

Street Trader Licence

Why do I need a street trader's licence?

A licence is required for selling, offering to sell or carrying out a service paid for by any person in a public place. This includes selling from a vehicle, kiosk or moveable stall.

A street trader's licence is not required if the kiosk or stall is carried out in conjunction with or is part of a retail business being carried out in premises abutting a public place.

Exemptions

The following types of activity are specifically exempt and anyone carrying on such a business will NOT therefore require a street trader's licence:-

- The sale of newspapers;
- The sale of milk by a registered person;
- The sale of coal, coke or solid fuel;
- Collecting on behalf of charity
- Peddling where a licence under the Pedlars Act 1871 has been granted.

Legal Requirements

Your proposed trading location must be more than 100 metres away from a shop selling similar goods. Your stance must not contravene any waiting and / or loading restrictions and your trailer or vehicle must not contravene any waiting and / or loading restrictions. A licence is required for each individual involved in the activity.

With effect from 20th March 2008 if you sell food and drink you are prohibited from trading in the vicinity of a school during specified times of the day, Monday to Fridays inclusive.

Please refer to the street trader application form and licence conditions for further information on what this means and how you should complete your application.

Applications

The lodging of an application form does not allow a person to trade unless and until the licence is granted and issued.

While it may be that you already own a vehicle, stall or trailer or know the vehicle, stall or trailer which you intend to use, **YOU ARE ADVISED STRONGLY NOT TO ENTER INTO ANY COMMITMENT, FINANCIAL OR OTHERWISE REGARDING A VEHICLE UNLESS YOU HAVE BEEN INFORMED THAT THE COUNCIL IS PREPARED TO GRANT THE LICENCE FOR WHICH YOU HAVE APPLIED.**

You may wish to note that on 22 March 2000, Renfrewshire Council adopted a policy which introduced an 'exclusion zone' within Paisley town centre (from the Cenotaph area at the High Street to New Street).

If a question is irrelevant please mark it "not applicable" unless otherwise stated.

For renewal applications, applicants are solely responsible for ensuring their renewal application form is lodged timeously, ideally around 6 weeks prior to the expiry date. Failure to lodge the renewal before the expiry date of the current licence will result in the licence lapsing.

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Application Fees

Payment is due at the time you submit your application at this office. For application fees please refer to the licensing fees leaflet. Please note that applications cannot be e-mailed to us. You must print the form, complete it and post it, or hand deliver it to the licensing office (at the undernoted address) with the appropriate fee.

Application fees are non-refundable, even if your application is subsequently refused or withdrawn.

Location Plan (fixed location)

If you are applying for a street trader licence in respect of a **fixed stance** (ie the one location) you are required to provide a plan of your proposed trading location. Your plan must show the **precise** location of your proposed stance and must include:

- ◆ the name of the street or nearest street
- ◆ the town
- ◆ the distance in meters from the nearest street or junction (please note that the proposed stance must be no closer than 100 metres to a shop selling the same goods as the trader).

If you have difficulty in obtaining a good quality location plan we will provide one for you on request. If you choose to use our plan please be aware that the plan is for internal use only and no copy will be issued to you.

Mobile Trading

If you are applying for a mobile street trader licence (eg an ice cream van doing rounds) you must state the area(s) in which you intend to trade. If you only propose to trade within one or two areas, please also specify the street names in the areas.

Processing the Application

Your application must be considered within 3 months of its being lodged and the Council must reach a decision on it within 6 months.

If your application is granted you will be notified accordingly. You will be issued with your licence and an identification badge. The licence should be displayed at all times and the identification badge should be worn at all times when you are operating as a street trader. You should also show this licence and badge to a police officer, an officer from Renfrewshire Council or to any member of the public on demand.

If your application is refused, or granted conditionally, you are entitled to ask the Council within 28 days to give reasons for such refusal, or the imposition of such conditions, and thereafter you are entitled to appeal to the Sheriff against the decision on various grounds. You should seek the advice of a solicitor if matters should get to that stage.

Compliance Certificate

If your business involves the sale of food and you operate from a vehicle, kiosk or mobile stall or vehicle, you will require to obtain a **certificate of compliance** from the Environmental Services Department, to confirm that the requirements of the Food Safety Regulations have been met in connection with that vehicle. It is your responsibility to contact the Environmental Services Department to have your vehicle inspected prior to submitting your application at the licensing

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office. Your application will not be accepted until you can exhibit a satisfactory certificate of compliance.

You can contact the Environmental Services Department by phone on 0141 840 3107 or by email at es@renfrewshire.gov.uk

Conditions of Licence

Renfrewshire Council may attach additional conditions to the licence as it sees fit, with each application being dealt with on its own merits.

With effect from 20th March 2008 the Council introduced a new condition prohibiting the sale of food and drink in the vicinity of a school during the specified times of the day, Mondays to Fridays inclusive.

Please refer to the Legal Requirements in these notes for further information.

Objections

If, during the processing of your application, the licensing section receive any objections to your application, you will be sent a copy of the letter(s) of objection(s).

Your application, the letter(s) of objection(s) and your response will then be referred to a meeting of the Regulatory Functions Board. You will be invited to attend at the Board meeting and given the opportunity to address the Board.

You can obtain a leaflet entitled "Procedure for applications being considered by Regulatory Functions Board" from the licensing office. This leaflet explains in detail the process your application will then follow.

Duration of Licence

Applications for the grant of a licence are generally granted for a period of one year, whilst applications to renew an existing licence are normally granted for a two year period.

Any Further Questions

Should you have a query that is not covered in these guidance notes please feel free to contact the licensing section for further information.

Contact Details

Tel: 0141 840 3244

Fax: 0141 840 3566

E-mail: licensing.cs@renfrewshire.gov.uk

Office Hours

Monday to Thursday 8.45am - 4.00pm

Friday 8.45am - 3.15pm

Or write to:

Renfrewshire Council
Licensing Section
Renfrewshire House
Cotton Street
Paisley
PA1 1TT

