



Draft Street Trading Policy

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Introduction

The Street Trading Policy plays a vital role in supporting Huntingdonshire District Council's Corporate Plan to 2028, which is centred around three key priorities: improving the quality of life for local people, creating a better Huntingdonshire for future generations, and delivering our core work effectively.

This policy provides a clear framework for regulating street trading activities in a way that balances economic opportunity with community wellbeing. By setting standards that promote public safety, prevent nuisance, and ensure fairness, the policy directly contributes to improving residents' everyday experiences and supporting vibrant, thriving local communities.

Aligned with the Council's commitment to Do, Enable, Influence, the policy encourages collaboration between traders, residents, and the Council. This partnership approach helps create an environment where street trading can flourish responsibly, contributing to the local economy and enhancing the public realm

Definitions

The Act	Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982
The Applicant	The person or company who has applied for a consent or licence
The Council	Huntingdonshire District Council (HDC)
The Policy	Refers to the HDC Street Trading Policy
Consent	A consent to trade granted by the council
Consent Street	A street in which street trading is prohibited without the consent of the council
Consent Holder	A person or company to whom consent to trade has been granted by the council
Mobile Trader	A trader who moves from street to street but trades for less than 15 minutes at any one point and does not return to a similar trading position within 2 hours.
Prohibited Street	A street in which street trading is prohibited
Static Trader	A trader who has been granted by the council to trade from a specified location
Street	Any road, footway, beach or other area to which the public have access without payment; and a service area as defined in section 329 of the Highways Act 1980
Street Trading	The selling or exposing or offering for sale of any article (including a living thing) in a street
Unit	A barrow, stall or vehicle as specified in the consent

1 Policy Purpose, Status and Scope

- 1.1 This document sets out Huntingdonshire District Council's Street Trading Policy. The purpose of the policy is to provide guidance and information on the approach and expectations taken by Huntingdonshire District Council when administering its functions within the legislative framework of the Act.
- 1.2 This policy establishes the framework for managing and administering street trading across the Huntingdonshire district. It also outlines the key factors the Council will consider when assessing applications for street trading consent.
- 1.3 The policy acknowledges the contribution of street trading to Huntingdonshire's local economy and distinctive character, while seeking to ensure that trading locations and activities do not cause obstruction, nuisance, or disturbance to the community.
- 1.4 The Policy will be effective from – **to be determined following consultation**. The Authority will keep the policy under review and will make amendments as it considers appropriate.
- 1.5 Street trading, as defined in the Act, is the selling or exposing or offering for sale of any article (including a living thing) in a street. A street is defined as any road, footway, beach or other area to which the public have access without payment; and a service area as defined in section 329 of the Highways Act 1980'.
- 1.6 The Act in paragraph 1(2) of schedule 4 states that the following types of trade are not street trading:
 - *A pedlar trading under the authority of a pedlar's certificate granted under the Pedlar's Act 1871;*
 - *Anything done in a market or fair, the right to hold which was acquired by virtue of a grant, enactment or order;*
 - *Trading in a trunk road picnic area provided by the secretary of state under section 112 of the Highways Act 1980.*
 - *Trading as a news vendor.*
 - *Trading carried on at a premises used as a petrol station.*
 - *Trading carried on at premises used as a shop or in a street adjoining a shop where the trading carried on is part of the business of the shop.*
 - *Selling things, or offering or exposing them for sale as a roundsman.*
- 1.7 Street trading that occurs on private land will normally not require consent, but you must still obtain the landowners permission.
- 1.8 If the street trading occurs on private land on the edge of the public road and sales are being made to pedestrians on the public highway, you will need a consent to trade. You must also be able to provide landowner consent.
- 1.9 Street trading consent will not be required for the following activities:
- 1.10 *Trading in a market run by Huntingdonshire District Council or any town/parish council.*

- 1.11 *Trading at a fete, carnival, or similar community based and run events such as Christmas Light Switch on or firework display events.*
- 1.12 *Non-commercial, community or charitable events where the profits are not used for private gain or are wholly passed to a charity or political/educational organisation.*
- 1.13 *Trading as part of a travelling fair where permission for the event has already been granted by Huntingdonshire District Council.*
- 1.14 The powers to control street trading within the Council's area are contained in Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, 'the Act', which has been adopted by the Council.
- 1.15 Under Schedule 4 of the Act the Council can manage street trading by designating streets as 'consent streets' or 'prohibited streets'.
- 1.16 The Council has designated all streets in the District as Consent Streets (with the exceptions detailed in Scope of the Policy).
- 1.17 The Council may change the designation of any consent street, or parts of a consent street, to a prohibited street should it be necessary.
- 1.18 Any route maintained by National Highways, known as trunk roads such as the A1(M), A1, A14, will not be covered by this policy and as such will not be consented by the Council. Permission may still be required by National Highways.
- 1.19 The following market locations will be prohibited during market hours:
- *St Ives – Market Hill, Sheep Market and The Pavement*
 - *Monday 0830-1500*
 - *Friday 0830-1400*
 - *Huntingdon – Market Square, High Street, Chequers Court, St Benedict's Court*
 - *Wednesday 0830-1500*
 - *Saturday 0830-1500*
- 1.20 Trading will also be prohibited during the set-up and pack-down periods before and after the market, usually between 1-2 hours before and after the posted market times.
- 1.21 These locations and times are subject to change in the event of modifications to market locations or operating hours.

2 Types of Consent

- 2.1 Mobile consent is given to traders who move from street to street but trade for less than 15 minutes at any one point and does not return to a similar trading position within 2 hours. This would include, but is not limited to, traders such as ice cream vans or sandwich vans.
- 2.2 Static consent is given to trader who intend to trade from a fixed location greater than 15 minutes at a specified location.

3 Application Requirements

- 3.1 An application may be submitted by any individual or business representative who is at least 17 years of age and is legally entitled to live and work in the United Kingdom.
- 3.2 To be considered valid, the application form must be submitted alongside all required supporting documentation.
 - *A non-refundable application fee (based on the cost of administering the application)*
 - *Photographic identification (e.g. passport, photo card driving licence)*
 - *A site plan of the proposed trading area*
 - *Photographs of the trailer, stall, or vehicle proposed for use*
 - *The make and model of any generator to be used (if applicable)*
 - *Gas certificate (if applicable)*
 - *Public Liability Insurance certificate cover for £5,000,000*
 - *Current MOT certificate (if using a vehicle)*
 - *Appropriate current business use motor insurance (if using a vehicle)*
 - *Proof that the applicant and any assistants are entitled to work in the UK*
 - *Proof of food business registration and hygiene rating (if applicable)*

4 Ice Cream Traders

- 4.1 Due to the close interaction between ice cream van traders and children, applicants seeking consent to operate an ice cream van must provide a Basic Disclosure and Barring Service (DBS) certificate that is no more than one month old at the time of submission.
- 4.2 All additional individuals working on the van, regardless of their employment status, must also provide a valid Basic DBS certificate.
- 4.3 Where a criminal offence is disclosed on a DBS certificate, it will be assessed for relevance in relation to the nature of street trading. The following types of offences are exemplified that are likely to be considered relevant and may affect an application:
 - *Sexual Offences*
 - *Violent Offences*
 - *Dishonesty Offences*
 - *Drug Related Offences*
 - *Licensing Offences*
- 4.4 Each case will be assessed on its individual merits. The nature of the offence, how long ago it occurred, the circumstances, and evidence of rehabilitation will all be considered.

5 Food Businesses

- 5.1 All food businesses operating within the Huntingdonshire District must be appropriately registered with their local authority in accordance with current food safety legislation.
- 5.2 Business must be able to show evidence of their registration and current Food Hygiene Rating to Huntingdonshire District Council if they are registered at another local authority.
- 5.3 In specific circumstances, low-risk food businesses may be permitted to trade under the terms of their street trading licence while awaiting their initial food hygiene inspection. This decision will be made following consultation with the Environmental Health Team.
- 5.4 All food businesses, including those permitted to trade prior to inspection, must comply with all applicable food hygiene legislation. They may be subject to checks to ensure ongoing compliance.
- 5.5 Any food business that does not hold a minimum of a 4-star hygiene rating will not be permitted to trade.

6 Other Requirements

- 6.1 The granting of a consent does not exclude the consent holder from the requirements under any other legislation, such as the Licensing Act 2003, the Business and Planning Act 2020, the Animal Welfare Act 2003 or the Planning Act 2008
- 6.2 Late night refreshment, which is a licensable activity under the Licensing Act 2003, involves the supply of 'hot food or hot drink' between the hours of 2300hrs and 0500hrs to the public for consumption on or off the premises.
- 6.3 Any street trader who intends to sell hot food or hot drink during the hours of 2300hrs and 0500hrs will be required to apply for a premises licence for late night refreshment. Supplies made from a vehicle which is permanently or temporarily parked, such as from a mobile takeaway van, are not exempt.

7 Fees

- 7.1 All applications are subject to a non-refundable application fee.
- 7.2 An application will not be deemed valid or processed until the full application fee has been received.
- 7.3 If consent is granted, an additional fee will be payable, determined by the duration of the consent.

8 Site and Trading Unit Assessment

- 8.1 Once a complete application is submitted, including all required documents and the application fee, a licensing officer will conduct a site assessment to determine whether the proposed location and trading unit are suitable for static trading.

- 8.2 For mobile trading applications, the assessment will focus on determining the suitability of the trading unit.
- 8.3 The site assessment will take the following factors into account when determining the suitability of a proposed location for static street trading:
- *Potential risks to public safety, including obstructions or unhygienic conditions Potential for public disorder*
 - *Risk of public nuisance, such as noise, odour, litter, or similar issues*
 - *Impact on the safe movement of pedestrians, including wheelchair users*
 - *Whether planning permission is required for the proposed location*
 - *Proximity to places of worship, educational institutions, healthcare facilities or places of cultural or historical significance*
 - *Proximity to residential properties*
 - *Proximity to other businesses, particularly where there may be obstruction, reduced visibility, or concerns around competition.*
- 8.4 The following factors will be considered when assessing the suitability of the trading unit.
- *The overall appearance and design, including height, width, colour, signage, stock layout, trading area, canopies, and lighting*
 - *The visual and physical impact on the character of the surrounding area*
 - *The type and prominence of advertisements, including any illuminated signage, environmental impact, such as noise, emissions, or disruption caused by generators or other equipment*

9 Suitability of Goods

- 9.1 The types of goods allowed to be sold will be considered on an individual basis and will be specified on the consent.
- 9.2 No goods, other than those specified in the consent, will be permitted for sale.
- 9.3 When determining the suitability of goods, consideration will be given to the likely impact of nuisance, disturbance or annoyance to nearby properties, people or businesses. This includes instances of cooking smells, smoke, noise, litter.
- 9.4 Goods that are likely to cause or contribute to crime and disorder will not be permitted. This includes, but is not limited to, fake or counterfeit goods, dangerous or prohibited items or any other item
- 9.5 Goods that may have a negative impact on public health, such as vaping products or tobacco will not be permitted.

10 Determination

- 10.1 Once an officer has completed a site and/or unit assessment and determined that the goods proposed for sale are appropriate, the application will proceed to the consultation stage.

- 10.2 The consultation period will last for 28 days.
- 10.3 The Council may consult with other departments and teams within Huntingdonshire District Council, as well as with relevant Town or Parish Councils and Cambridgeshire County Council.
- 10.4 The Council may also consult with partner agencies, including Cambridgeshire Constabulary, Cambridgeshire Fire and Rescue Service, Business Improvement Districts (BID), and any other organisations or individuals it considers relevant.
- 10.5 If a proposed site is close to the border of another council area, the Council may also speak to that neighbouring council before making a decision.
- 10.6 The Council will consider all representations made for or against the application when deciding whether to grant or refuse the consent.
- 10.7 After the consultation period ends, the application will be either: approved with standard conditions; approved with additional specific condition and/or with changes to the original application; or refused.
- 10.8 Consent will not normally be granted or renewed if the applicant is subject to pending enforcement action or has previously been subject to successful enforcement action.
- 10.9 Consent may also be refused if the applicant is in arrears with any charges, is considered unsuitable, or has previously failed to use a consent appropriately.
- 10.10 Consent will not normally be granted or renewed where the proposed location or trading unit is unsuitable, where there is a risk to public safety, where the activity may cause nuisance or disturbance to neighbouring properties, or where it may contribute to crime and disorder.
- 10.11 If a consent is refused, the Council will notify the applicant in writing, via email, providing full details of the decision.
- 10.12 Any appeals must be made in writing to the Licensing Manager, within 21 days, who will then arrange for the appeal to be heard by the Licensing Sub-Committee.

11 Conditions

- 11.1 Standard conditions will apply to all consents issued by the Council and must be adhered to at all times. These conditions can be found in **Appendix A**.
- 11.2 Local conditions may be imposed on individual consents and will be assessed on a case-by-case basis, taking into account the specific circumstances of each application.
- 11.3 In determining whether to impose local conditions on a consent, due consideration shall be given to the likely impacts on public safety, accessibility, public amenity, and any other matters deemed reasonable and relevant in the circumstances.

12 Duration of Consent

- 12.1 To provide greater flexibility, street traders can apply for consents with different length options.
- 12.2 **10-day Trial Consent** – allows the consent holder to trade for a maximum of 10 consecutive days to establish the profitability and suitability of the location. This is available to new applicants who have not traded at any location within the HDC district in the previous 12 months.
- 12.3 **Single Day Consent** – allows the consent holder to trade for a specified time within a single day.
- 12.4 **1 Month Consent** – allows the consent holder to trade up to a maximum of 31 days in a single calendar month.
- 12.5 **6 Month Consent** – allows the consent holder to trade for 6 consecutive months from the date of issue.
- 12.6 **12 Month Consent** – allows the consent holder to trade for 12 consecutive months from the date of issue.

13 Renewal of Consent

- 13.1 All applicants are encouraged to apply for new or renewal consent at least 8 weeks before the date they intend to start trading, or before their existing consent expires.
- 13.2 Renewal applications must meet the same documentation requirements as new applications. However, the need for an additional site and/or unit assessment will be determined by an officer on a case-by-case basis.
- 13.3 A new assessment is likely to be required if there have been significant changes to the site, the surrounding area, or the trading unit itself.
- 13.4 Where a new assessment is required, the application will be subject to a 14-day consultation.

14 Transfer / Surrender / Closure

- 14.1 Once granted, a consent is personal to the holder and may not be transferred to another individual or business.
- 14.2 The sub-letting of sites to other users is not permitted.
- 14.3 A consent may be surrendered by providing written notification to the Council, either by email or post, at least 14 days in advance.
- 14.4 Following the surrender of a consent, the Council may, at its discretion, refund part or all of the consent fee paid. Any refund will take into account factors such as the length of time the consent has been in effect, administrative costs incurred, and any other relevant considerations.
- 14.5 In the event that a limited company holding a consent is dissolved, the consent will cease to have effect from the date of the company's dissolution.

15 Enforcement

- 15.1 It is an offence to engage in street trading in a prohibited street, without the required consent, in contravention of conditions, or to trade from unauthorised vehicles or stalls. A person found guilty may be subject to a fine not exceeding level 3 on the standard scale.
- 15.2 The Council will investigate any complaints received regarding the site location, the unit, or the conduct of the consent holder or anyone acting on their behalf. The Council will also investigate any breaches of consent conditions. Where appropriate, enforcement action may be taken, which could include issuing a warning, varying the consent, or revoking the consent.
- 15.3 The Council may to revoke a street trading consent where it is satisfied that continued trading poses a risk to public safety, may contribute to crime and disorder, or is likely to cause public nuisance. Each case will be considered on its individual merits and in accordance with the Council's enforcement policy. [Corporate Enforcement Policy.](#)
- 15.4 There is no right of appeal against the decision to revoke a street trading consent.

Appendix A – Standard Conditions

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Introduction

These conditions are designed to ensure that Street Trading operates safely and fairly, protecting public safety, preventing nuisances, and preserving the local environment. Compliance with these Conditions helps maintain a high standard of service and contributes to making Huntingdonshire a safer and more welcoming place for all.

All Street Trading Consent Holders are required to comply with these conditions, and where applicable, their employees and representatives must also adhere to them to uphold the integrity and reputation of street trading within the district.

Failure to comply with any of these conditions may lead to enforcement actions by Huntingdonshire District Council. Such actions could include the immediate revocation of the street trading consent or the refusal to grant or renew an application for consent.

The Council reserves the right to review and amend these standard Conditions at any time to ensure they remain appropriate and effective.

In response to particular circumstances or emerging issues, the Council may impose additional, local conditions on any individual consent.

1 General Conditions

1.1 Trading activities must not:

- Obstruct any part of the street or public place.
- Cause injury to any person using the street or public place.
- Cause damage to any property in the street or public place.
- Cause nuisance or annoyance to members of the public or occupants of nearby premises.

1.2 The consent holder must not sell or leave any articles or goods outside the agreed trading dimensions of the trading unit.

1.3 A display copy of the consent, issued by the Council, must be placed in a prominent position on the trading unit that is visible to the public.

1.4 The consent holder, or any person acting on their behalf, must produce the full written consent document upon request by any authorised officer of the Council or a Police Officer.

1.5 The consent holder must only trade on the days and during the hours specified in the consent.

1.6 The trading must take place solely from the approved trading unit.

1.7 For static traders, the consent holder must not trade from any location except at the location specified in the consent.

1.8 For mobile traders, the consent holder must not trade from any location that is not a 'consent street'.

1.9 The goods, articles, or items authorised for sale under this consent are strictly limited to those specified, unless written approval for amendments has been granted by Huntingdonshire District Council.

1.10 The consent holder must not lend, transfer, or assign this consent to any other person, nor permit its use by anyone else. However, the consent holder may employ individuals to assist with trading without requiring a separate consent. Huntingdonshire District Council must be notified of all employees or assistants prior to their commencement of work.

1.11 All consent holders and their employees must register their names and current addresses with the Council as required on the Council's application form. They must also provide written notice to the Council immediately of any changes to these details.

1.12 The consent holder must maintain a valid third-party public liability insurance policy with a minimum cover of £5,000,000 and produce a valid certificate of insurance upon request by an authorised officer of the Council.

1.13 The consent holder and any employees must notify the Council in writing within seven days of any change of address, as well as any police investigations, convictions, or cautions that occur during the term of the consent.

- 1.14 The consent holder must behave respectfully, avoiding intoxication, rude language, or inappropriate conduct.
- 1.15 The consent holder must comply with any reasonable request to vacate the site made by an authorised officer of the Council or a Police Officer.
- 1.16 For mobile trading, the consent holder must comply with any reasonable request from an authorised officer of the Council or a Police Officer to leave the area and/or with any order temporarily restricting access to a 'consent street' due to an emergency or other reasonable cause.
- 1.17 If a trading pitch becomes temporarily unavailable for any reason, the consent holder must move to a different approved pitch for the time the original pitch cannot be used
- 1.18 Any mobile trader entering an area where another mobile trader is already operating must immediately leave without trading.
- 1.19 Mobile traders will be subject to any exclusion zone set by the chartered market regulations during market hours.
- 1.20 The consent holder must ensure that no tables, chairs, trestles, or any other structures are placed within the approved site or outside the trading unit without prior permission from the Council.

2 Protection of Children

- 2.1 Street trading will not be permitted within 50 metres of any entrance or exit to a school or nursery. This distance may be extended if concerns regarding public safety arise during the application consultation process or if complaints are received during trading.
- 2.2 No person aged 16 or under shall be engaged or employed in street trading activities under any consent issued by the Council.

3 Unit Compliance

- 3.1 Any unit used by the consent holder in the course of trading shall be constructed and maintained to the satisfaction of the Council and in accordance with the consent.
- 3.2 Any replacement or new units must be approved by the Council prior to being used.
- 3.3 The unit must be capable of being removed from the site outside of permitted trading hours, unless otherwise authorised by the Council.
- 3.4 A unit must not cause damage to the street or pose a danger to any persons using the street.

4 Waste Management

- 4.1 The consent holder must provide a suitable litter bin on-site, which must be emptied as frequently as necessary.

- 4.2 The consent holder must remove the litter bin from the trading site at the end of each trading day, and ensure all collected litter is responsibly removed from the site and disposed of appropriately.
- 4.3 Suitable arrangements must be in place for the proper disposal of all commercial waste generated by the trading activity. It is unlawful to dispose of trade or commercial waste in public litter bins.
- 4.4 The consent holder must ensure that the area surrounding the trading unit is left clean and free from any debris at all times.
- 4.5 Water must not be poured onto the street surface or into drains, except when necessary for cleaning purposes.

5 Advertisements

- 5.1 Advertising of street trading activities is not permitted, except for a suitable notice that may be displayed directly on the vehicle, stall, or cart used for trading purposes.
- 5.2 All advertising must relate solely to the business activities for which the consent holder is approved.
- 5.3 The display of third-party advertising is not permitted under any circumstances.
- 5.4 Illuminated signage on a trading unit will not be permitted unless explicitly approved during the unit assessment.
- 5.5 The use of 'A' boards or any other display boards or structures, whether freestanding or not, is strictly prohibited at the trading site.

6 Noise Nuisance

- 6.1 The playing or performance of music is not permitted, except in cases where the trader is selling items of a musical nature and the use of music is essential for the purpose of demonstrating the product.
- 6.2 The use of music must be done in a way to prevent public nuisance. Failure to comply may result in local conditions being attached to the consent preventing music for product demonstration or revocation of the consent.
- 6.3 Ice cream vans may only use their chimes in accordance with 'the Code of Practice on Noise from Ice-Cream Van Chimes etc. in England 2013' - [Code of Practice on Noise from Ice-Cream Van Chimes Etc. 2013](#)
- 6.4 Consent Holders must ensure chimes are used in a way that minimises disturbance to the public and complies with all relevant noise control regulations.
- 6.5 Any generator used on the trading site must operate with reasonably silent running to minimise noise disturbance to the public and nearby properties.

7 Health and Safety

- 7.1 All consent holders, or anyone acting on their behalf, must adhere to the Health and Safety at Work Etc. Act 1974.
- 7.2 The consent holder must comply with all applicable Traffic Regulation Orders.
- 7.3 Any vehicle used for loading or unloading must be removed from the trading location at all times while trading is taking place, except when actively being used for loading or unloading.
- 7.4 Vehicles must be parked responsibly and in a suitable, lawful location when not in use.
- 7.5 The use and storage of liquefied petroleum gas (LPG), or any other gas or heating source, must comply with the Health and Safety at Work etc. Act 1974, all relevant regulations, and any requirements set by the Fire Authority.
- 7.6 Where LPG, electricity, or any other heating source is used, the consent holder must provide and maintain appropriate fire extinguishers in good working condition and readily accessible.
- 7.7 The storage of explosive materials and flammable liquids is strictly prohibited, except for gas cylinders that are stored and used in full compliance with current legislation.
- 7.8 All equipment must be positioned and secured to prevent creating any tripping hazards to the public or staff.

8 Food Businesses

- 8.1 Any person involved in the sale of food to the public must be registered as a food business.
- 8.2 A food trader, where applicable, must maintain a minimum of a 4-Star hygiene rating.
- 8.3 The hygiene rating must be displayed in a prominent location visible to the public.

Nothing in these conditions shall exempt the consent holder from any legal duty or liability. The consent holder shall indemnify the Council against all claims, actions, or demands arising from the consent, except where such claims result from the Council's own negligence.