or style are used in a market area or on particular pitches.
- 30) Unless otherwise agreed in writing with the Council, no licence holder shall sell goods from trestle tables, crates, boxes or other receptacle that is likely to detract from the overall appearance of the street.
- 31) Stalls must be easily and immediately removable and placed in secured areas as stated on the application form within one hour of the cessation of the day's trading (i.e. the time shown on the licence for the end of trading on that day). The council shall remove any stalls found on the public highway and place it in storage outside of these hours. The council shall have the right to recover from the licence holder the costs incurred by the Council in removing and storing the receptacle.

- 32) Traders, or their assistants, shall dismantle and remove the stall and goods for as long as may be necessary in the event of an emergency or in the exercise of the Council's powers and duties, if requested to do so by a police officer or a duly authorised officer of the Council.
- 33) No licensed trader shall leave his/her vehicle in the trading area, except for the loading and unloading of goods. Such loading and unloading shall be carried out as quickly as possible and the vehicle removed immediately on completion.
- 34) Stalls or accessories must not cause damage to the carriageway or footway.
- 35) The council reserves the right to stipulate the times in which the trader can set up in any trading area. Generally this will not be more than two hours before trading commences as specified on the licence unless prior agreement is made with the Council.
- 36) If a pitch is not utilised by the trader by the start of the stated trading time the Council may, at its discretion, re-let the pitch for that day.
- 37) Traders shall, if required, notify the Council, in writing, of the names of any assistant(s) whom they employ on the stall. The activities of such assistants are the responsibility of the licensee.
- 38) Traders shall notify the Council, in writing, immediately of any change of address for themselves and assistants as well as the place at which their stalls and goods (if perishable) are stored.
- 39) Traders will be required to produce evidence of kinship where the licence is to be transferred on that basis.
- 40) Any proven complaints of racial or sexual harassment, threats of violence either physical or verbal against other street traders, members of the public or any council official, may be regarded as grounds for revocation of a street trading licence.

