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Licensing Authority

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**OXFORD
CITY
COUNCIL**

Street Trading Policy



This Statement will apply from 01 July 2010

Contact details for street trading...
(in the Oxford City Council area)

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You can also find much information and links to other sources of information on Oxford City Council's website: <http://www.oxford.gov.uk>

This document remains valid for three years, during which the Council is likely to amend its website. So, rather than providing a direct link to "street trading", we suggest either looking for links for "licensing" then "street trading", or using the website's "A-Z" search function.

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1 Purpose of the Policy

- 1.1 This policy sets out Oxford City Council's framework for the management of street trading in Oxford. Through the street trading scheme the Council aims to regulate the location and number of street traders. The scheme also aims to prevent the obstruction of the streets of Oxford by street trading activities. 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 in the area.
- 1.2 This document will guide the Licensing Authority when it considers applications for Street Trading Consents. It will inform applicants of the parameters in which the authority will make decisions and how their needs will be addressed.
- 1.3 It also highlights the Council's undertaking to avoid duplication with other statutory provisions and our commitment to work in partnership with other enforcement agencies.

2 Consultation

- 2.1 In determining this policy, the Council has consulted the following people and bodies:
- Thames Valley Police
 - Oxfordshire Fire and Rescue Service
 - Oxfordshire County Council Highways
 - Central, South and West Area Committee
 - Oxford City Centre Manager
 - Nightsafe
 - Oxford Covered Market traders
 - Gloucester Green Market traders
 - All current consent holders
 - The general public
- 2.2 We have also consulted various other professional people within the Council. These include:
- Planning
 - City Works
 - Legal Services
 - Property and Facilities Management
 - City Centre Manager
- 2.3 We have considered and taken into account the views of all the appropriate bodies and organisations.

3 Review of the Policy

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

4 Legislation and current provision

- 4.1 In 1986 the Council resolved that Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 should apply to its area. Under Schedule 4 of the Act the Council can manage street trading by designating streets as 'consent streets', 'licence streets' or 'prohibited streets'.

'Street Trading' is defined as the selling or exposing or offering for sale of any article (including a living thing) in a street – subject to a number of exceptions such as:

- (a) Trading as a pedlar under the authority of a pedlar's certificate granted under the Pedlars Act 1871.
- (b) Any trade in a market or fair, the right to hold which having been obtained by a grant, enactment or order.
- (c) Trading as a news vendor.
- (d) Trading at or adjoining a shop premises as part of the business of the shop.
- (e) Offering or selling things as a roundsman.

Schedule 4 defines a street as any road, footway, beach or other area to which the public have access without payment; and a service area as defined in section 329 of the Highways Act 1980.

A consent street is a street in which street trading can only take place if the consent of the local authority has first been obtained.

Prohibited streets are streets where no street trading may take place at all.

A licence street is a street that requires a formal licence before any form of street trading can take place.

Annexe 1 lists the streets in the City Centre that are designated as prohibited streets or consent streets, and sites where street trading consents have been issued. When considering street trading sites, the Council will seek the advice of Thames Valley Police, Nightsafe, Oxfordshire Fire and Rescue Service, the Highways Department of Oxfordshire County Council and notify neighbouring retail establishments and residents

There are currently no licence streets within Oxford.

Street Traders that serve hot food or drink at any time between 11.00pm and 05.00am the following day will also require a Premises Licence under the Licensing Act 2003.

5 The Licensing Process and Delegation of Functions

- 5.1 This part of the document sets out how we will deal with applications for Street Trading Consents in the City of Oxford. The Council aims to provide a clear, consistent licensing service for service users. At the same time, it aims to protect the safety of highway users and to prevent nuisance or annoyance.
- 5.2 Delegation is laid out in the Council's Constitution as follows:

Full Council sets policies on licensing and registration.

The General Purposes Licensing Committee:

- recommends and reviews policies on licensing and registration
- sets and reviews licence fees
- agrees and varies a street trading scheme.

The General Purposes Licensing Committee appoints a Licensing and Registration Sub-Committee to:

- decide street trading applications that are for longer than three months
- decide applications to renew street trading permission when there has been a complaint about the trader or the trader has broken the conditions of their street trading permission in the past year.

The Head of Environmental Development is authorised to:

- (a) issue Street Trading Consents and to attach such conditions as are necessary under the Local Government (Miscellaneous Provisions) Act 1982;
- (b) refuse any application for a Consent that;
- (i) in the opinion of the Head of Environmental Development does not comply with the Council's conditions and policies;*
 - (ii) where there are objections from any of the following consultees; (Police, Fire or Highways on the grounds of Public or Highway safety);*
- (c) refer applications to the Licensing and Registration Sub-Committee;
- (i) when there has been a complaint about the trader or the trader has broken the conditions of their Street Trading Consent in the past year;*
 - (ii) where there is competition for a vacant approved site.*

The Head of Environmental Development does everything else.

Applications for a Street Trading Consent

- 5.3 Street Trading Consents are limited to the sites listed in Annexe 1 and tend to remain with the same person for a number of years. Street Trading Consents are renewed annually for the period 1 April to 31 March unless granted for a reduced period. 2 sites are designated for weekly consents and the process is managed by the Environmental Development Service. Consents may be revoked by the City Council at any time. In the event of the consent being revoked, surrendered or lapsing without being renewed then the Council will invite new applications for the vacant site.

- 5.4 In considering applications for the grant or renewal of a Street Trading Consent the following factors will be considered:
- (a) **Public Safety**
Whether the street trading activity represents, or is likely to represent, a substantial risk to the public from the point of view of obstruction, fire hazard, unhygienic conditions or danger that may occur when a trader is accessing the site.
 - (b) **Public Order**
Whether the street trading activity represents, or is likely to represent, a substantial risk to public order.
 - (c) **The Avoidance of Public Nuisance**
Whether the street trading activity represents, or is likely to represent, a substantial risk of nuisance to the public from noise or misbehaviour, particularly in residential areas.
 - (d) **Appearance of the stall or vehicle**
The stall or vehicle must be of smart appearance and meet criteria, including size, laid down in the standard consent conditions. Photographs or sketches, including dimensions, must be provided with all new applications and requests for approval of changes to or replacement of a stall or vehicle.
 - (e) **Needs of the Area**
The demand for the articles for sale, and the geographical location of the proposed site.
 - (f) **Environmental Credentials**
The impact of the proposed operation on the local environment including street surfaces and materials, power supply, carbon footprint, supply chain, packaging, waste minimisation, waste disposal and waste created by customers. Mitigating measures to minimise the environmental impact of the proposed operation.
 - (g) **Food Traders**
Applicants to trade in hot or cold food must hold a current Level 2 Food Hygiene Certificate accredited by The Chartered Institute of Environmental Health, or The Royal Society of Health, or The Royal Institute of Public Health and Hygiene.
 - (h) **Highway**
The location and operating times will be such that the highway can be maintained in accordance with the Oxfordshire County Council's requirements and that there are no dangers to those who have a right to use the highway and no obstruction for emergency access.
- 5.5 Applications will only be considered for sites in 'Consent Streets'. An applicant for the grant of a new street trading consent site shall provide a copy of a map showing all streets and other public areas within a radius of 500 metres from the proposed location of the Street Trading site. The map shall be to a scale of 1:2500 and clearly indicate the location of the site in the centre of the map, and the locations of other street traders and outlets trading in similar commodities to those proposed.

Renewals

- 5.6 Street Trading Consents are issued for a period of up to one year.
- 5.7 Applicants should re-submit their application if they wish to continue to trade at least one month before the expiry of their current consent. At this renewal time, the Council may consult further to determine if the street trader is a cause for concern or has been the subject of complaints.
- 5.8 If a renewal application is not made before the expiry of the current licence, a new application will have to be made. (The effect of this will be that a trader will not be permitted to trade until the new consent is issued.)
- 5.9 Where a renewal application has been made and there have been no justifiable complaints, no enforcement issues and all fees have been paid on time, the consent will be renewed.
- 5.10 Where a renewal application has been made and there have been complaints or enforcement issues or fees have not been paid on time, then the application will be referred to the Licensing and Registration Sub-Committee.

Transfers

- 5.11 A Street Trading Consent cannot be transferred or sold to another person except that the Consent may be transferred to a member of the Consent Holder's immediate family in the event of the Consent Holder's death or incapacity on payment of a fee. The sub letting of a pitch is prohibited.

Decisions

- 5.12 Where an application is referred to the Licensing and Registration Sub-Committee, it will determine each application on its own merits. Members of the Sub-Committee will consider all information attached to the application. If a member of the Sub-Committee has an interest in a neighbouring premises or knows an applicant personally, they must declare an interest in accordance with the Code of Conduct adopted in accordance with the Local Government Act 2000. Members should take advice from the legal officer present at the meeting as to whether or not the interest prevents them from determining the particular application.
- 5.13 Following the determination of an application, the Head of Environmental Development will notify the applicant of the decision in writing as soon as possible after the decision.
- 5.14 There is no statutory right of appeal against refusal to issue a consent.

6 Markets

- 6.1 The Gloucester Green weekly markets and the Covered Market are outside the scope of the street trading scheme. Gloucester Green has Charter Market status and trading in the Covered Market takes place from shop units.

7 Special Events

- 7.1 For special events such as Christmas or Continental Street Markets, the Council 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.
- 7.2 For successful applications, we will issue a single consent, which will cover a number of traders.

8 Fees

- 8.1 Fees will be set and reviewed annually on a full cost recovery basis. The level of fees applicable takes into account the location, the duration of the consent, trading hours, and the articles to be sold. Where trading ceases during the term of a consent, refunds will not be given for any outstanding period of less than 3 months. Details of the current fees can be found on the Council's website or on application to the licensing office. Fees must be paid in advance and arrangements are in place to enable annual fees to be paid quarterly in advance.
- 8.2 Applications for annual consents should be accompanied by a non-refundable fee of £100. If the application is approved, the balance of the fee will be due before the consent is issued. If the application is not successful the fee will be retained to cover the cost incurred in processing the application.

9 Conditions

- 9.1 The Council applies standard conditions to Street Trading Consents.
- General conditions for annual Street Trading Consents
 - General conditions for weekly Street Trading Consents
 - Additional conditions applicable to Special Events

The standard conditions are not exhaustive and other conditions may be added to individual consents where appropriate.

- 9.2 Standard Trading Hours are:
- (a) Roadside locations for vehicles.
Daytime sale of Ice Cream from 08:00am to 6:00pm.
Evening sale of Hot Food from 6:30pm to 3:00am (can be extended to 4:00am Thursdays, Fridays, and Saturdays on application and subject to approval).
- (b) Pavement locations.
From 08:00am and 9:00pm.
- 9.3 Street trading can only be carried out from the stall or vehicle authorised under the conditions of the consent. Any changes to or replacement of the stall or vehicle must be approved by the Head of Environmental Development.

- 9.4 The standard conditions applied to Street Trading Consents are attached to this policy as Annexe 2. This list is not exhaustive and other conditions may be added to the consent.

10 Enforcement

- 10.1 The Council is committed to enforcing the provisions contained within the relevant legislation and to work in partnership with all enforcement agencies, to provide consistent enforcement on licensing issues.
- 10.2 The Licensing Team aims to work closely with other enforcement authorities when dealing with issues on the street.
- 10.3 Where licensable activities are conducted without the benefit of a licence, permit or consent or where conditions are breached, the Council will look to gather evidence and take enforcement action as appropriate.
- 10.4 If the Council feels that there is an issue of public order or threat to public safety in any particular instance, it will call for assistance from Thames Valley Police.
- 10.5 The Council may call for assistance from the CCTV centre when dealing with such issues.
- 10.6 The Council will enforce the provisions of all appropriate legislation and will ask persons causing a nuisance to cease the activity that they are conducting and leave the area.

11 Contacts

The street trading function is part of the Licensing and Development Division of the Environmental Development Service.

Our address is:

Street Trading
Environmental Development
Oxford City Council
Ramsay House
10 St Ebbes Street
Oxford
OX1 1PT

To ask about any street trading issue, first contact the Licensing Team 01865 252558, or visit our website: www.oxford.gov.uk, or via email on

street_trading@oxford.gov.uk

ANNEX 1 Prohibited Streets within Oxford

No street trading of any form is allowed in the following streets.

Adelaide St
 Alfred St
 Alma Place
 Banbury Rd (*to junction with Bevington Rd*)
 Bartlemas Close
 Bartlemas Rd
 Bath St
 Bear Lane
 Beaumont St
 Beckett St
 Belvedere Rd
 Bevington Rd
 Blackhall Rd
 Blue Boar St
 Boulter St
 Brasenose Lane
 Brookside
 Bullingdon Rd
 Cardigan St
 Caroline St
 Cave St
 Chain Alley
 Chapel St
 Cheney Lane
 Cherwell St
 Circus St
 Cleveland Drive
 Clive Rd
 Cowley Place
 Cranham St
 Crown St
 Divinity Rd
 East Avenue
 Edmund Rd
 Frewin Court
 Friars Entry
 George St Mews
 Gipsy Lane
 Glebe St
 Gloucester St
 Grays Rd
 Great Clarendon St
 Havelock Rd
 Headington Rd
 Hendred St
 Hollybush Row
 Holywell St

Hythe Bridge St
 Ifley Rd (*from The Plain to Circus St*)
 James St
 Jeune St
 Jowett Walk
 Juxon St
 Keble Rd
 Kenilworth Avenue
 Kybald St
 Leopold St
 Little Clarendon St
 Littlehay Rd
 Logic Lane
 London Place
 Longwall St
 Magdalen Rd
 Magdalen St
 Magdalen St East
 Magpie Lane
 Manor Place
 Manor Rd
 Mansfield Rd
 Marston Rd
 Marston St
 Merton St
 Morrell Avenue
 Museum Rd
 New College Lane
 Observatory St
 Oriel St
 Osney Lane
 Oxford Rd (*from Swan PH to Marsh Rd incl service road to Temple Court Flats at 103/105 Oxford Rd*)
 Park End Place
 Park End St
 Parks Rd (*the south part up to Museum Rd*)
 Pembroke St
 Pensons Gardens
 Princes St
 Pullens Lane
 Pusey St
 Queens Lane
 Radcliffe Square
 Randolph St
 Rectory Rd
 Red Lion Square
 Rewley Rd

Richmond Rd
 Savile Rd
 Ship St
 Shoe Lane
 South Parks
 Southfield Rd
 St Bernard's Rd
 St Clement's St (*from The Plain to Dawson St*)
 St Clements St (*between Dawson St and London Place*)
 St Cross Rd
 St John's St
 St Thomas St
 Stockmore St
 Temple St
 The Clarendon Centre Walkways
 The Covered Market
 The Plain
 The Westgate Centre Walkways
 Tidmarsh Lane
 Turl St
 Tyndale Rd
 Union St
 Upper Fisher Row
 Valentia Rd
 Walton Crescent
 Walton St (*throughout its length*)
 Wellington Square
 Worcester Place
 Worcester St
 York Place

Consent Streets within Oxford

Banbury Road (*service road on Western side at Summertown*)
Bonn Square
Broad Street
Castle Street
Catte Street
Cornmarket Street
Cowley Rd (*from The Plain to Howard St*)
Cripsey Road (*junction with Botley Road*)
Dawson Street
George Street
High Street
King Edward Street
London Road, Headington (*layby 69-77*)
Magdalen Bridge
Manzil Way
Market Street
New Inn Hall Street
New Road
Oriel Square
Oxpens Road
Pennyfarthing Place
Pembroke Square
Queen Street
St Aldates
St Ebbes Street
St Giles
St Michael's Street
Woodstock Road (*from St Giles to junction with Bevington Road and St Bernard's Road*)

Current Sites Approved for Street Trading within Oxford

The City Council have given consents for street trading at the following sites within Oxford, (the list is subject to changes from time to time).

ROADSIDE LOCATIONS FOR VEHICLES

Daytime sales of Ice Cream (08:00am – 6:00pm)

1	High Street	outside Lincoln College Library (restricted trading times)	1 van
2	Pembroke Square	St Aldates End	1 van
3	St Giles	outside Taylorian Institute	1 van
			TOTAL 3 VANS

Evening sites for the Sale of Hot Food (6.30pm and 3:00am following day, Monday to Sunday, except where otherwise stated on the consent).

4	Banbury Road	outside No. 263	1 van
5	Queen Street	junction with New Inn Hall Street	1 van
6	Broad Street	outside No. 17	1 van
7	New Road	opposite County Hall Car Park	1 van
8	Cripley Road	junction with Botley Road	1 van
9	George Street	outside No. 25	1 van
10	King Edward Street	junction with High Street	1 van
11	High Street	outside University College	1 van
12	London Road	outside No.s 73/75	1 van
13	Pembroke Square	St Aldates end	1 van
14	Queen Street	outside Clarendon Centre	1 van
15	St Aldates	outside Christchurch	1 van
16	St Ebbes Street	outside No. 32	1 van
17/18	St Giles	layby outside Taylorian Institute	2 vans
19	Woodstock Road	outside Radcliffe Infirmary	1 van
			TOTAL 16 VANS

PAVEMENT LOCATIONS

Trading is allowed only between the times of 08:00am and 9:00pm on any day of the week. Stalls must have a maximum dimension of 2 metre x 1 metres.

20	Cornmarket Street*	outside St Michael's Church	1 stall
21	Westgate	outside Unit 46 Westgate Centre	1 stall
22	Catte Street	north end	1 stall
23	High Street	Magdalen College	1 stall
24	High Street	junction with Queens Lane	1 stall
25	Pembroke Square	St Aldates end	1 stall
26	Pennyfarthing Place	(to be relocated)	1 stall
27	Westgate	outside Unit 45 Westgate Centre	1 stall
28	St Ebbes	outside British Home Stores	1 stall
29	St Giles	adjacent to Taxi Hut	1 stall
30	St Giles	outside no 65	1 stall
			TOTAL 11 STALLS

WEEKLY LET SITES

Trading is allowed only between the times of 08:00am and 9:00pm on any day of the week. Stalls must have a maximum dimension of 2 metre x 1 metres.

31/31	Cornmarket Street*	junction with Ship Street	2 stalls
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* Temporary pending feasibility study into moving these sites to St Ebbes Street

ANNEX 2 General Conditions for Annual Street Trading Consents

1. No trading to which the attached consent relates shall take place except between the dates of:
2. The operational hours shall be:
Between the hours of and on Mondays
Between the hours of and on Tuesdays
Between the hours of and on Wednesdays
Between the hours of and on Thursdays
Between the hours of and on Fridays
Between the hours of and on Saturdays
Between the hours of and on Sundays
3. The street trading consent relates to the following area/site only:
4. The street trading consent relates to the following vehicle/stall only:
5. Street trading can only be carried out from the stall or vehicle authorised under the conditions of the consent. Any changes to or replacement of the stall or vehicle must be approved by the Head of Environmental Development.
6. The Consent Holder shall comply with all statutes, statutory instruments and byelaws currently in force. Consent Holders must pay particular attention to the requirements of the Health & Safety at Work Act, 1974, the Food Safety (General Food Hygiene) Regulations 1995. Advice on these requirements is available from the Environmental Health Department. The Consent Holder shall not drive or park a vehicle on any part of a footway. (It is an offence to drive other than on a road)
7. The Consent Holder shall not be the cause of any nuisance or annoyance to any other user of the highway, the occupier of any land or building or the Oxford City Council. Consent Holders shall have special regard to and must take positive action to prevent excessive noise.
8. The Environmental Protection Act 1990 places a duty of care on businesses to dispose of waste originating from their trade in a certain manner. The Consent holder shall ensure refuse originating from their trade is disposed of by a licensed waste carrier and shall leave the site clear of refuse at the completion of trading. No water or waste material shall be discharged on to the highway or any adjacent property. The Consent Holder shall ensure that the area in the vicinity of the stall/vehicle is kept clear of all refuse at all times.
9. Consent Holder's vehicle/stall shall be kept in a clean, safe and well maintained condition and be of a presentable appearance. The Street Trading Consent bearing the name of the consent holder shall be displayed conspicuously on the stall/vehicle so that members of the public can clearly see it during hours of business.
10. The Consent Holder's vehicle shall be maintained in a roadworthy condition, taxed, insured and with a current MOT Certificate.

11. The Consent Holder shall ensure that the stall/vehicle is positioned only in the allocated space (which may be marked on the ground) in the Consent Street for which the Street Trading Consent is issued. All goods shall be displayed on the stall and no freestanding racks or displays are permitted. If a Consent Holder or operator/assistant is requested to move the vehicle/stall by an authorised Council Officer or Police Officer they shall immediately comply with that request.
12. The Consent Holder's stall shall not exceed 2.3 metres in height nor occupy an area greater than 2 metres x 1 metre.
13. The Consent Holder must take adequate precautions to prevent the risk of fire at the stall or vehicle. All hot food vans/trailers are required to comply with current legislation on fire safety. Where gas cylinders are used an annual gas safety certificate is required to ensure the safety of all gas cooking and heating equipment. A serviceable fire blanket and a foam fire extinguisher shall be provided in all vehicles selling hot food.
14. All hot food vans/trailers are required to carry a basic first aid kit. The Consent Holder and others operators should know how to give first aid to treat victims of burns and cuts. All hot food vans should have access to a minimum of one mobile phone that must be serviceable at all times.
15. All staff involved in the preparation of food shall hold a current Level 2 food safety certificate, that is accredited by the Chartered Institute of Environmental Health, or the Royal Society of Health, or the Royal institute of Public Health and Hygiene.
16. A Street Trading Consent cannot be transferred or sold to another person except that the Consent may be transferred to a member of the Consent Holder's immediate family in the event of the Consent Holder's death or incapacity on payment of a fee. The sub letting of a pitch is prohibited.
17. The Consent Holder must be the principal operator and have day to day control of the stall/vehicle. The Consent Holder may employ any other person to assist in operating the stall/vehicle and shall notify the Head of Environmental Development of the name and address of that person. An administration fee will be payable.
18. Anyone who operates a stall/vehicle other than the Consent Holder must be authorised by the Head of Environmental Development.
19. A Consent Holder may terminate a Street Trading Consent by written notice to the Head of Environmental Development. A refund of the portion of the fee equal to the remaining full months will be payable, less £50 which the Council will retain to cover administrative costs.
20. Consent holders shall ensure that disabled people and wheelchair users can be adequately served. This may involve serving persons from outside the vehicle.

21. A copy of the Consent shall be carried by the operator when trading and must be produced on demand to a Council Officer or Police Officer.
22. Consent Holders shall have and maintain a proper insurance policy against public liability and third party risks. The minimum insurance cover shall be £10,000,000 and shall cover the operator's vehicle, or stall and any additional equipment under their control. If food is sold the insurance shall specifically include cover against food poisoning to the same amount. The insurance certificate or cover note shall be produced to the Head of Environmental Development before the Street Trading Consent is issued. Proof of cover must be produced to an officer of Oxford City Council as required.
23. These general conditions, which apply to all Street Trading in Oxford, may be varied, having regard to a particular location. They are termed Special Conditions and listed on the Consent Certificate. These Special Conditions must also be complied with.
24. Installments are required quarterly, in advance. On or before the following dates 1st April, 1st July, 1st October and 2nd January. Annual fees may be paid in advance.

Failure to comply with these conditions

If a Consent Holder fails to comply with any of the conditions attached to a Street Trading Consent, the Consent may be suspended for an indefinite period or revoked. The Consent Holder may also be prosecuted.

General Conditions for Weekly Street Trading Consents

1. No trading to which the attached consent relates shall take place except between the dates of:
2. The operational hours shall be:
Between the hours of and on Mondays
Between the hours of and on Tuesdays
Between the hours of and on Wednesdays
Between the hours of and on Thursdays
Between the hours of and on Fridays
Between the hours of and on Saturdays
Between the hours of and on Sundays
3. The street trading consent relates to the following area/site only:
4. The street trading consent relates to the following vehicle/stall only:
5. Consent Holder shall comply with all statutes, statutory instruments and byelaws currently in force. Consent Holders must pay particular attention to the requirements of the Health & Safety at Work Act, 1974. Advice on these requirements is available from the Street Trading Officer, (01865 252558). The Consent Holder shall not drive or park a vehicle on any part of a footway. (It is an offence to drive other than on a road)
6. The Consent Holder shall not be the cause of any nuisance or annoyance to any other user of the highway, the occupier of any land or building or the Oxford City Council. Consent Holders shall have special regard to and must take positive action to prevent excessive noise.
7. The Environmental Protection Act 1990 places a duty of care on businesses to dispose of waste originating from their trade in a certain manner. The Consent holder shall ensure refuse originating from their trade is disposed of by a licensed waste carrier and shall leave the site clear of refuse at the completion of trading. No water or waste material shall be discharged on to the highway or any adjacent property. The Consent Holder shall ensure that the area in the vicinity of the stall is kept clear of all refuse at all times.
8. Consent Holder's stall shall be kept in a clean, safe and well maintained condition and be of a presentable appearance. The Street Trading Consent bearing the name of the consent holder shall be displayed conspicuously on the stall so that members of the public can clearly see it during hours of business. The stall must be on wheels to enable it to be moved easily.
9. The Consent Holder shall ensure that the stall/vehicle is positioned only in the allocated space (which may be marked on the ground) for which the Street Trading Consent is issued. All goods must be displayed on the stall/vehicle and no freestanding racks or displays are permitted. If a Consent Holder or operator/assistant is requested to move the vehicle/stall by an authorised Council Officer or Police Officer they shall immediately comply with that request.

10. The Consent Holder's stall shall not exceed 2.3 metres in height nor occupy an area greater than 2 metres x 1 metre.
11. The Consent Holder must take adequate precautions to prevent the risk of fire at the stall. The use of any portable gas powered equipment is prohibited. The use of generators powered by internal combustion or compression ignition engines is also prohibited.
12. All Consent Holders shall take such precautions as necessary to ensure the safety of the public and themselves when carrying out their business. It is advisable to carry out a simple risk assessment to assess any possible risks and take steps to mitigate or eliminate the identified risk. It may be something as simple as a poorly assembled stall or something placed by the stall that someone may trip over. It is advisable to have in your possession a basic first aid kit and one serviceable mobile phone if the emergency services need to be contacted quickly.
13. The Consent holder must be the principal operator of the stall and must be physically present at that stall the majority of the time. Occasional help is permissible with prior approval of the City Council.
14. Consent holders shall ensure that disabled people and wheelchair users can be adequately served. This may involve serving persons from outside the vehicle.
15. A copy of the Consent shall be carried by the operator when trading and must be produced on demand to a Council Officer or Police Officer.
16. Consent Holders shall have and maintain a proper insurance policy against public liability and third party risks. The minimum insurance cover shall be £10,000,000 and shall cover the operator's vehicle, or stall and any additional equipment under their control. Proof of cover must be produced to an officer of Oxford City Council as required.
17. Anyone who operates a stall other than the Consent holder must first be authorised to do so by the Head of Environmental Development.
18. These general conditions, which apply to all Street Trading in Oxford, may be varied, having regard to a particular location. They are termed Special Conditions and listed on the Consent Certificate. These Special Conditions must also be complied with. The sale of food and/or drink is not permitted and due to the special nature of these pitches the applicant for a weekly consent must agree the items to be sold before a consent can be issued.
19. Fees must be paid two weeks in advance before trading commences. This is to allow sufficient time to process the application and receive the consent. It must be in your possession before you can trade.

Failure to comply with these conditions

If a Consent Holder fails to comply with any of the conditions attached to a Street Trading Consent, the Consent may be suspended for an indefinite period or revoked. The Consent Holder may also be prosecuted.

Additional Conditions Applicable to Special Events/Markets.

1. All stalls to be issued with a number that must be displayed on the stall.
2. The Consent Holder should keep records of each stallholder present on the market, to include the stallholder's pitch number, name and company name, their address, vehicle registration and a contact telephone number. This must be produced on request to an authorised officer.

BUILDING PRIDE IN OUR CITY

Licensing Authority

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**OXFORD
CITY
COUNCIL**

Street Trading Policy

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