



## **APPLICATION FOR STREET TRADING CONSENT SCHEDULE 4 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

Street trading is selling, exposing or offering the sale of any article (including a living thing) in a street, road, footway, open space or other area where the public have direct access without payment.

Hull City Council has designated every street within the city boundary as 'consent street', and if necessary, applications may need to be heard by the Planning Committee before such activities can take place.

**Any person engaging in such activities without holding consent may be prosecuted and could be liable, upon summary of conviction, of a fine not exceeding £1000.**

### **Policy**

The following are taken into account when considering an application.

a) Public Safety/Public Nuisance

Whether the site and/or activity applied for represents, or is likely to represent, a substantial risk to the public, through obstruction, fire hazard, hygiene issues or any other danger that may occur. Any application near to, or in the immediate vicinity of a school, college etc will be rejected.

b) Public Order

Whether the site and/or activity applied for is likely to cause a substantial risk to public order.

c) Appearance of the Stall, Trailer or Vehicle

The stall, trailer or vehicle must be of a smart appearance and meet such criteria as laid down in the consent conditions, design guidance and any relevant design brief. Photographs or drawings (including dimensions) must be provided with all new applications and variations to replace the stall, trailer or vehicle.

d) The Needs of the Area

There must be a demand for the articles on sale and the location of the proposed site is appropriate for the articles for sale. The number of traders in any one street may be restricted in accordance with any design brief to ensure the permitted use is complementary to and does not conflict with other traders and/or the requirements of each area.

e) Food Traders

Applicants who intend to trade in hot or cold food must provide evidence that the business is registered as a Food Business Operator with the Council's Food Safety Section, prior to commencement of trading, even if permission to trade has already been granted.

f) Highway

The location and permitted times will be set so to as minimise any obstruction of the highway.

g) Advertisements

Any advertisement of the business or any other business must be in accordance with the requirements of the Planning Authority, design guidance and any design brief for the proposed location.

h) Trading on Private Land

In order to trade on private land (under the definition of 'consent street') within the city of Hull, written permission from the landowner must be submitted with or during the application process. **This applies to any open space (including a park).**

### **City Centre – Inner Zone**

Some areas in the **Inner Zone** have been identified as preferable for street trading (although approval is still **not** guaranteed).

King Edward Street (North to Story Street)  
Jameson Street (West to South Street)  
South Street

See Appendix C on the Council's website for further details.

**Note: It is recommended to not purchase a vehicle until you receive confirmation that an application has been approved.**

**It is also encouraged for vehicles to be low emission or battery charged. Details of which should be included.**

**All other streets are prohibited from street trading and any application made (other than for the above) will be rejected.**

If an application is refused, **there is no right of appeal.**

### **FOOTBALL/RUGBY MEMORABILIA**

Street Trading is restricted around the MKM arena and Craven Park, and anybody wishing to trade within the areas stipulated on either ground on match days will be required to apply for a football/rugby street trading consent. The goods to be sold by the trader would be restricted to be of a Football and/or Rugby nature and explicitly excludes Food and Beverages being served.

**Appendix E on the Council's website indicates the radius for both stadiums.**

Granted stadia consents will be permitted to trade at all 1st team home fixtures, friendlies and internationals for 4 hours prior, during and up to one hour after each fixture for that particular ground.

To control potential over-crowding, congestion and conflict between traders, restrictions have been placed on the number of consents that are issued at each stadium.

A maximum of five consents is permitted around both grounds.

Additional consents may be granted if the applicant can demonstrate that the unit will be a minimum of 50 metres away from any other current consent holder and that the consent site applied for does not cause any obstruction, to footpaths or exit routes from the stadia.

Consents may be restricted to trading prior to fixture on advice of the Police.

Applicants must follow the application procedure as detailed within the policy (see website for full details).

Applications will be subject to a 28-day consultation period. Applicants are advised to contact Parks and Open Spaces team, as well as Highways before submitting their application to discuss any issues which may arise. The administrative fee for an application is £35.70, with an additional fee per game of £25.00, which must be paid within 48 hours prior to any game.

Fees can either be paid via [dev.control@hullcc.gov.uk](mailto:dev.control@hullcc.gov.uk) or by telephone on 01482 612345.

### **Information to accompany application**

Along with the application form, the following **must** be provided and sent to **Planning, Guildhall, Alfred Gelder Street, Hull HU1 2AA**:

- A map marking the **precise** location of where trading is going to take place. If the area is on private land, **written permission from the landowner must be provided**.
- Photographs and/or drawings of the stall, trailer or vehicle (including dimensions).

### **Design Criteria**

See Appendix B on the Council's website for examples of what is deemed acceptable and unacceptable. All of which are for guidance only.

### **Process**

**Each** application is subject to a mandatory 14-day consultation period. During which, the Council will consult a variety of interested parties, including ward councillors, Police and relevant Council departments.

A decision to approve **or** refuse an application may take up to 4 weeks.

If your intention is to trade in more than one location, ie. mobile round (ice cream van etc), specific streets must be detailed, indicating the estimated length of time spent at each stop. Please note, 'all areas off a main road' etc is **not** acceptable.

Also, **multiple** applications for static locations cannot be made as a **single** application.

Applications are subject to a **non-refundable** fee of **£35.70**. To make payment, please call **01482 615505**.

**The consultation process does not begin until a valid application and fee has been received.**

**Note: Trading will not be possible before the application has been decided (i.e. during the application process).**

If an application is refused, there is **no right of appeal**.

## **Environmental Health**

The trading van must be registered as a food business before trading can commence. If the address of where the trading van is stored falls within the Hull boundary, please contact [FoodandHealth&Safety@hullcc.gov.uk](mailto:FoodandHealth&Safety@hullcc.gov.uk) for further information.

Otherwise, please contact your Council.

Please note, proof of registration is required.

## **Determination**

If your application is approved, an officer from Planning will contact you to ask when you wish to begin trading. At your convenience, you'll be required to attend the Guildhall for a photograph and produce other forms of identification (such as a passport or driving licence). You will then be sent your trading badge, consent and ID plate.

You may provide your own photograph (but obviously must be of good quality).

## **DBS**

All consent holders, at their own expense, must hold a Basic DBS check. Any relevant convictions may raise concerns over the applicant's suitability of holding consent. This does not apply to assistants or employees. **A DBS must be renewed and be valid between 1 April - 31 March of year.**

To apply, please visit <https://www.gov.uk/request-copy-criminal-record>

## **Fees**

Excluding Football/Rugby memorabilia, fees are recovered quarterly and must be paid in full before the current quarter ends.

<b>Commodity</b>	<b>Annual Fee</b>	<b>Quarterly Fee</b>
Hot food/Hot drinks (day/night)	£1890	£472.50
Confectionery and related items	£890.40	£222.60
Ice Cream and related items	£890.40	£222.60
Football/Rugby memorabilia	£25 per game	
Other (not including any of the above)	£890.40	£222.60
Fetes, Carnivals or similar organised community-based events where the trader is an integral part of the event trading with permission from the event organiser.	NIL	

## **Renewal**

All consents expire on 31 March and renewal forms (sent prior to expiry) must be received **before 31 March. Renewal is not guaranteed.**

## **Refund**

Once approved, there is no mechanism to refund street trading consent.

Extenuating circumstances may be taken into account, but case will be judged on its own merits.

### **Surrender**

This must be confirmed in writing/email (verbal confirmation is not acceptable). **There is no part-refund if consent is surrendered during a quarter.**

### **Transfers**

Street Trading consents **cannot** be transferred.



**Local Government (Miscellaneous Provisions) Act 1982  
Application for the Grant of Street Trading Consent**

<b>Surname (Mr/Mrs/Miss/Ms)</b>	
<b>Forename(s)</b>	
<b>Date of Birth</b>	
<b>Home Address</b>	
<b>Telephone Number</b>	
<b>Email (preferable)</b>	
<b>Trading Name</b>	
<b>Stall/Trailer Registration Number (if available)</b>	
<b>Address of where unit/trailer is stored</b>	
<p><b>Location(s) I wish to trade in are (please give all street names if you are wishing to operate as a mobile trader) (Please include an electronic map clearly showing location(s) of where you wish to trade)</b></p> <p><b>NB: In area(s) that are privately owned, you <u>must</u> seek land-owner's permission in the location(s) you wish to trade in either prior to, or during the application process. Otherwise, your application <u>cannot</u> be processed.</b></p>	

<b>THE DAYS I WISH TO TRADE ARE</b>	
<b>THE HOURS I WISH TO TRADE ARE</b>	
<b>THE ARTICLES I WISH TO SELL ARE</b>	

The time taken for a decision to be made will depend upon the proposed location of the site and whether any consultation processes need to be undertaken with other interested parties, such as the Council Officers and Elected Members of Hull City Council.

**I have included a map indicating the location(s) where trading is to take place**

**I have included photographs/drawings (including dimensions) of the stall/trailer/vehicle**

**If an application is refused, I understand there is no right of appeal.**

**Do you have the right to work in the UK? YES/NO (Please be aware that checks will be made with the relevant agencies in relation to this)**

**SIGNED .....**

**DATE .....**

Data Protection Act 2018. The Council is fully compliant with all aspects of the Data Protection Act 2018 and will not release any information to third parties unless required to do so by law. The information that you provide will be processed for the purpose of determining this application, and during the currency of any consent issued for the purpose of maintaining accurate records and to write to you regarding matters that are related to such a consent. The information provided may be shared with other Council data partners in accordance with the Act. The Council is under a duty to protect the public funds it administers and to this end, may use the information you have provided on this form for the prevention and detection of fraud. This may include sharing this information with other bodies responsible for auditing or administering public funds including the Audit Commission.