



City of London Corporation

POLICY & PROCEDURE

Street Trading

(In accordance with section 16H of the
City of London (Various Powers) Act 1987)

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1. Introduction

- 1.1. The purpose of this document is to:
 - explain the legislation affecting street trading in the City;
 - set out the Corporation's policy in respect of the regulation of street trading, including its enforcement; and
 - offer guidance as to the procedure that should be followed in seeking a street trading licence.
- 1.2. For many years street trading within the City of London was not permitted except for a Sunday market held in part of Middlesex Street. This general prohibition has now been amended by the City of London (Various Powers) Act 2013 which permits licences to be issued for street trading elsewhere in the City of London for limited periods.
- 1.3. Separate provision is made for ice cream trading outside food premises in the City. Please go to *[web link to be inserted]* for more information about this.
- 1.4. It is intended to review the Corporation's policy on street trading every three years although minor amendments may be made between general reviews.

2. Definitions

1965 Act: The City of London (Various Powers) Act 1965

1987 Act: The City of London (Various Powers) Act 1987

2013 Act: The City of London (Various Powers) Act 2013

Middlesex Street licence: A licence granted under section 8 of the 1987 Act.

Licensed street trader: A person, including a temporary licence holder, licensed to engage in street trading by a street trading licence granted under the 1987 Act. This includes both Middlesex Street traders and temporary licence holders.

| | |
|-------------------------|---|
| Receptacle: | Includes a vehicle, trailer or stall and any basket, bag, box, vessel, stand, easel, board, tray or other structure or thing which is used as a container for, or for the display of, any article or thing. |
| Street trading: | The selling or exposing or offering for sale of any article or thing in a street. |
| Street trading licence: | A licence to engage in street trading granted under the 1987 Act. This includes both Middlesex Street licences and temporary licences. |
| Temporary licence: | A licence granted under section 11A of the 1987 Act which is valid for a period of up to 21 days. |
| Trading area: | An area which is specified in a temporary licence as the area within which street trading is permitted. |

3. Legislation

- 3.1. The legislation applying to street trading in the City of London is contained primarily in the City of London (Various Powers) Act 1987 as amended by the 2013 Act.
- 3.2. Licences may be granted under section 8 of the 1987 Act for street trading in the part of Middlesex Street between the junctions with Widegate Street and Sandys Row. Street trading under such a licence can only take place between the hours of 9 a.m. and 2 p.m. on Sundays (other than on Christmas Day when that day falls on a Sunday). Middlesex Street licences expire at the end of each calendar year.
- 3.3. Temporary licences may be granted under section 11A of the 1987 Act. Temporary Licences permit the licence holder to carry on street trading in a designated area set out in the licence for a maximum period of 21 days.
- 3.4. The City of London Corporation may make byelaws under section 21 of the 1965 Act (applicable to Middlesex Street trading only) and section 14 of the

1987 Act (applicable to all street trading) concerning, amongst other things, the manner in which street trading is carried on and the dimensions of receptacles. Applicable byelaws are attached as Appendix 1.

- 3.5. Sections 8(1) and 11A(4) of the 1987 Act provide that an application for a street trading licence must contain certain information. The grounds for refusing to grant or renew a Middlesex Street licence are set out in section 8 of the Act.
- 3.6. It is an offence under section 16(1) of the 1987 Act for any person to engage in street trading in the City of London other than in accordance with a street trading licence.

4. City Corporation's policy in respect of temporary street trading

- 4.1. As a global financial and business centre with a small resident population and a very large daily workforce, the City requires an environment which meets its special needs. This was recognised at the beginning of the 20th century with the enactment of the City of London (Various Powers) Act of 1911. This brought to an end the problems of maintaining order, safety and hygiene created by large numbers of street traders being crowded into the City's many narrow and winding streets.
- 4.2. With one exception to the prohibition, for that part of Middlesex Street which is within the City, the general City restriction on street trading has been maintained until the present day. It remains the view of the Corporation that street trading is generally not suitable within the City. However, the 2013 Act enables the prohibition to be lifted so as to permit street trading to take place for temporary periods in specified areas.
- 4.3. The intention is to enable limited street trading to take place in relation to one-off street festivals or charity events such as the 800th anniversary celebration for London Bridge in 2009, the annual Smithfield Nocturne, and, where appropriate, for seasonal events such as may occur at Christmas. This could also include, for example, the licensing of short term specialist markets.
- 4.4. In considering an application for a temporary licence, the City Corporation will have in mind environmental and public safety considerations, the public's

right to use and enjoy the highway, together with any other relevant City Corporation policies and strategies. Specific factors to be taken into account will include:

- The proximity and nature of any rail and tube stations, road junctions, and pedestrian crossing points;
- The volume of pedestrian footfall especially at peak times;
- Whether the proposed Trading area would enable continued free access to members of the public using the road, pavement, other footpath, footway or walkway or cause obstruction to e.g. pedestrians, prams and wheelchairs;
- The presence of existing street furniture;
- Any other factors which might put safety at risk;
- Whether the proposed street trading might have a negative effect on the character and appearance of the area in particular near heritage sites, conservation areas and listed buildings;
- The number of other temporary licences that have been issued for areas in or near the proposed trading area;
- Other events taking place within the City of London
- The nature of goods proposed to be sold;
- Any relevant factors relating to the applicant;
- Waste disposal arrangements;
- Any adverse impact on private rights – especially impacts on access to property/security of premises.

4.5. It is important that the public are able to pass along footpaths without the risk of coming into contact with vehicular and other traffic. In particular those using wheelchairs, mobility vehicles, pushchairs and buggies should be able to pass on pavements. As a guide, there should be a minimum width of unobstructed footway of two metres between the edge of a trading area and the edge of the footway. Where pedestrian flow rates are greater than 1200 persons per hour this distance may be increased, and such distances will need to take account of street furniture such as bollards, benches, cycle racks and bus stops etc. Permission will not be granted where the street trading might interfere with a fire escape. Further details of safe distances and how they should be measured are set out in Appendix 2.

4.6. Other potential hazards which will be considered include the impact on emergency services accessibility and whether the street trading would result in poor sight lines affecting vehicular or pedestrian traffic. In particular, street

trading will not normally be permitted within five metres of a pedestrian crossing.

- 4.7. To protect the attractiveness of the City's streets, it is important that the granting of a temporary licence does not result in detriment to the street scene. Street trading activity should not cause environmental problems or detract from the amenities of adjacent retailers/occupiers. Regard will be had to any potential problems associated with crime and disorder or anti-social behaviour. Street trading activity should not represent, or be likely to represent, a substantial risk of nuisance to the public or business from noise, particularly in residential areas and close to sensitive premises/areas e.g. schools, banks, listed buildings, conservation areas etc.
- 4.8. Where an event is to take place over a large area, such as a processional route, applications are more likely to be granted where they are along the route designated for that event or close to the event area. In these circumstances the number of temporary street trading licences granted in the same street or area, (where part of a single application), will be of less significance than in other cases. However, consideration will be given to the sufficiency of existing trading outlets to serve the needs of the event.
- 4.9. Temporary Licences will usually be connected with a particular event. It is expected that the duration of the licence will be the same as the duration of that event, up to the statutory maximum of twenty-one days.
- 4.10. In order to restrict the possibility of noise nuisance, the playing of amplified or non-amplified music is unlikely to be permitted unless it is an integral part of the event. Each application will be considered individually taking into account the likelihood of disturbance to residents, businesses and other sensitive premises. Further information can be obtained from the Corporation's Environmental Health Pollution Team or can be found on the Corporation's website [*web link*]. Under certain circumstances the playing of music may require a Temporary Event Notice. This would be in addition to the Street Trading Licence. For more information on Temporary Event Notices please go to (*insert web link*).
- 4.11. The use of generators may be permitted subject to the consideration of noise and emissions. Applications must include a detailed location plan indicating full details of generators and associated noise control. Further information can

be obtained from the Corporation's Environmental Health pollution Team or can be found on the Corporation's website [*web link*].

- 4.12. Artificial lighting will only be permitted if it does not cause a public nuisance.

5. Terms and conditions of licences

Middlesex Street Licences

- 5.1. The conditions (or "prescriptions") which are applied to Middlesex Street licences are set out in section 9 of the 1987 Act. These include the position or place in Middlesex Street where the licensee may trade, the articles which may be traded and the nature of any receptacle or equipment which may be used. A standard set of conditions for a Middlesex Street licence is set out at Appendix 3.
- 5.2. A street trading licence is granted to an individual and may not be transferred, sold or sublet to another individual.
- 5.3. A completed indemnity certificate is required before a licence is issued giving evidence of public liability insurance to the minimum value of £2,000,000 per incident.
- 5.4. Failure to comply with any conditions of a Middlesex Street licence may lead to its revocation in addition to any enforcement action.

Temporary Licences

- 5.5. Temporary licences will specify, in addition to the area and time of street trading, the terms and conditions in accordance with which any street trading must take place (section 11A of the 1987 Act). Conditions will include the licence holder's responsibilities to maintain public safety, prevent nuisance and generally preserve the amenity of the locality. The standard conditions for temporary licences, which may be subject to alteration in the circumstances of each case, are set out in Appendix 4.
- 5.6. Permission will not normally be granted for temporary street trading to begin earlier than 09:00 Monday to Friday and 10:00 Saturday or Sunday. The

terminal hour will not normally be later than 21:00 Monday to Friday and 20:00 Saturday or Sunday. In considering the trading times, the Corporation will take into account the need to service the pitch e.g. to stock and re-stock, and the time needed to set up and take down any stall or other receptacle against the likelihood of disturbance to nearby residents and businesses.

- 5.7. A street trading licence is granted to an individual and may not be transferred, sold or sublet to another individual.
- 5.8. Where applicable, waste transfer arrangements must be provided on request to a City of London authorised officer. Any arrangement must comply with the City Corporation's Time banding Regulations. Further details can be obtained by clicking *[insert web link]*.
- 5.9. The licence holder must ensure that there is no litter around his place of trading and in a 3 square metre immediate vicinity of the trading area (regardless of whether the litter emanated from his business). The licence holder will ensure any staining of the footpath is removed before the end of trading on each day to the required standards of the City Corporation. Failure to achieve this will result in the City Corporation arranging removal of any staining and recharging the licence holder. The expected rates for additional cleansing can be seen as part of Appendix 9.
- 5.10. A completed indemnity certificate is required before a licence is issued giving evidence of public liability insurance to the minimum value of £2,000,000 per incident. Where the trading area and/or receptacle is large e.g. a marquee, a trading area containing more than two receptacles, the minimum value of public liability insurance may have to be increased. If in doubt as to the amount of insurance required please consult the licensing team.

6 Enforcement of street trading laws

- 6.1 It is an offence under section 16 of the 1987 Act for any person to engage in street trading in the City of London unless they are a licensed street trader who is:
 - trading in accordance with a Middlesex Street licence, or
 - trading in accordance with a temporary licence granted under section 11A of the 1987 Act.

- 6.2 Any person convicted of an offence under section 16 is liable to a fine up to Level 3 on the Standard Scale (£1000).
- 6.3 A police officer or authorised officer of the City Corporation may, where they have reasonable grounds for believing that a person has committed an offence of unlawful street trading, seize any article or thing being offered for sale (whether or not the items are displayed), or any receptacle or equipment being used.
- 6.4 The procedure to be followed for seizure, including information about how goods may be returned, is explained in Appendix 5. Special provision is made for perishable goods and motor vehicles.
- 6.5 The City of London Port Health and Public Protection Department's Enforcement Policy will always be taken into consideration before any enforcement action is taken. The City of London Corporation's general approach is to assist traders in meeting their legal obligations and to work with them in putting things right. Further information on the Enforcement Policy can be found at *[insert web link]*.

7. Making an application for a street trading licence

General

- 7.1 It is recommended that potential applicants contact a licensing officer prior to submitting an application.
- 7.2 In order to obtain a street trading licence, or renew an existing Middlesex Street licence, an application must be made in writing to the City of London Licensing Service.
- 7.3 An application for a Middlesex Street licence must be in the form set out in Appendix 6 (new) or 7 (renewal). An application for a temporary licence must be in the form set out in Appendix 8. There is no renewal process for a temporary licence.
- 7.4 An application form must be accompanied by two recent photographs of the applicant and the appropriate fee.

- 7.5 On receipt of an application form, licensing officers will check to ensure it is completed correctly and complies with all statutory requirements.
- 7.6 Street trading will not normally require planning permission. However the selling of articles on the highway may require planning permission or affect the current planning use of the premises where that premises is connected with the licensed street trader. In these circumstances planning permission must be obtained in the normal way. Similarly, where temporary street trading will involve the closure of a road, a closure order under the Road Traffic Regulation Act 1984 will need to be applied for. [*link to relevant parts of CoL website*]
- 7.7 Where an LPG fuelled appliance is to be used, a copy of an up-to-date competent person's form certifying that the appliance has been properly checked and is sound must accompany the application form.

Middlesex Street Licences

- 7.8 Under section 8(2) of the 1987 Act, an application for renewal of a Middlesex Street trading licence should be made no earlier than three months, and no later than two months, before the date on which that licence, unless revoked or surrendered, will cease to be valid.
- 7.9 Late applications will be considered and processed so far as reasonably practicable. However, applicants should be aware that if the application is submitted late it may not be processed before the existing licence ceases to be valid. This may result in a period of time during which the applicant cannot carry on any street trading.
- 7.10 Where a renewal application has been made, and there have been no justified complaints or enforcement issues, and all fees have been paid on time, the licence will normally be renewed.
- 7.11 If an application for a Middlesex Street Licence is refused on the grounds that there is no available space, the applicant will be given the option of having his details added to a waiting list. When a suitable space becomes available, the person next in line on the waiting list will be contacted and invited to re-submit an application form for the now vacant position.

Temporary Licences

- 7.12 Full details of the trader, the goods proposed to be traded and the area of trading must be included on the application form. The application form must be accompanied with a plan showing the proposed Trading area outlined in red.
- 7.13 Where a number of stall holders come together as part of a single market, event, commemoration, or similar, a single application may be made. Such an application must list the names and addresses of all proposed traders.
- 7.14 Applications should be made no earlier than six months before the date on which a licence is required, and no later than twenty-eight days before the start of the proposed licence. As with Middlesex Street applications, if the application is submitted late it may not be processed in time for the proposed first trading day.
- 7.15 Before the grant of a temporary licence a site visit will be carried out by Licensing Officers and/or other officers of the City Corporation.
- 7.16 The design and appearance of any receptacle which is to be used will need to be agreed with the Licensing team and/or planning officers. If a large structure, the receptacle may need to be inspected by the City Corporation's District Surveyors.

8 Appeal Procedure

- 8.1 Any person aggrieved by the refusal of the City Corporation to grant or, in the case of a Middlesex Street licence, renew, a street trading licence, or by the revocation or variation of a street trading licence, or by any prescription of a Middlesex Street licence, may appeal to the magistrates' court.
- 8.2 Any appeal must be made within fourteen days from the date on which the refusal, revocation, variation or prescription which is the subject of the appeal is notified to such person.

- 8.3 Further details of the appeal procedure can be found in the Licensing section of the City of London website (*web link to be inserted*) or by contacting the licensing team.

9 Fees and charges

Middlesex Street Licences

- 9.1 The fee for an application for the grant or renewal of a Middlesex Street licence is set by section 10 of the 1987 Act at £5. The fee should be submitted with the application. In the case of a Middlesex Street application, the fee will be returned to the applicant if the application is refused.
- 9.2 In addition to the application fee a further fee will be charged (a 'licence' fee) to recover the City Corporation's costs in issuing and maintaining the licence. This fee is currently set at £780 per annum. Where a licence is granted part way through the year the 'licence' fee will be reduced on a pro-rata basis. For example, if a licence was granted at the beginning of April only 75% of the fee will be payable. The fee for a Middlesex Street licence can be paid on a quarterly basis at no additional cost to the licence holder.
- 9.3 A list of current fees and charges is set out in Appendix 9.

Temporary Licences

- 9.4 The fee for an application for a temporary licence is determined by the City Corporation and is currently set at £300 plus an additional 'trading' fee dependant on the length of time the licence is granted and is currently set at between £73 and £370.
- 9.5 Where the application is for multiple traders and/or trading areas, the fee will be determined individually in each case.
- 9.6 In addition to the application fee, charges may be payable including for the removal of refuse or other services provided to licensees.
- 9.7 An application for a temporary licence must be accompanied by the relevant total fee. The fee is for the duration of the temporary licence.

9.8 A list of current fees and charges is set out in Appendix 9.

10 Contacts

Write to: Licensing Service
Walbrook Wharf
Upper Thames Street
EC4R 3TD

Email: licensing@cityoflondon.gov.uk

Telephone: 020 7332 3406

You can also find more information and links to other sources of information on the City of London's website. Please click on the link below:

[Street Trading further information](#) *(link to be inserted)*

BYELAWS AS TO STREET TRADING

BYELAWS made by the Mayor and Commonalty and Citizens of the City of London acting by the Common Council with respect to Street Trading in the said City pursuant to Section 21 of the City of London (Various Powers) Act, 1965.

1. In these Bylaws:-

“the Act” means the City of London (Various Powers) Act, 1965;

“the Act of 1911” means the City of London (Various Powers) Act, 1911;

“the Corporation” means the Mayor and Commonalty and Citizens of the City of London acting by the Common Council;

“licensed street trader” means a person licensed to engage in street trading by a licence granted under Part III of the Act;

“registered street trader” means a person registered as a street trader under Section 24 of the Act of 1911;

“receptacle” includes a vehicle or stall and any basket, bag, box, vessel, stand, easel, board, tray or other structure or thing which is used (whether or not constructed or adapted for such use) as a container for, or for the display of, any article or thing;

“article or thing” includes any living thing;

“street traders’ certificate” means a certificate issued to a registered street trader under Section 24 of the Act of 1911;

“street trading” means the selling or exposing or offering for sale of any article or thing in a street;

“street trading licence” means a licence to engage in street trading granted under Part III of the Act.

2. A licensed street trader shall not use a receptacle under the authority of a street trading licence unless it is so constructed as to be easily and immediately removable without the necessity of undressing the receptacle, and no accessories shall be attached thereto which would be likely to cause damage to the street.

3. A licensed street trader shall not, except for the purposes of supplying artificial light, cause or permit a receptacle used by him to be connected physically in any manner with any other receptacle, or any premises or property.

Provided that any connection for the purpose of supplying artificial light shall be readily detachable.

4. A licensed street trader shall not use a receptacle for street trading exceeding 7 feet in length, 4 feet 3 inches in width and 10 feet in height measured from the ground level.
5. *[no longer applicable]*
6. A licensed street trader shall not place a receptacle in such a manner as to project over the footway and where practicable shall place the receptacle along the curb-line. A receptacle may have an awning or roof projecting not more than 2 feet to the front and 2 feet to the rear of the receptacle (the front of the receptacle for this purpose is the side facing the footway).

Provided that any such awning or roof, including its supports, if any, shall insofar as they so project be in every part not less than 7 feet above the highway, and no articles or things shall be suspended from such awning or roof so as to reduce the headroom to less than 7 feet.

7. *[no longer applicable]*
8. A licensed street trader or a registered street trader shall not cause or permit any article or thing to project beyond or be placed alongside or around any receptacle used by him or be placed above the height of 10 feet measured from ground level.

Provided that the space immediately beneath the receptacle may be used for the deposit of articles or things, provided always that the street gullies are not obstructed thereby.

9. *[no longer applicable]*
10. *[no longer applicable]*
11. A licensed street trader or his assistant, shall when required by an officer of the City of London Police immediately remove his receptacle, articles or things temporarily, for so long a period as may be necessary from the space in front of any premises where their presence unduly obstructs or hinders the approach to or departure from such premises of persons or vehicles.

12. A licensed street trader or his assistant, or registered street trader, shall immediately remove his receptacle, articles or things temporarily for so long as may be necessary if required to do so by an officer of the City of London Police in the event of an emergency or in the exercise by the Corporation of any of their powers and duties.
13. A licensed street trader whilst engaged in street trading shall produce his street trading licence, [...], for inspection when requested to do so by an officer of the City of London Police or by an Inspector appointed by the Common Council of the City of London under the Shops Act, 1950.
14. *[no longer applicable]*
15. A licensed street trader shall cause all refuse, scraps, waste material, litter or rubbish arising from his street trading to be placed in suitable covered containers which shall be supplied by him and shall be kept exclusively for that purpose and he shall cause all such containers to be kept in a reasonably clean state, regard being had to the purposes for which they are provided, and shall cause such containers to be emptied as often as they are full into Refuse Containers provided by the Corporation.
16. A licensed street trader and any assistant shall demonstrate, offer for sale or sell goods only whilst standing at ground level or whilst sitting on a chair, box or other object placed at ground level, the height of such chair, box or other object not being in excess of 20 inches.
17. A licensed street trader shall not use or cause or permit to be used on any receptacle used by him for street trading, any system of lighting which includes any of the following types of equipment:-
 - (a) equipment not readily detachable.
 - (b) electricity leads exceeding five yards in length.
 - (c) candles or other naked lights unless the same are surrounded by a non- flammable and windproof shield.
18. The amount of the charges which the Corporation are authorised to make under Section 19 of the Act for the removal of refuse or other services rendered by them to licensed street traders, in respect of expenses incurred by them in the administration of Part III of the Act, and in the cleansing of that part of Middlesex Street in the City of London in which street trading takes place, shall not exceed *[£15 per week]*.

19. Any person who shall offend against any of the foregoing byelaws shall be liable on summary conviction to a penalty not exceeding [£500] and in the case of a continuing offence, to a further penalty not exceeding [???] for each day during which the offence continues after conviction therefor.

Examined.

(Signed) DESMOND HEAP,
Comptroller and City Solicitor

The Common Seal of the Mayor and Commonalty and Citizens of the City of London was affixed to these Byelaws at a duly constituted meeting of the Court of Common Council held on the 29th day of June, 1967 and in my presence.

(Signed) E. H. NICHOLS.
Town Clerk

The Secretary of State this day confirmed the foregoing Byelaws and fixed the date on which they are to come into operation as the first day of November, 1967.

(L.S.) (Signed) H. B. WILSON.
An Assistant Under
Secretary of State

Whitehall
4th October 1967

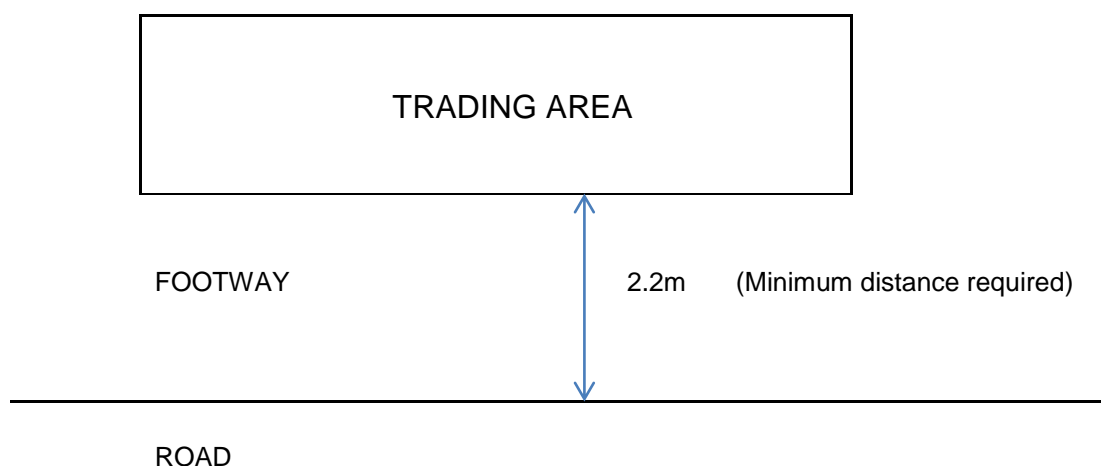
NOTE.

Section 13(2) of the City of London (Various Powers) Act, 1965, is in the following terms.

“(2) A person who is a licensed street trader may, subject to the provisions of this Part of this Act, engage in street trading in that part of Middlesex Street in the City which lies between the junctions of that street with Widegate Street and Sandys Row at any time between the hours of 9 a.m. and 2 p.m. on Sundays other than Christmas Day when that day falls on a Sunday.”

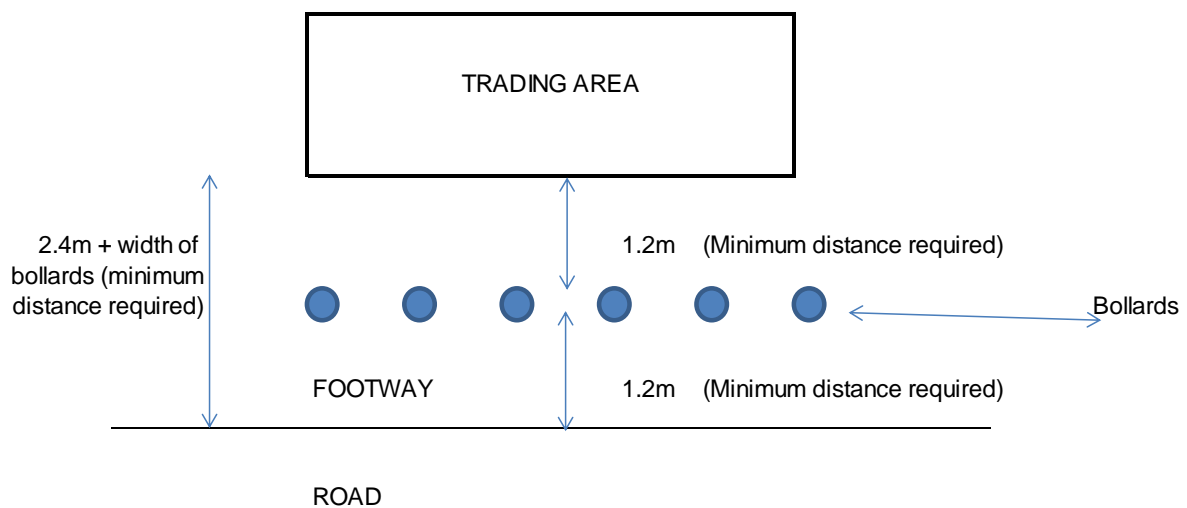
Measurement of Available Footpath

- a) There must be a minimum width of unobstructed footway of 2.0 metres between the edge of the trading area and 200mm from the edge of the footway. The 200mm distance is to allow for the fact that pedestrians cannot be expected to walk on the edge of the footpath.



- b) Please note that the measurement is taken from the edge of the trading area and not the receptacle that may be used for trading. This is to allow for people browsing or queuing at the trader and not interfering with passing pedestrians.
- c) Where pedestrian flow rates are greater than 1200 persons per hour, particularly near a tourist attraction, this distance may be increased taking into consideration the likelihood of pedestrians stopping to observe shop fronts/the attraction etc. There is no exact formula for determining the minimum width of footpath and each case will be determined on its merits. The overriding factor will be the comfort of pedestrians and their ability to pass along the footpath safely.

- d) Where the footpath contains other street furniture such as lamp posts, bollards, parking meters, telephone booths, benches etc., the minimum unobstructed width will be measured between the edge of the trading area and 200mm from the item(s) in question plus the additional distance between the item(s) and 200mm from the edge of the footpath if each distance is not less than 1.2 metres.



- e) The positioning of the trading area should never discourage pedestrians from using the footway. The available pedestrian route must be straight, obvious and unobstructed and not pass through the trading area. An exception may be made where a street market occupies the whole of the Trading Area and the pedestrian route passes through the centre of that market.

Standard Conditions for Middlesex Street Licences

1. The holder of any street trading licence, and any receptacle used for the purpose of street trading, must comply with all relevant road traffic and highways legislation.
2. The holder of any street trading licence, and any receptacle used for the purpose of street trading, must comply with all relevant food hygiene legislation.
3. The licensed street trader shall only trade from a receptacle approved by the Corporation in writing.
4. The licensed street trader shall maintain the receptacle in a clean condition and its structure, where appropriate, shall be kept in good order, repair and condition to the satisfaction of a licensing officer.
5. The licensed street trader shall conduct his business in such manner to ensure that he does not:
 - Cause a nuisance to the occupiers of adjoining property
 - Cause an obstruction to the vehicles or pedestrians using the highway
 - Cause a danger to occupiers of adjoining property or to users of the highway
6. A copy of the licence, suitably protected against the weather, shall be displayed in a prominent position on the stall or vehicle at all times when trading is taking place
7. No process or operation shall be carried out which would give rise to a nuisance by reasons of noise, vibration, smoke or smell.
8. No poster, advertisement, signage or decoration of an unsuitable material or nature shall be displayed, sold or distributed on or about the vehicle or premises. For the purpose of this condition, material is unsuitable if, in the

opinion of an authorised officer of the City Corporation, it is indecent, scandalous, offensive or likely to be harmful to any person likely to apprehend it. Material may also be considered to be unsuitable if it is of such a nature as to distract motorists driving on the highway.

9. Failure to comply with any condition attached to the street trading licence may result in the revocation of that licence

Standard Conditions for Temporary Street Licences

1. The holder of any street trading licence, and any receptacle used for the purpose of street trading, must comply with all relevant road traffic and highways legislation.
2. The holder of any street trading licence, and any receptacle used for the purpose of street trading, must comply with all relevant food hygiene legislation.
3. The licensed street trader shall only trade from a receptacle approved in writing by the Corporation.
4. Trading shall only take place in the area specified on the licence.
5. The licensed street trader may only offer for sale the commodities specified on the licence.
6. The licensed street trader shall maintain the receptacle in a clean condition and its structure, where appropriate, shall be kept in good order, repair and condition to the satisfaction of a City Corporation licensing officer.
7. The licensed street trader shall conduct his business in such manner to ensure that he does not:
 - Cause a nuisance to the occupiers of nearby property
 - Cause an obstruction to the vehicles or pedestrians using the highway
 - Cause a danger to occupiers of nearby property or to users of the highway
8. Refuse storage must be provided adjacent to the trading area. The storage must be of substantial construction and waterproof. The trade waste must be removed at the end of each working day or, if the amount of refuse warrants it, when the container is full, whichever is the sooner.

9. A copy of the licence, suitably protected against the weather, shall be displayed in a prominent position on the stall or vehicle at all times when trading is taking place.
10. No process or operation shall be carried out which would give rise to a nuisance by reasons of noise, vibration, smoke or smell.
11. Nothing in any licence has the effect of granting to the holder any other licence or permissions needed under any other enactment or requirement and the licence holder is specifically advised to obtain such other approvals as may be required.
12. No poster, advertisement, signage or decoration of an unsuitable material or nature shall be displayed, sold or distributed on or about the vehicle or premises. For the purpose of this condition, material is unsuitable if, in the opinion of an authorised officer of the City Corporation, it is indecent, scandalous, campaigning, offensive or likely to be harmful to any person likely to apprehend it. Material may also be considered to be unsuitable if it is of such a nature as to distract motorists driving on the highway.
13. Failure to comply with any condition attached to the street trading licence may result in the immediate revocation of that licence.

Procedure Relating to Seized Items

Goods other than vehicles or perishable goods

- Goods (includes any articles or things) may only be seized if they are to be used as evidence in proceedings for illegal street trading or may be the subject to forfeiture in such proceedings.
- If legal proceedings **have not** been instituted within 28 days of seizure, the goods will be returned to the person from whom the goods were seized before the end of the 28 day period.
- Where legal proceedings **have** been instituted within 28 days of seizure, the goods will be returned to the person from whom they were seized following the conclusion of proceedings.
- If proceedings have been instituted within the 28 day period but discontinued, the goods will be returned to the person from whom they were seized once proceedings have been discontinued.
- Goods will not be returned if the person from whom they were seized, or the owner if different, cannot be identified or refuses to accept them. In these circumstances we will apply to the Courts for a disposal order.
- Goods will not be returned if a forfeiture order is made under section 16C of the 1987 Act.
- Where costs are awarded to the City Corporation following the conclusion of proceedings, and they have not been paid within 28 days of the order for costs being made, goods will not be returned until the costs are paid. In these circumstances, the City Corporation may dispose of the goods and secure the best possible price for them. Where the sum obtained from the disposal of the goods exceeds the costs awarded by the court, the excess shall be returned to the person to whom the goods belong.

Motor Vehicles:

- Vehicles may only be seized if they are to be used as evidence in proceedings for illegal street trading or may be the subject of forfeiture in such proceedings.
- We will make a request to the Secretary of State within 14 days of seizure in order to ascertain the identity of the person from whom the vehicle was seized.

- Where the results of the above request **have been** received by the City Corporation within 14 days of seizure and legal proceedings **have not been** instituted within 28 days of seizure (the 'proceedings period'), the vehicle will be returned to the person from whom it was seized before the end of the 28 day period.
- Where the results of the above request **have not been** received by the City Corporation within 14 days of seizure the 'proceedings period' will be extended to 14 days following receipt of the requested results. In these circumstances, if legal proceedings have not been instituted within the 'proceedings period' the vehicle will be returned to its owner before the expiry of that period.
- Where legal proceedings **have** been instituted within 28 days of seizure, the goods will be returned to the person from whom they were seized, or the vehicle's owner, following the conclusion of proceedings.
- If proceedings have been instituted within the 28 day period but discontinued, the vehicle will be returned to the person from whom they were seized once proceedings have been discontinued.
- A vehicle will not be returned if the person from whom it was seized, or the owner if different, cannot be identified or refuses to accept it. In these circumstances we will apply to the Courts for a disposal order.
- A vehicle will not be returned if a forfeiture order is made under section 16C of the 1987 Act.
- If the vehicle is used for ice cream trading, the owner or registered keeper of the vehicle will be permitted to collect it within three days of notifying us of their intention in writing irrespective of whether legal proceedings are being instituted.
- However, the owner or registered keeper of an ice cream vehicle will not be permitted to collect it if they have been convicted of an offence under s.87 of the 1987 Act (illegal street trading) within three years of the seizure taking place.

Perishable Goods

- Perishable Goods (includes articles or things) may only be seized if they are to be used as evidence in proceedings for illegal street trading or may be the subject of forfeiture in such proceedings.
- Where perishable goods are seized we will give to the person from whom they are seized a notice detailing how the goods may be collected from the Corporation.

- If perishable goods are not collected within 48 hours of seizure the City Corporation may dispose of them. In disposing of perishable goods the City Corporation will secure the best possible price for them. Whilst waiting for perishable goods to be collected the City Corporation will store them at an appropriate temperature.
- If legal proceedings **have not** been instituted within 28 days of seizure, the goods will be returned to the person from whom the goods were seized before the end of the 28 day period (unless disposed of as above)
- Where legal proceedings **have** been instituted within 28 days of seizure, the goods will be returned to the person from whom they were seized following the conclusion of proceedings (unless disposed of as above).
- If proceedings have been instituted within the 28 day period but discontinued, the goods will be returned to the person from whom they were seized once proceedings have been discontinued (unless disposed of as above).
- Goods will not be returned if the person from whom they were seized, or the owner if different, cannot be identified or refuses to accept them. In these circumstances we will apply to the Courts for a disposal order.
- Goods will not be returned if a forfeiture order is made under section 16C of the 1987 Act.
- Where costs are awarded to the City Corporation following the conclusion of proceedings, and they have not been paid within 28 days of the order for costs being made, goods will not be returned until the costs are paid. In these circumstances, the City Corporation may dispose of the goods and secure the best possible price for them. Where the sum obtained from the disposal of the goods exceeds the costs awarded by the court, the excess shall be returned to the person to whom the goods belong
- Where proceedings are not instituted within 28 days of their seizure, and the goods have been disposed of by the City Corporation following non-collection within 48 hours of seizure, compensation may be recovered from the City Corporation by any person who had a legal interest in the goods at the time of their seizure.



CITY OF LONDON (VARIOUS POWERS) ACT, 1987 (PART III)
APPLICATION FOR A MIDDLESEX STREET TRADING LICENCE

I hereby apply to the City of London Corporation, under Part III of the City of London (Various Powers) Act 1987 for a licence to engage in street trading in Middlesex Street: to be valid until 31 December and supply the following information: -

Please answer all questions in BLOCK CAPITALS

1) FULL NAME AND ADDRESS OF APPLICANT

Name: _____

Address: _____

_____ Postcode: _____

Tel No: (Home) _____ (Work): _____

| | | |
|-----|---|-----|
| 2) | Date of birth: ----- | |
| 3) | Nature of articles and things to be sold or exposed or offered for sale. (These must be precisely defined). | |
| 4) | Type of receptacle or equipment (i.e. stall, trailer, stand, etc.) to be used in connection with street trading. <i>(Not exceeding 7ft x 4ft 3"/ 2.13m x 1.30m per pitch)-</i> | |
| 5) | Location for storage when not trading; | |
| i) | of articles or things for sale:- | i) |
| ii) | of receptacle or equipment used in connection with street trading:- | ii) |
| 6) | Do you hold a City of London Corporation Street Trading Licence at present? If so, state | |
| i) | Licence number | i) |
| ii) | Pitch number | ii) |

| | | |
|-----|---|--|
| 7) | Do you hold any other Street Trading Licence or Licences at present? If so, give full details | |
| 8) | Have you ever been refused a Street Trading licence or consent in this or any other area? If yes, give details. | |
| 9) | Do you, or are you involved in any way with any Company or partnership that, own, operate or assist at any retail or wholesale premises at or near Middlesex Street? If yes, give full details. | |
| 10) | Do you understand that you will only be permitted to trade at the pitch prescribed by a Street Trading Licence which may be granted to you and only between the hours of 9am and 2pm on Sundays, and not when that day is also Christmas Day? | |
| 11) | Do you understand that you must also comply with any other legislation which may affect your business, and with Bylaws for the time being in force, which govern street trading within the City? | |
| 12) | I confirm that the £5.00 renewal/application fee has been paid. | |

In the event of a street trading licence being granted to me I agree to conform to the conditions in the licence, and to pay such charges as the City of London Corporation may direct for the removal of refuse or other services, for the cost of administration and the cleansing of that part of Middlesex street where the market is held.

Any person who by wilful misrepresentation obtains a Street Trading Licence or the renewal of any such Licence shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Any alterations desired by current traders from the terms and conditions of an existing City of London Corporation Street Trading Licence should be made in writing and enclosed with this application form.

NEW APPLICATIONS will require a £5.00 application fee to accompany this form.

N.B. (The renewal application fee of £5.00 required from existing traders will be included in the next quarterly invoice and should be paid in the normal way).

ALL APPLICATIONS will require two passport sized photographs (taken within the preceding twelve months and signed by the applicant on the reverse side), to accompany this form.

I declare that I have checked the information on this application form and to the best of my knowledge and belief it is correct. I further declare that the licence is for my use only.

Signed Date:
(Signature of Applicant)

Completed forms and their enclosures should be returned to:-
City of London Corporation
Department of Markets & Consumer Protection
Port Health & Public Protection - Licensing Office
P O Box 270
Guildhall
London, EC2P 2EJ.

Telephone: 020 7332 3406



CITY OF LONDON (VARIOUS POWERS) ACT, 1987 (PART III)
APPLICATION FOR A MIDDLESEX STREET TRADING LICENCE (RENEWAL)

I hereby apply to the City of London Corporation, under Part III of the City of London (Various Powers) Act 1987 for a licence to engage in street trading in Middlesex Street: to be valid until 31 December and supply the following information: -

Please answer all questions in BLOCK CAPITALS

1) FULL NAME AND ADDRESS OF APPLICANT

Name: _____

Address: _____

_____ Postcode: _____

Tel No: (Home) _____ (Work): _____

| | | |
|----|---|---------------|
| 2) | Date of birth: ----- | |
| 3) | Nature of articles and things to be sold or exposed or offered for sale. (These must be precisely defined). | |
| 4) | Type of receptacle or equipment (i.e. stall, trailer, stand, etc.) to be used in connection with street trading. <i>(Not exceeding 7ft x 4ft 3"/ 2.13m x 1.30m per pitch)-</i> | |
| 5) | Location for storage when not trading: i) of articles or things for sale:- ii) of receptacle or equipment used in connection with street trading:- | i) ii) |
| 6) | Do you hold a City of London Corporation Street Trading Licence at present? If so, state i) Licence number ii) Pitch number | i) ii) |

| | | |
|-----|---|--|
| 7) | Do you hold any other Street Trading Licence or Licences at present? If so, give full details | |
| 8) | Have you ever been refused a Street Trading licence or consent in this or any other area? If yes, give details. | |
| 12) | Do you, or are you involved in any way with any Company or partnership that, own, operate or assist at any retail or wholesale premises at or near Middlesex Street? If yes, give full details. | |
| 13) | Do you understand that you will only be permitted to trade at the pitch prescribed by a Street Trading Licence which may be granted to you and only between the hours of 9am and 2pm on Sundays, and not when that day is also Christmas Day? | |
| 14) | Do you understand that you must also comply with any other legislation which may affect your business, and with Bylaws for the time being in force, which govern street trading within the City? | |
| 12) | I confirm that the £5.00 renewal/application fee has been paid. | |

In the event of a street trading licence being granted to me I agree to conform to the conditions in the licence, and to pay such charges as the City of London Corporation may direct for the removal of refuse or other services, for the cost of administration and the cleansing of that part of Middlesex street where the market is held.

Any person who by wilful misrepresentation obtains a Street Trading Licence or the renewal of any such Licence shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Any alterations desired by current traders from the terms and conditions of an existing City of London Corporation Street Trading Licence should be made in writing and enclosed with this application form.

NEW APPLICATIONS will require a £5.00 application fee to accompany this form.

N.B. (The renewal application fee of £5.00 required from existing traders will be included in the next quarterly invoice and should be paid in the normal way).

ALL APPLICATIONS will require two passport sized photographs (taken within the preceding twelve months and signed by the applicant on the reverse side), to accompany this form.

I declare that I have checked the information on this application form and to the best of my knowledge and belief it is correct. I further declare that the licence is for my use only.

Signed Date:
(Signature of Applicant)

Completed forms and their enclosures should be returned to:-
City of London Corporation
Department of Markets & Consumer Protection
Port Health & Public Protection - Licensing Office
P O Box 270
Guildhall
London, EC2P 2EJ.

Telephone: 020 7332 3406



CITY OF LONDON (VARIOUS POWERS) ACT 1987 (PART III)
APPLICATION FOR A TEMPORARY STREET TRADING LICENCE

I hereby apply to the City of London Corporation, under Part III of the City of London (Various Powers) Act 1987 for a licence to engage in temporary street trading in the City of London.

| <i>Please answer all questions in BLOCK CAPITALS</i> | | |
|--|--|---|
| 1. | Full Name and Address of Applicant Name: Address: Post Code: | Tel: No. Home Mobile: Work: Email: |
| 2. | Date of Birth | |
| 3. | Type of Street trading activity proposed and nature of articles and things to be sold or exposed or offered for sale. | |
| 4. | Type of receptacle or equipment (i.e. stall, trailer, stand etc.) to be used in connection with street trading (photograph if possible). | |
| 5. | Area in which it is proposed that street trading will take place (a location plan must accompany this application) See Note 1 below. | |
| 6. | Period (not exceeding twenty one days) for which it is desired that the licence should have effect. | |
| 7. | Particulars of days and times during which trading will take place. | |

| | | |
|-----|--|--|
| 8. | Is there any proposal to permit by agreement, individuals other than the applicants, to trade under the provisions of any licence granted? See Note 2 below | |
| 9. | Have you ever been refused a Street Trading licence or consent in this or any other area? If yes, please give details | |
| 10. | Do you intend to use generators, other noise making equipment, artificial lighting or intend to play music. If yes, please give details | |
| 11. | Do you understand that you must also comply with any other legislation which may affect your business, and with bylaws for the time being in force, which govern street trading within the City? | |

In the event of a Temporary Street Trading Licence being granted to me I agree to conform to the conditions in the licence.

Any person who by wilful misrepresentation obtains a Temporary Street Trading Licence shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

ALL APPLICATIONS must be accompanied by i) two passport sized portrait photographs (taken within the preceding twelve months and signed by the applicant on the reverse side), and, ii) an application fee of £xx.

I declare that I have checked the information on this application form and to the best of my knowledge and belief it is correct.

Signed:

Date:

.....
(signature of applicant)

Notes

1. The application must be accompanied by three copies of a site plan, to a scale of 1.50 or larger, which show the precise position of the proposed pitch or pitches to be used for street trading.
2. Where an agreement is proposed between the applicant and any person(s) that provides for such person(s) to become a temporary licence holder by virtue of the temporary licence to which this application relates, you must provide full details of the agreement on the continuation form provided.

**Completed forms and their enclosures should be returned to:-
City of London Corporation
Licensing Office
P O Box 207
Guildhall, EC2P 2EJ**

CITY OF LONDON (VARIOUS POWERS) ACT 1987 (PART III)

CONTINUATION FORM

**DETAILS OF AGREEMENT WITH PROPOSED
TEMPORARY LICENCE HOLDER(s.11A(4)(f))**

Name of Applicant:

Proposed Trading Dates:

Name(s) of proposed temporary licence holder(s) if different:

Details of Agreement:

FEES

Middlesex Street Licence

| | |
|-----------------------------|--|
| Application Fee (statutory) | £5 (refundable if application not granted) |
| Annual Fee | £780 (payable by quarterly invoice) |
| TOTAL FEE | £785 |

(n.b. For persons renewing their licence the £5 application fee will be included in the first quarters invoice.)

Temporary Street Licence

| | |
|-----------------|-----------------------|
| Application Fee | £300 (non refundable) |
|-----------------|-----------------------|

In addition to the application fee a trading fee will be charged depending on the length of the licence (this fee is refundable if for whatever reason the licence is not granted):

| | | |
|-------------|--------------|------|
| Trading Fee | 1 days | £73 |
| | 2 - 3 days | £106 |
| | 4 - 7 days | £172 |
| | 8 – 14 days | £271 |
| | 15 – 21 days | £370 |

TOTAL FEE (temporary licence for a single trader)*:

| | | |
|--|--------------|------|
| | 1 day | £373 |
| | 2 – 3 days | £406 |
| | 4 – 7 days | £472 |
| | 8 – 14 days | £571 |
| | 15 – 21 days | £670 |

*Where the application is for two or more traders, or for two or more trading locations, the temporary licence fee will be decided individually in each case. The fee will take into account the number of traders, the size and number of trading areas and the duration of the licence. The fee will cover the costs of administering the licence and ensuring applicable conditions are met..

The following is a **guide only** as to the fee for temporary licence applications for multiple traders/trading areas:

| | |
|---------------|--|
| 2 – 3 traders | Increase single trader fee by approximately 75% |
| 4 – 5 traders | Increase single trader fee by approximately 100% |
| 6+ traders | Increase single trader fee by approximately 150% |

Please contact licensing team to obtain a precise fee.

N.B. In addition to the above fees, charges may be payable for the removal of refuse or cleaning the highway at the rate of £55 per hour.