LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982  
SCHEDULE 4  
APPLICATION FOR STREET TRADING CONSENT

1. PERSONAL DETAILS (See Note 1)

Surname: __________________________________________________________
(Mr/Mrs/Miss/Ms)

Other Names in full: ________________________________________________

Date of Birth: ___________________________________________ Age: ________

Address: __________________________________________________________

_________________________________________ Postcode: ________________

Tel No: (Home)_________________________ (Mobile)_____________________

The Trading Name you use: __________________________________________

Please state if a applying for a Mobile or Pitch Consent: ________________

2. PROPOSED LOCATION OF TRADING (See Note 2)

State the precise location at which you wish to trade*:  
(If applying for a mobile consent, each street you intent to trade must be stipulated)

____________________________________________________________________

____________________________________________________________________

* A small map would be helpful (even hand drawn) to indicate your proposed location (If a mobile consent, one for each location)

The proposed location is situated on PUBLIC / PRIVATE land.

Name and Address of Landowner:______________________________________
Do you have permission from the landowner? **YES** / **NO**

**WRITTEN CONSENT FROM THE LANDOWNER MUST BE ENCLOSED WITH THE APPLICATION FORM OR YOUR APPLICATION WILL NOT BE ACCEPTED.**

3. **DATES & TIMES OF CONSENT REQUESTED (See Note 3)**

Number of months: (if less than 12 months, please indicate which months you wish to trade)

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Requested days and times for trading:

<table>
<thead>
<tr>
<th>Day</th>
<th>From</th>
<th>To</th>
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<tbody>
<tr>
<td>Monday</td>
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<tr>
<td>Tuesday</td>
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<td>Thursday</td>
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<td>Friday</td>
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<tr>
<td>Saturday</td>
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<td></td>
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<tr>
<td>Sunday</td>
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<td></td>
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</tbody>
</table>

4. **TYPE OF GOODS (See Note 4)**

What goods do you wish to sell? (please be specific):           

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5. **METHOD OF STREET TRADING (See Note 5)**

Please indicate proposed means of trading, e.g. van, stall, vehicle, tricycle, barrow etc.  

Reg No:

Dimensions of area to be used:

<table>
<thead>
<tr>
<th>Length</th>
<th>Width</th>
<th>Height</th>
</tr>
</thead>
</table>

Provide details of any awning or other covering to be used on the stall or other vehicle/other storage facility used in connection with the business:-
6. FOOD TRADERS (See Note 6)

Are you registered to sell food? \[YES \text{ / NO}\]

If YES, please give the following details:

Date of Registration:

Local Authority with whom you are registered:

You must also provide written details of the following:

a) Arrangements for the washing and drying of hands;
b) Sanitary arrangements;
c) Changing facilities;
d) Provision for the cleaning and disinfecting of work utensils and work equipment;
e) Arrangements for the supply of wholesome water;
f) Arrangements for the disposal of used water;
g) Arrangements for maintaining and monitoring suitable food temperature conditions;
h) Details of any instruction and/or training in food hygiene matters.
i) Details of availability of fire extinguisher(s).

7. INFORMATION IN SUPPORT OF THE APPLICATION (See Note 7)

a. Do you hold or have you held a street trading consent or licence in any other area? \[YES \text{ / NO}\]

If so, please provide details

b. Do you intend to use liquified petroleum gas or other fuel? \[YES \text{ / NO}\]

If so, please provide details

c. Do you intend to use chimes or a loudspeaker? \[YES \text{ / NO}\]

d. Give details of arrangements you intend to make to prevent the deposit in the street of solid or liquid refuse and the discharge of any water to the street surface or to the surface water drains:-

e. Do you intend to employ persons other than yourself on the pitch? YES/NO

If so, please provide full names and addresses on a separate sheet.
8. ASSISTANTS

State the number of assistants that will be used including their names and addresses and date of birth. If none please write “None”. Assistants must be accompanied and supervised by the Consent holder at all times.

__________________________________________

__________________________________________

__________________________________________

__________________________________________

9. DECLARATION

(a) I declare that to the best of my knowledge and belief, the answers given are true.

(b) If a consent is granted I undertake to pay the appropriate fee and comply with the conditions attached to the consent and also comply with any applicable legislation and to any orders made thereunder. I understand that failure to comply by me or any of my assistants employed by me, with or without payment, will render both me and my assistants liable to prosecution and may result in the revocation of my consent.

(c) That the Police may make enquiries into this application and may divulge the results to Monmouthshire County Council.

SIGNED: ________________________________

DATED: ________________________________

I enclose two passport-type photographs of the applicant and each assistant and the completed declaration of convictions form.

This form and enclosures should be sent to:
Monmouthshire County Council
The Drama Centre
Pen-y-Pound
Abergavenny
NP7 5UD

TEL: (01873) 735420
HAVE YOU ENCLOSED … ?

A SMALL MAP to indicate the proposed location (one for each location)

If the pitch is on private land, WRITTEN PERMISSION FROM THE LANDOWNER

Written details, including dimensions, of ANY AWNING OR OTHER COVERING

Photograph of stall

Written details of

Arrangements for the washing and drying of hands;

Sanitary arrangements;

Changing facilities;

Provision for the cleaning and disinfecting of work utensils and work equipment;

Arrangements for the supply of wholesome water;

Arrangements for the disposal of used water;

Arrangements for maintaining and monitoring suitable food temperature conditions;

Details of any instruction and/or training in food hygiene matters;

Details of availability of fire extinguishers.

First month’s application fee (Cheques Made Payable to ‘Monmouthshire County Council’)

Two passport photographs of applicant and each assistant

Completed Police Criminal Record Check for the Applicant
APPLICATION FOR APPROVAL/RENEWAL OF STREET TRADING CONSENT

Surname:........................................  Forenames:..............................................................

Maiden name:.................................... Previous names:....................................................

Home Address:..........................................................................................................................

............................................................................................  Post code:........................................

Date of birth:................................  Place of Birth:............................................................

Telephone No:........................................

I am aware that approval of this application is subject to a Police criminal record check. I give consent for the Police to check any record held in my name, details of which may be disclosed to Monmouthshire County Council.

Normal Signature:...........................................  Date:...........................................................

YOU MUST WRITE AN ANSWER TO ALL THE QUESTIONS BELOW EVEN IF THE ANSWER IS NO.

**NB  Knowingly providing false information or failing to disclose details of previous convictions is a criminal offence, and may result in refusal or revocation of the consent.

Have you ever been convicted of:-

<table>
<thead>
<tr>
<th>Type of Offence</th>
<th>Answer</th>
<th>If yes give all details below</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any offence involving Violence.</td>
<td></td>
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<tr>
<td>Any offence involving Drugs.</td>
<td></td>
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<tr>
<td>Any offence involving Indecency.</td>
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<tr>
<td>Any offence involving Dishonesty</td>
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</tr>
</tbody>
</table>

Are you due to appear in Court on any charge?

<table>
<thead>
<tr>
<th>Offence</th>
<th>Plea e.g. Guilty or Not Guilty</th>
<th>Place of hearing</th>
<th>Date of hearing</th>
</tr>
</thead>
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<tr>
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</tbody>
</table>
APPLICATIONS FOR STREET TRADING CONSENTS

NOTES FOR APPLICANTS

1. Personal Details

This section requires you to provide details of the consent holder. The consent holder must take an active part in the running of the business.

A home address and a contact telephone number(s) for the consent holder MUST be given.

2. Proposed Location of Trading

If you wish to trade in the County of Monmouthshire, you must provide the exact location of where you wish to trade. A small map, hand drawn or otherwise, would be helpful in indicating your proposed location. You must also indicate whether your proposed location of trading is on public or private land.

3. Requested Dates and Times of Consent

The maximum permitted consent is 12 months.

You may request a consent which is less than the maximum permitted time and as such the fee will be calculated accordingly.

Please indicate the days of the week and the proposed times of trading for each day.

4. Type of Goods

This section requires you to list all of the types of goods to be sold. Do not be too general in listing the type of goods.

5. Method of Street Trading

This requires details of the type of vehicle or stall, e.g. van, stall, vehicle etc together with any vehicle registration number associated with it. You must also indicate the dimensions of the pitch.

6. Food Traders

There are specific requirements relating to the sale of food.

Under the Food Premises (Registration) Regulations 1991, all food businesses are required to register with the local authority in whose area the vehicle is stored when not in use.

You must include all of the extra food hygiene information detailed in Section 6 of the application form in support of your application.
7. Information in Support of the Application

a. If you hold or have held a street trading consent in any other authority, please provide details.

b. Detail quantities and storage facilities of any liquified petroleum gas or other fuel you intend to use as part of the street trading consent.

c. Provide details of arrangements you intend to make to prevent the discharge of solid or liquid refuse.

d. If you intend to have any assistants, you must provide details of their full names and addresses.

PLEASE ENSURE THAT YOU HAVE COMPLETED THE TICK LIST ON PAGE 5 OF THE APPLICATION FORM

APPLICATIONS WILL BE RETURNED TO THE APPLICANT IF INCOMPLETE
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

MONMOUTHSHIRE COUNTY COUNCIL

GUIDANCE NOTES RELATING TO STREET TRADING

The attached form must be completed in full by the person making the application for a Consent.

Each application is considered individually and a consent may be granted/not granted at the discretion of the Council.

The following general conditions will apply to each consent:-

1. (a) The holder of this Consent (hereinafter referred to as ‘the holder’, which expression where appropriate, includes joint holders of this Consent) and any person employed by him to assist him in his trading shall produce it or a photocopy of it on demand when so required by a Police Officer or a duly authorised officer of Monmouthshire County Council (hereinafter referred to as ‘the Council’)

(b) The holder and any assistants must at all times while trading under this consent display in a conspicuous position the Consent Badge issued with this Consent.

2. (a) The consent form must be available for inspection at all times during the hours of trading at the place of trading.

(b) A consent number is displayed in an appropriate place.

(c) If assistants are employed, they each have a copy of the consent form within their possession at all times of trading (assistants must be accompanied and supervised by the consent holder at all times. Where this is not the case, assistants must apply separately for a consent in their own name submitting the appropriate fee.

(d) The holder shall take an active part in the running of the business of the street trading carried out under this Consent and shall not delegate the management thereof to any person.

(e) In accordance with Monmouthshire County Council’s byelaws adopted on 11th February 1999 for the employment of children made under Sections 18(2) and 20(2) of the Children and Young Persons Act 1933

- No child under the age of 14 may engage in street trading and a child aged 14 or over may not engage in street trading unless (i) he is
employed to do so by his parents, in connection with their retail business and under their direct supervision; and (ii) he has been granted a licence to do so (‘a street trader’s licence’) by the authority and is acting in compliance with the terms of that licence.

- The Authority shall not grant a street trader’s licence to any child if it has reason to believe that the employment of the child in street trading would prejudicial to his health, welfare or ability to take full advantage of his education or the child’s street trader’s licence has been revoked.

- A street trader’s licence granted to a child shall prohibit the holder from engaging in street trading on a Sunday and shall (i) be valid for not more than 12 months and shall expire on 31 December, (ii) prohibit the holder from touting or importuning to the annoyance or obstruction of any member of the public in any street or public place, and (iii) require that the child notify the authority within one week of any change of address.

- The Authority may suspend or revoke a street trader’s licence granted to a child if it has reason to believe that the holder’s continued employment in street trading would be prejudicial to his health, welfare, or ability to take full advantage of his education, or if the holder is (i) found guilty of an offence connected with street trading, (ii) commits any breach of these Byelaws or the terms of his street trader’s licence, (iii) uses the licence as a means for begging, immorality or any other improper purpose; or (iv) fails to notify the authority within one week of any change of address.

3. The holder of this Consent shall be:

(Insert Name & Address of holder)

4. (a) This consent shall only operate in respect of the following street(s):

(Insert Street(s))

(b) No street trading shall be undertaken in respect of the above-mentioned street(s) other than in the precise location(s) approved of from time to time in writing by the Head of Community Protection.

(c) In the event of an emergency, the holder and/or his employees shall move his vehicle stall or other mode from which he is trading if requested by a Police Officer, Officer of the Council or of any of the emergency services.

5. (a) No street trading shall be undertaken in respect of the above mentioned street(s) other than during the hours or period specified below.

(Insert Days & Times)

(b) The holder will remove any vehicle or stall or other mode used for trading immediately on the cessation of the hours stipulated above on each day of trading.

(c) Notwithstanding any other provision of this Consent, the holder shall not trade on a Sunday in any goods or articles prohibited to be sold on such day by the Deregulation and Contracting Out Act 1994.
6. No street trading shall be undertaken in respect of the above-mentioned streets other than in relation to the following goods:-

(Insert Type of Goods)

7. (a) The holder shall not cause any obstruction of the street or nuisance or danger to persons using it and shall not permit persons to gather around him or any vehicle, stall or other mode used in connection with the trading so as to cause a nuisance, or danger to any persons lawfully using the street.

(b) The holder shall not do or suffer anything to be done in or on the street which in the opinion of the Council may be or become a danger, nuisance or annoyance to or cause damage or inconvenience to the Council or to the owners or occupiers of any adjacent or neighbouring premises or to members of the public.

(c) The holder shall at all times carry a valid policy of insurance against public liability arising out of the street trading in respect of injuries to third parties and damage to property with a minimum indemnity of £5,000,000. The holder shall by request of an officer of the Council, produce satisfactory evidence of the said insurance cover.

(d) The holder shall indemnify and save harmless the Council and their agents, servants, contractors and workmen from and against all proceedings, damages, claims or expenses in respect of an injury to a third party or damage to property which may be sustained by the Council or any person or persons body or company whatever arising out of or in any way connected with his trading and the provision of facilities under this consent.

8. (a) No street trading shall be undertaken in respect of the above-mentioned streets other than by way of the following mode(s):-

(Insert stall or container, the size being Length: mm, Width mm, Height mm)

(b) The holder shall not make any excavations or indentations of any description whatsoever in the surface of the street or places or fix any equipment of any description in the said surface.

(c) The holder shall not place on the street any furniture or equipment other than as permitted by this Consent and he must maintain the same in a clean and tidy condition and not place them so as to obstruct the entrance to or exit from any premises.

(d) If a stationery vehicle is used in connection with the street trading, any exhaust fumes therefrom shall be discharged vertically into the atmosphere, and oil drip trays shall be placed thereunder so as to protect the surface of the street.

(e) Other than street trading primarily involving the sale of ice cream, no electronic amplifying equipment shall be used.
The consent holder must comply with Section 62 of the Control of Pollution act 1974 which relates to noise in streets and the Code of Practice on Noise from Ice Cream Van Chimes 1982. Attention is drawn particularly to the requirements that no loud speaker is to be used to advertise the sale of any perishable goods for human consumption before 12 noon or after 7.00pm, on any day.

In addition to the above statutory requirements, it is a condition of this consent that no audible form of advertising (including hand bells) is to be used by the consent holder before 9am or after 9pm, on any day.

Any form of advertising device, whether a loudspeaker or otherwise, must not be used at any time so as to cause nuisance to persons in the vicinity.

The holder of a consent for trading in hot foods shall at all times carry on the vehicle 4.5 kilo Dry Powder Fire Extinguisher.

Mobile vehicle consent holders are permitted to trade in any place for a continuous period of no more than 30 minutes and the consent holder must not then again trade at that location within a period of 5 hours.

No street trading may be carried on at any location on any bus route for any continuous period of more than 10 minutes.

Where the holder trades from a stationery vehicle, that vehicle shall in all respects, comply with the Motor Vehicle Construction and Use Regulations. Motor vehicles shall be capable of their own propulsion and shall not be towed into trading positions.

Where the mode of trading is from a stall, the construction and size thereof shall be subject to the approval of the Head of Community Protection.

9. (a) The holder shall keep his vehicle or stall or other mode used for trading, and trading location and the immediately area in a clean and tidy condition during the permitted hours and also leave the same in a clean and tidy condition and obstructed at the end of each period of trading each day of such trading.

(b) The holder shall provide at his own cost and expense, litter bins or similar receptacles for the deposit of litter resulting from his street trading activities and remove them and their contents at the end of each period of trading on each day of such trading.

(c) The holder shall retain with his vehicle or stall or other mode used for trading, any water used or waste produced until the end of each period of trading on each day of such trading and then remove it or dispose of it elsewhere, and in particular shall not deposit any such waste near or into the street, drain or channel.

10. (a) The Consent holder shall comply with all requirements of the Head of Community Protection in respect of street trading.

(b) No street trading shall be undertaken in breach of food hygiene, health and safety, public health or planning legislation and the requirements of
Monmouthshire County Council shall be complied with in respect of such matters.

11. The holder shall not assign, underlet or part with his interest or possession under this Consent or any part thereof, but he may surrender it to the Council at any time.

12. This Consent may be revoked by the Council at any time and the Council shall not in any circumstances whatsoever be liable to pay compensation to the holder in respect of such revocation.

13. The Council may vary, amend or add to the conditions of this Consent at any time.

14. For the purpose of these conditions ‘street’ and ‘street trading’ have the meanings ascribed to them by Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

15. (a) Subject as hereinafter mentioned, this Consent shall expire on

(Insert Expiry Date)

(b) Where however, planning permission is required in respect of the trading activities covered by this Consent, and such permission has not been obtained, this Consent shall not operate to entitle the Consent holder to carry out such trading activities during any period required to be covered by such planning permission (to carry out such trading activities in such circumstances will be a criminal offence)

(c) The Consent holder must obtain planning permission, where it is required, in respect of the trading activities covered by this Consent. Failure to do so will result in the Consent being revoked.
To help us deal with applications quickly and to also allow you to know at an early stage whether your application is likely to be supported, Monmouthshire County Council have adopted the following guidelines:

1. The trader shall provide a service which is of a benefit to the public.
2. The use shall not be in direct competition, in terms of goods primarily sold, with that provided by a nearby retail shop, restaurant or hot food take-away and market place.
3. The use shall not be located within 50 metres of an existing shop, restaurant or hot food take-away which primarily sells the same goods and market place.
4. The number of traders in any one street shall be limited so as not to cause undue concentration.
5. The siting and operation of any trader shall be such that it does not cause any problems of highway safety, obstruction to users of the highway, or conflict with the requirement of emergency vehicles.
6. Uses involving the sale of food and noise emissions shall meet the requirements of Environmental Health and these should be identified before a consent is considered.
7. The appearance and use of associated equipment or structures shall be of good quality and the precise appearance of the facility shall be identified before a consent is granted.
8. The use shall be compatible with the character of the area in which it is proposed to be situated.
9. The safety and suitability of goods may require a further report from Trading Standards before a consent is considered.
10. The use shall not be likely to cause problems of noise, smell, litter or late night disturbance, especially in residential streets.
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

MONMOUTHSHIRE COUNTY COUNCIL

FACT SHEET FOR STREET TRADING

Introduction

Under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, Monmouthshire County Council has resolved to control street trading within its boundaries.

As such Monmouthshire County Council has designated all streets as consent streets, i.e. consent is required prior to trading taking place.

Street traders, like all businesses, are subject to legal regulations. The following information is designed to set out in detail what regulations apply to street traders and how they are enforced.

What is street trading?

Street trading is the sale or exposing or offering for sale any article (including a living thing) in any street, road, footway or other area to which the public have access without payment.

The term ‘street’ includes any roadway, footway, pavement, precinct, other area to which the public have access without payment, e.g. lay-by or car park whether on private land or not.

The following are exempted from requiring street trading consent:

- Trading as pedlars, i.e. going on foot from house to house selling goods directly.
- Sales representatives and persons taking orders for later delivery.
- Trading in established markets.
- Selling newspapers or periodicals.

Where can I trade and what can I sell?

Monmouthshire County Council has designated the whole County as a consent area. The issue of a consent will be dependant satisfactory replies
from individual consultees. Designation of pitches are considered on merit as are the types of goods to be sold on those pitches.

The use shall not be in direct competition, in terms of goods primarily sold, with that provided by a nearby retail shop, restaurant or hot food take-away and market place. The use shall not be located within 50 metres of such premises.

It also should be noted that pitches may need planning permission and if required, consent will not be issued until such time that appropriate planning has been obtained. **Planning permission may be required if the site is to be used for more than 28 days in one calendar year.**

What fee is required for a street trading consent?

(PLEASE NOTE THAT YOUR FIRST MONTH’S PAYMENT MUST ACCOMPANY YOUR FIRST APPLICATION – THIS WILL NOT APPLY TO RENEWAL APPLICATIONS – CHEQUES MADE PAYABLE TO MONMOUTHSHIRE COUNTY COUNCIL)

Fees for street trading consents are reviewed and altered, if necessary, each year. The current fees for Street Trading are as follows:-

<table>
<thead>
<tr>
<th>Street Trading Consent Fees</th>
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<tbody>
<tr>
<td>£1,272.00 per annum</td>
</tr>
<tr>
<td>Minimum consent = 1 month = £106.00</td>
</tr>
<tr>
<td>Maximum consent = 12 months = £1,272.00</td>
</tr>
</tbody>
</table>

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<tr>
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<th>£1,272.00 or 12 x £106.00*</th>
</tr>
</thead>
<tbody>
<tr>
<td>12 month consent</td>
<td>£1,272.00 or 12 x £106.00*</td>
</tr>
<tr>
<td>11 month consent</td>
<td>£1,166.00 or 11 x £106.00*</td>
</tr>
<tr>
<td>10 month consent</td>
<td>£1,060.00 or 10 x £106.00*</td>
</tr>
<tr>
<td>9 month consent</td>
<td>£954.00 or 9 x £106.00*</td>
</tr>
<tr>
<td>8 month consent</td>
<td>£848.00 or 8 x £106.00*</td>
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<tr>
<td>7 month consent</td>
<td>£742.00 or 7 x £106.00*</td>
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<tr>
<td>6 month consent</td>
<td>£636.00 or 6 x £106.00*</td>
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<tr>
<td>5 month consent</td>
<td>£530.00 or 5 x £106.00*</td>
</tr>
<tr>
<td>4 month consent</td>
<td>£424.00 or 4 x £106.00*</td>
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<tr>
<td>3 month consent</td>
<td>£318.00 or 3 x £106.00*</td>
</tr>
<tr>
<td>2 month consent</td>
<td>£212.00 or 2 x £106.00*</td>
</tr>
<tr>
<td>1 month consent</td>
<td>1 x £106.00*</td>
</tr>
</tbody>
</table>

* - each monthly payment must be paid in advance of the month to which it relates.

**How do I obtain a street trading consent?**

Application forms are available from the Licensing Section, Monmouthshire County Council, County Hall, Cwmbran  NP44 2XH.

The form must be completed along with the declaration of convictions and returned with two passport type photographs of the applicant and each proposed assistant.
Once a completed application form has been submitted, consultations with interested parties will be undertaken which include the Planning & Economic Development, County Engineers Development, Environmental Health & Public Protection, Heddlu Gwent Police, Welsh Assembly Government, Gwent Consultancy, Ward Members, Town/Community Councils and Area General Managers for One Stop Shops.

**Who will grant my street trading consent**

Delegation will be given to the Head of Community Protection to grant a street trading consent where no objections/observations has been received. Should objections/observations be received the matter will be deferred to the Licensing and Regulatory Committee for determination.

**How long will it take to process my application?**

The processing of an application will be dependant on consultation and whether it requires determination by the Licensing and Regulatory Committee. Therefore, it is advisable to apply at least 2 months prior to the date you require to trade to avoid disappointment.

**Will my street trading consent require renewal?**

**Yes** – Consents are issued for a maximum of 12 months but may be issued for a shorter period.

**Is my street trading consent transferable?**

**No** – If you sell the business you must notify the Council immediately. The new owner of the business must apply to the Council for consent.

**If I employ anyone to work for me, do they require consent?**

**No** – A consent holder may employ other persons to assist in their trading without a further consent being issued providing their names and addresses have been given to the council.

**Will any conditions be attached to a street trading consent?**

**Yes** – Standard conditions are attached to all street trading consents. The conditions include:

- where the street trading may take place;
- when the street trading may take place;
- the type of goods to be sold;
- the means of street trading;
- names of any assistants employed;
- prevention of obstruction or nuisance;
- the provision of sufficient public liability insurance
- the provision of satisfactory planning permission, if required.
**Will my street trading consent permit me to trade in places outside the County of Monmouthshire?**

**No** – Your consent only applies to the designated area within County of Monmouthshire