

AGENDA



For a meeting of the
LICENSING COMMITTEE
to be held on
FRIDAY, 5 AUGUST 2011
at
10.30 AM
in the
COUNCIL OFFICES, ST. PETER'S HILL, GRANTHAM
Beverly Agass, Chief Executive

Committee Members:	Councillor Pam Bosworth (Chairman), Councillor Robert Broughton, Councillor George Chivers, Councillor Breda Griffin, Councillor Reginald Howard, Councillor Vic Kerr, Councillor Graddon Rowlands, Councillor Bob Russell (Vice-Chairman), Councillor Susan Sandall, Councillor Mrs Jean Taylor and Councillor Frank Turner
Committee Support Officer:	Lucy Bonshor 01476 40 61 20 l.bonshor@southkesteven.gov.uk

Members of the Committee are invited to attend the above meeting to consider the items of business listed below.

- 1. APOLOGIES**
- 2. DECLARATIONS OF INTEREST**
Members are asked to declare an interest in matters for consideration at the meeting.
- 3. MINUTES OF THE MEETING HELD ON 30TH JUNE 2011**
(Enclosure)

EXCLUSION OF THE PUBLIC

It is anticipated that, in accordance with Section 100A(4) of the Local Government Act 1972 (as amended) the public may be excluded from the meeting during consideration of the following item of business because of the likelihood that otherwise exempt information, as described in paragraphs 1 and 2 of the Act (as amended) would be disclosed to the public.

4. DECISION TO RENEW OR REFUSE TO RENEW HACKNEY CARRIAGE DRIVER'S LICENCE

Report ENV535 Community Safety & Licensing Service Manager.

(Enclosure)

5. APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE

Report ENV538 from Community Safety and Licensing Service Manager.

(Enclosure)

6. ADOPTION OF STREET TRADING POLICY AND REVIEW OF EXISTING CONDITIONS - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

Report ENV540 from Community Safety & Licensing Service Manager.

(Enclosure)

7. ANY OTHER BUSINESS WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT.

MINUTES

LICENSING COMMITTEE
THURSDAY, 30 JUNE 2011



COMMITTEE MEMBERS PRESENT

Councillor Pam Bosworth (Chairman)
Councillor George Chivers
Councillor Breda Griffin
Councillor David Higgs

Councillor Reg Howard
Councillor Bob Russell (Vice-Chairman)
Councillor Mrs Jean Taylor
Councillor Frank Turner

OFFICERS

Licensing Officers (Peter Harrison, Pam Robinson)
Solicitor (Paul Rushworth)
Committee Support Officer (Lucy Bonshor)

1. APOLOGIES

An apology for absence was received from Councillor Selby and an apology for late arrival from Councillor Griffin.

2. DECLARATIONS OF INTEREST

None declared.

3. MINUTES OF THE MEETING HELD 4TH MARCH 2011

The minutes of the meeting held on 4th March 2011 were agreed as a correct record of the decisions taken.

EXCLUSION OF THE PUBLIC

In accordance with Section 100A(4) of the Local Government Act 1972, it was resolved that the public be excluded because of the likelihood in view of the nature of business to be transacted that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of the Act.

4. DECISION TO SUSPEND OF REVOKE HACKNEY CARRIAGE DRIVER'S LICENCE

Decision:-

To revoke the Hackney Carriage Licence, as the Committee considers due to the driver's recent conviction for theft and also the other supporting evidence including dishonesty with Lincolnshire Police and the local authority, the Committee do not feel that the applicant is a fit and proper person to hold such a licence, pursuant to Section 59 of the Local Government Miscellaneous Provisions Act 1976.

The Licensing Officer, Mrs Robinson introduced exempt report number ENV534 to Members and provided a background summary for which the driver had been cautioned. The Committee were being asked if the driver still met the "fit and proper" test as applied to all hackney carriage and private hire drivers. The applicant had received notification of when the Committee was being held and relevant paperwork by "certificate of service" but he was not in attendance.

Members expressed concern about the dishonesty that had been displayed by the licence holder.

The Licensing Officer then briefly summed up the case and advised Members of options available to them.

(10.36am the Licensing Officers left the meeting)

Members considered the report and legal advice relating to the 'fit and proper person' test. It was proposed and seconded that the Hackney Carriage Driver's licence be revoked. On being put to a vote, this was unanimously carried.

(10.40am the Licensing Officers returned)

The Legal Advisor to the Committee then read out the Committee's decision; The Committee was minded to revoke the applicants licence in consideration of his recent conviction for theft and also because he had not been honest with the police as part of the investigation of that conviction and he hadn't been honest with the local authority as part of his application.

The Licensing Officer then asked for clarification of a timeframe for when applicants could reapply for licenses and whether this could be incorporated within the decision. The Legal Advisor to the Committee indicated that this could have the potential of fettering local authority discretion and therefore he advised against it. It was suggested instead that when the decision is forwarded to the applicant reference is made to Home Office guidance on timeframes for reapplying.

5. DECISION TO RENEW OR REFUSE TO RENEW HACKNEY CARRIAGE DRIVER'S LICENCE

Decision:

To defer the application to the next scheduled meeting of the Licensing Committee.

The Licensing Officer informed the Committee that the applicant had asked for an adjournment as he was out of the country and he would like to attend the Committee. The Licensing Officer asked if would be possible to hold a meeting before the next scheduled meeting in August. Members felt it was unnecessary to call a meeting to hear just one application and the applicant would be issued a temporary badge until the next meeting so would not be disadvantaged. It was agreed that the application be deferred to the next scheduled meeting in August.

6. APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE LICENCE

Decision:

That the application for a Hackney Carriage Licence be approved as applied for, as the Committee are satisfied that the driver is a 'fit and proper person' pursuant to Section 59 of the Local Government (Miscellaneous Provisions) Act 1976.

The Legal Advisor introduced those present and clarified the applicant's name and that he was present to speak on his own behalf and confirmed that the public were excluded from the meeting.

The Committee had before them exempt report number ENV532 by the Service Manager, Community Safety and Licensing, which was an application for a Hackney Carriage Driver's Licence. The Licensing Officer presented the report and provided a brief background to the application and summary of the offences for which the applicant had been convicted, as well as other related information. He asked the Committee to consider whether the driver was a 'fit and proper person' to hold a Hackney Carriage Driver's Licence.

The applicant then presented his case and answered Members questions.

The Licensing Officer informed the Committee that all applicants had to undertake a group 2 medical before a licence was issued. The applicant had undertaken this and had been passed as fit to drive.

The Licensing Officer then gave a closing statement in which he reminded Members to have regard to the report, the appendices attached to the report and any other information supplied by the applicant at the meeting. Members

options were to either:

- issue a licence to drive a hackney carriage
- or refuse to issue a licence to drive a hackney carriage on the grounds that the applicant is not a fit and proper person to hold such a licence under Section 59A of the Local Government (Miscellaneous Provisions) Act 1976.

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(10.57am Applicant and Licensing Officers left the meeting)

Members considered the report, the applicant's convictions, the time elapsed since the convictions and the applicant's current behavior. It was proposed and seconded that the Licence Holder was a 'fit and proper person' to hold a Hackney Carriage Driver's Licence. On being put to a vote, this was unanimously carried.

(11.00am Applicant and Licensing Officers returned to the meeting)

The Legal Advisor advised the applicant that the Committee had decided to approve the issue of a hackney carriage driver's licence.

7. CLOSE OF MEETING

The meeting closed at 11.02am.

Agenda Item 4

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item 5

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of the Local Government Act 1972.

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REPORT TO LICENSING COMMITTEE

REPORT OF: Mark Jones- Service Manager, Community Safety and Licensing

REPORT NO: ENV540

DATE: 5 August 2011

TITLE:	Adoption of Street Trading Policy and review of existing conditions – Local Government (Miscellaneous Provisions) Act 1982	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Policy Adoption	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Cllr Paul Carpenter Engagement and Corporate Services	
CONTACT OFFICER:	P. Robinson- Licensing and Enforcement Officer p.robinson@southkesteven.gov.uk M. Jones- Service Manager, Community Safety and Licensing m.jones@southkesteven.gov.uk	
INITIAL IMPACT ASSESSMENT:	Carried out and referred to in paragraph (7) below Yes	Full impact assessment required: No
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	ENV 357- Adoption of whole District as a consent area	

1. RECOMMENDATIONS

It is recommended that:

- (a) The Licensing Committee give consideration to the Street Trading Policy (appendix 1) and instruct the Service Manager, Community Safety and Licensing to carry out a consultation with stakeholder groups and the general public.
- (b) That the consultation is for a period of six weeks commencing on 8 August 2011 and ending 19 September 2011.

2. PURPOSE OF THE REPORT

2.1 To bring to the attention of the Licensing Committee a new draft Street Trading Policy and to seek approval to carry out the necessary consultation, and thereafter report back to the Licensing Committee the responses to that consultation exercise.

3. DETAILS OF REPORT

3.1 The whole of the South Kesteven District is designated as a consent area for the purposes of street trading. However, Stamford Pedestrian Precinct currently has a different set of criteria to that of the remainder of the District. The new Street Trading Policy draws together best practice from each of the criteria into one document.

3.2 There are currently five street traders located in lay-bys paying £16.50 per day and four traders on Stamford Pedestrian Precinct paying £21.00 per day. It is proposed that the existing fees remain as they are, pending an authority-wide review of fees and charges. Schedule IV, Paragraph 9 of the Local Government (Miscellaneous Provisions) Act (1982) allows for the council to take into account the location of traders and likely profitability and set an appropriate fee.

3.3 Paragraph 1 (1) of Schedule IV of the Local Government (Miscellaneous Provisions) Act 1982 provides a wide definition of street and it is wide enough to include private land to which members of the public have access. The policy makes provision for the recovery of fees from traders operating on private land who have yet to apply for consent of which, we are currently aware of seven such traders.

3.4 Street trading means:

The selling, exposing or offering for sale of any article whether food or non food including a living thing whether with or without a stall from any road, footway, highway or other adjacent areas to which the public have access without payment.

3.5 The following activities are not street trading for the purposes of the 1982 Act

- Pedlars who sell their wares going from house to house
- Anything done in a fair or market which is held as a result of a grant or acquired or established by Act of Parliament or Order
- Trading in a trunk road picnic area provided under Section 112 of the Highways Act 1980
- A roundsman and a person who delivers orders to the customer's door
- News vendors
- Sales from the forecourt of a petrol filling station
- A stall outside a shop as an extension of that business
- Pavement Cafes (authorised by Lincolnshire County Council (LCC) as Highways Authority)

- 3.6 A set of conditions was introduced when the Street Trading Consent procedure was set up to assist the decision making process for consent to be granted or refused. These have been reviewed and are incorporated in the revised conditions as set out in the policy at appendix B.

4. OTHER OPTIONS CONSIDERED

- 4.1 To prohibit street trading in certain streets. This was considered to be too inflexible and difficult to enforce.

5. RESOURCE IMPLICATIONS

- 5.1 Any costs associated with the consultation and implementation of the Policy will be met from within existing budgets

6. RISK AND MITIGATION

- 6.1 No significant risk has been identified as part of the policy development

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

- 7.1 None identified

8. CRIME AND DISORDER IMPLICATIONS

- 8.1 None identified

9. COMMENTS OF FINANCIAL SERVICES

There are no specific financial comments to make in respect of this report. Any cost incurred in the consultation will be met from existing budgets.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

- 10.1 Section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 allows licensing authorities to control street trading activities within its area. South Kesteven District Council on 1 September 2006 designated the whole of SKDC a consent area. The proposed new street trading policy must be in accordance with the powers granted in Section 3 and Schedule 4 of the LGMP Act 1982. As noted from the report historically, whilst all streets in the district have been designated consent streets since September 2006, different criteria have been adopted to the granting of trading consent and to different areas of the district and the policy seeks to address these inconsistencies.

11. COMMENTS OF OTHER RELEVANT SERVICES

Environmental Health –

The process of consultation with environmental health is noted and this will supplement the existing statutory requirement for food businesses to register with the food authority 28 days before opening or where ownership changes.

Planning –

We are content with the references made to consultation with SKDC planners, the listing of exemptions and to the fact that there may be a need for traders to seek for planning permission and other consents in some circumstances.

12. APPENDICES:

1 Street Trading Policy

APPENDIX 1

GENERAL POLICY AND CONDITIONS

FOR STREET TRADING CONSENT

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APPENDIX 1

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APPENDIX 1

1. General Information

1.1 The aim of this policy is to prevent obstruction of the streets of the District of South Kesteven and ensure the safety of persons using them. In doing so, it recognises the importance of licensed businesses to the local economy and the character of the area whilst trying to ensure that the activities do not cause nuisance or annoyance to the people of the area.

1.2 Consultation

In determining this policy, the council has consulted with the following people and bodies:

- Chief Constable of Lincolnshire Police
- Lincolnshire Fire and Rescue Service
- Lincolnshire Highways Department
- Town and Parish Councils
- Business Clubs/Chamber of Trade
- All current consent holders

We have also consulted various other professional people within the Council. These include:

- Environmental Health
- Planning
- Waste and Recycling
- Legal Services
- Property and Facilities
- Chair and members of the Licensing Committee

1.3 We have considered and taken into account the views of all the appropriate bodies and organisations

1.4 Review of the Policy

This policy will be reviewed every five years. At the time of the review, we will again consult all interested parties. As well as the five-yearly reviews, we will continue to evaluate the policy and may update it at any time. Any minor changes will be agreed by the Licensing Committee.

1.5 Contacts:

The licensing function is part of Environmental Services. Our address is:

Licensing Department
Council Offices
St Peter's Hill
Grantham NG31 6PZ

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- 1.6 To ask about any licensing issue, first contact the Licensing Team on 01476 406190, or visit the website: www.southkesteven.gov.uk, or via e-mail on licensing@southkesteven.gov

2. Legislation

- 2.1 Street Trading is controlled in accordance with the provisions contained in Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 (hereinafter referred to as 'The Act'). The Council adopted this schedule at the time of its enactment.
- 2.2 On 1 September 2006 the Council designated the whole of South Kesteven a consent area. As a result, **all streets** within South Kesteven District are designated as Consent Streets. This means that anyone who wishes to trade on a street, highway or other area to which the public have access without payment must hold a Street Trading Consent.
- 2.3 In addition, anyone trading on private land, to which the public obtain access without payment, is required to hold a Street Trading Consent.
- 2.4 There are additional requirements where a trader is conducting their business from private land. Please refer to paragraph 13.
- 2.5 The Act defines street trading as "the selling or exposing or offering for sale of any article (including a living thing) in a street".
- 2.6 There are exemptions from requiring consent to trade on a street. Please refer to paragraph 7.

3. Application Process

- 3.1 Each application for grant or renewal of street trading consent will be considered on its merits.
- 3.2 A basic Police/Criminal Records Bureau (CRB) check will be required for all new applications. Existing consent holders will be required to undergo a Police/CRB upon first renewal;
- 3.3 It will be the responsibility of the applicant to provide a CRB for each person working at the stall, this must not be more than a month old at the time of application;
- 3.4 New applications should be accompanied by the first month's fee. Annual consents will be invoiced monthly thereafter.
- 3.5 Consents issued on a shorter basis will be payable in advance by cheque.

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- 3.6 Consent holders will be given four weeks holiday per year, to be taken at their convenience. Payments will be adjusted accordingly. No further reductions in fees for non-trading will be considered except under exceptional circumstances.
- 3.6 For every such application, South Kesteven District Council may impose such conditions as may be reasonable, having regard to all the circumstances to prevent:-
- (i) obstruction of the street or danger to persons using it; or
 - (ii) nuisance or annoyance, (whether to persons using the street or otherwise).

Standard conditions will be imposed unless circumstances dictate otherwise.

- 3.7 The Trader shall provide insurance in the sum of £5,000,000 to insure against third party liability claims and to indemnify the Council against all claims, liabilities, actions, demands and expenses arising in respect of the grant or renewal of this consent. The Trader shall provide on demand for inspection by the Council the insurance certificate and evidence of full payment of the premium.
- 3.8 If a site is already occupied, applicants may be included on a waiting list, a request for which to be made in writing. Applicants will remain on the waiting list for 6 months. To remain on the list notifications must be made to us in writing.
- 3.9 Where the imposition of conditions is not adequate to control potential problems, applications will be refused.

Refusal or withdrawal of street trading consents will be normal in the following circumstances:-

- (a) where the granting of the application is likely to give rise to nuisances or loss of amenity caused by noise, mal-odour, litter, disturbance or anti social behaviour;
- (b) in respect of applications for hot, malodorous food - where granting the application is likely to give rise to mal-odour, litter, disturbance or anti-social behaviour;
- (c) where there is not enough space in the street for the applicant to engage in the trading in which he/she desires without causing undue interference or inconvenience to persons using the street;

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- (d) where the Highways authority considers, through a risk assessment, a location is dangerous or where a personal injury or fatality has occurred within 100 metres;
- (e) where granting of a consent for the sale of goods or services would conflict with those provided by nearby shops or cafes providing similar services;
- (f) where the applicant is unsuitable to hold a consent because of having been convicted of an offence that the Council consider makes them unsuitable to hold such consent, or for any other reason;
- (g) where the applicant has at any time been granted a street trading consent by the Council, and has persistently refused or neglected to pay fees due to them for said consent or charges due to them for services rendered;
- (h) where the applicant or operator of the stall is under the age of 17 years;
- (k) where a trader has failed to comply with the conditions attached to the consent;
- (l) where street trading in a particular location will conflict with concessions granted to existing traders;
- (m) where the street trading may damage the structure or surface of the street;
- (n) where the appearance of the trading equipment or structure in use is not compatible with the character of the area in which it is proposed to be situated;
- (o) in respect of an application in an area which is residential and where trading would not normally take place.

The Council may at any time revoke a consent or vary the conditions of an existing consent where there are reasonable grounds for so doing.

4. Licensing Process & Delegation of Functions

4.1 Applications for street trading consents are delegated to either the Licensing Committee or to the Licensing Officer.

4.2 The delegation is as follows:

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Matter to be dealt with	Cabinet	Licensing Committee	Licensing Officers
Grant or renewal for a Street Trading Consent		If a representation is made	If no representation is made
Grant or renewal for Street Trading Consent for a Special Event		If a representation is made	If no representation is made
Grant or renewal for a second Street Trading Consent in one location		If a representation is made	If no representation is made
Review of policy & conditions	In all cases		
Refusal of Consent			In cases where the set conditions or criteria are not met/breached
Suspension/ Revocation			In consultation with Head of Service

4.3 Where an application is referred to the Licensing Committee, it will determine each application on its own merit. Members of the Committee will consider all information attached to the application and the contents of this policy.

5. Consultation on Applications for Consents

5.1 When we receive an application for a Street Trading Consent the Council will consult with:

- Lincolnshire County Council Highways or Highways Agency (depending on the area of trading)
- South Kesteven District Council – Planning
- South Kesteven District Council – Environmental Health
- Town Council
- Business Club/Chamber of Trade
- Relevant businesses

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6. Renewals

- 6.1 Street Trading Consents can be issued for a period of up to one year.
- 6.2 Applicants should then re-apply if they wish to continue to trade and submit an application at least one month before the expiry of their current consent. At this renewal time, the Licensing Officer will notify Highways and Environmental Health that the current holder has applied to renew their consent to trade.

7. Decisions

- 7.1 Following the determination of an application by the Committee - the applicant and any objectors will be notified of the decision at the end of the hearing. The Licensing Team will then send confirmation in writing, as soon as possible after the decision.
- 7.2 There is no right of appeal against refusal to issue consent. Where an application is refused, payment received with the application shall be refunded.

8. Exemptions

- 8.1 The Act makes certain activities exempt from the requirement to hold a consent. These are:
- pedlars acting under the Pedlars Act 1871;
 - anything done within a market or fair – please refer to paragraph 12;
 - trading on a trunk road picnic area under Section 112 of the Highways Act 1980;
 - news vendors selling only newspapers or periodicals;
 - petrol filling stations
 - shop forecourts
 - roundsmen (as they have defined customers, defined routes). The Council will refer to recent case law in their interpretation (Kempin v Brighton & Hove where, in the absence of a statutory definition, the Court defined a roundsman to be “one who goes the round of his customers for orders and the delivery of goods”).
 - objects or structures placed on, in or over a highway under Part VIIA of the Highways Act 1980 – table & chairs on the highway;
 - operation of facilities for recreation or refreshment under Part VIIA of the Highways Act 1980;
 - street collections.

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9. Hours of Trading

9.1 Hours of trading within the South Kesteven District will be determined as appropriate.

10. Trading on Market Days

10.1 Street Trading will not be permitted at locations which conflict with market days or during fairs in the District.

11. More Than One Trader in a Location

11.1 The Council will normally only allow one trader to hold a consent in a specific location, unless the second applicant wishes to trade in a different commodity.

11.2 The exceptions to this rule are:

(a) where a special event is arranged and there will be more than one trader covered by the event consent; and

(b) in the case of "Mobile Traders" – where a vehicle is stationary for less than 15 minutes in one location and doesn't return to the area within 2 hours.

12. Special Events

12.1 At charitable events, we will issue one consent to the person organising the event, rather than to each individual trader. This policy is aimed at promoting events and encouraging more traders to attend them.

12.2 The number of traders covered is as follows:

Category 1 – Up to 20 traders – 50% of individual fee

Category 2 – Over 20 traders – 25% of individual fee

NOTE: *If the event is being held on behalf of raising funds for a charity, etc. the Council has the discretion to waive the fee.*

13. Markets

13.1 Statutory markets, or markets and fairs granted by charter, are exempt from requiring consent.

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14. Planning Permission

14.1 Where trading takes place on private land where the public have access without payment, there is a requirement to have a street trading consent. In such cases the applicant must make enquiries with regard to planning permission and to seek the landowner's permission to trade.

14.2 The onus is on the applicant to obtain both planning permission and permission to trade from the landowner prior to making an application for street trading consent. It is not the responsibility of the issuing Authority to investigate and obtain this information.

15. Licensing Act 2003

15.1 In addition to the requirement of having a street trading consent, applicants who sell hot food or drink between 2300 hrs and 0500 hrs will need a Premises Licence under the Licensing Act 2003.

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APPENDIX A

CRITERIA FOR ASSESSING APPLICATIONS

All applications will be considered individually, in accordance with the following criteria:

- 1 No application will be considered if the area stated is in a residential location where trading would not normally take place.
- 2 Consent will not be given for a location where it is not safe for customers to stand, e.g. on the highway.
- 3 Consent will not be granted if it is in direct competition with other local traders e.g. shops/cafes, etc. providing similar services.
- 4 The Council will determine times that trading will take place depending on the location.
- 5 Risk assessments will be carried out in accordance with guidance from LCC Highways.
- 6 Officers will determine the type of goods and units that may be used according to the area requested. For example, anybody wishing to trade in a conservation area does so only from traditional style barrows/vehicles, selling traditional ware, crafts, foods, etc.

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APPENDIX B

CONDITIONS

The following conditions are attached to all street trading consents:

- This street trading consent does not convey any other approvals that may be necessary under the Food Hygiene regulations, Planning legislation or other appropriate legislation.
- Trading is permitted only from the stall or vehicle, details of which has been previously supplied to the Council and shall be confined thereto.
- Trading is permitted only from the position or the area specified in the consent.
- Trading is only permitted in the type of goods specified in the consent.
- The holder shall comply with all appropriate statutory provisions e.g. food hygiene, advertisement control and health and safety regulations.
- The holder of a street trading consent shall take all reasonable precautions to prevent obstruction of the street or danger to persons using the street and to prevent nuisance or annoyance, whether to persons using the street or otherwise.
- Street trading consent shall be limited to times and days for trading purposes and all vehicles, trailers and equipment, etc. shall be removed at the end of each trading period.
- The holder of a street trading consent shall ensure that suitable arrangements are made for the disposal of any litter that may be caused in connection with the trading permitted under this consent.
- The holder of a street trading consent shall be required to seek the approval of the Council to any proposed change to the mode of trading permitted under the consent.
- The street trading consent shall be displayed on the vehicle used in connection with the trading.
- The consent holder shall not at any time cause or permit any goods or produce to be stored or displayed at the side of the unit, or place any table, chair, trestle, box or other structure in the consent street without permission from Lincolnshire County Council, as a pavement café licence may be required.
- Any major damage caused to the site that can be directly attributed to the presence of a street trader may be taken into account during the consideration of renewal consent.
- In exceptional circumstances the unit may have to be moved by the operator without prior warning for emergency reasons.
- This street trading consent does not convey any right to trade on privately owned property.
- Consents are personal to the applicant and are not transferable. Once the consent has been issued to an individual it will only be renewed to that individual. This is to prevent the pitch being sold on for a monetary gain.

Do not assume that these rules apply to other districts – some local authorities do not allow any street trading and, in any event, local conditions may vary.