



Application for a Street Trading Consent Local Government (Miscellaneous Provisions) Act 1982

All data contained in this form will be handled in accordance with the Data Protection Act 1998. Information about how Oxford City Council will handle this data can be found at www.ico.gov.uk and also on www.oxford.gov.uk.

Note: Please refer to the checklist attached before you send in your application form.

Part 1 – Your Details	
Full Name	John Irwin
Trading Name (if any)	- Souvenirs of Oxford
Home Address	
Email address	
Telephone Numbers	Home: Mobile:
National Insurance Number	
Date of Birth	
Part 2 - What goods/items will you be selling	
Type of goods to be sold <i>Please specify all items to be sold</i>	Souvenirs, Balloons, Christmas Gift Wrap. + Accessories.
If you intend to sell hot/cold food which Local Authority are you registered with (food traders only)	N/A
Please complete the following details regarding your current Food Hygiene Inspection (food traders only)	Food Hygiene Rating: N/A
	Date awarded:

Details of recyclable or biodegradable food packaging you are using to serve food to your customers <i>I.e. material, brand, manufacturer, supplier (food traders only)</i>	N/A
Vehicle registration number, make and model <i>(if applicable)</i>	Framed Stall
Will you be the sole operator of the vehicle or stall? <i>(Please circle)</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <i>NB. If the answer is 'no' please complete an employee form for each member of staff (see attached)</i>
Do you agree to comply with the Street Trading Policy?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

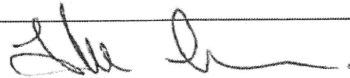
Declaration

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see <http://www.oxford.gov.uk/websitertools/privacy.cfm>.

The data you provide will assist in preventing crime and ensuring public safety. When you sign this application you are consenting to the sharing of this data with other Government Agencies in their efforts to combat crime.

I am aware that if any person knowingly or recklessly makes a false statement or omits any material, particular in giving information on this form, that person shall be guilty of an offence.

This means that if you as the applicant or anyone else gives false information or leaves out any information to help you get a Street Trading Consent, you and/or they can be prosecuted in court.

Applicants Name: John Boia	
Date: 16 th Feb 18	Applicants Signature: 

Planning and Regulatory Services

St Aldate's Chambers, 109 St. Aldate's, Oxford OX1 DS

Switchboard: 01865 249811
Fax: 01865 252344

www.oxford.gov.uk



LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 CERTIFICATE OF STREET TRADING CONSENT

Oxford City Council grant a Street Trading Consent to:

Consent Holder: Mr John Irvin

Consent Number: 17/00918/STREET

Consent Issued: 28th March 2017

Valid From: 1st April 2017

Valid To: 31st March 2018

Fee: £7950

Vehicle/Stall Details: Souvenir Trailer

Area/Site: Market Street

Permitted Trading Days and Hours: Trading only between the hours of 08:00 and 21:00 Monday - Sunday

Articles Sold: Greeting cards, balloons, gift wrap, toys and souvenirs

This certificate of Street Trading Consent is issued subject to the standard street trading conditions and any other additional conditions attached to this certificate.

Possession of this document does not guarantee that the consent is in force. Its validity may be established by referring to the Councils Licensing Department.

Conditions of Consent are attached to this certificate.

Authorised Officer

Special Conditions: Souvenir trailer to be removed from site at the end of each day.

David Edwards
Executive Director of Regeneration & Housing

General Conditions for Annual and Weekly Street Trading Consents

1. No trading shall take place except between the dates specified on the Certificate of Street Trading Consent.
2. Street trading shall only be carried out during operational hours specified on the Certificate of Street Trading Consent.
3. The Street Trading Consent relates only to the area/site vehicle or stall specified on the Certificate of Street Trading Consent.
4. The Street Trading Consent relates only to the vehicle or stall specified on the Certificate of Street Trading Consent.
5. Street trading can only be carried out from the stall or vehicle authorised under the conditions of the Consent. Any significant changes to or replacement of the stall or vehicle must be approved by the Head of Planning and Regulatory Services.
6. The 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.
7. The Consent Holder's vehicle shall be maintained in a roadworthy condition, taxed, insured and with a current MOT Certificate. Vehicle movements must be carried out legally and must not present a risk to people and structures. The Consent Holder shall not drive or park a vehicle on any part of a footway.
8. 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 authorized Council Officer or Police Officer they shall immediately comply with that request.
9. For Weekly Street Traders on Cornmarket Street, the Consent Holder's stall shall not exceed 2.3 metres in height nor occupy an area greater than 2.3 metres x 1.4 metres.
10. 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 etc. Act, 1974 and the Food Safety and Hygiene (England) Regulations 2013. Advice on these requirements is available from the Business Regulation Team.
11. The Consent Holder shall conduct their business in a professional manner and in a way that minimises risks to employees and others.
12. The Consent Holder must take reasonable 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. A serviceable fire blanket and a suitable fire extinguisher shall be provided in all vehicles selling hot food.
13. Reasonable steps must be taken to ensure gas safety where gas appliances are used on a stall or vehicle. Gas appliances must be maintained and serviced as per

manufacturer's instructions. Gas appliances and systems must be checked for safety by a competent Gas Safe engineer at least annually. Any faults or concerns in relation to gas safety must be appropriately investigated and made safe by a competent Gas Safe engineer as soon as possible.

14. All hot food vans/trailers are required to carry a basic first aid kit and have the means to contact the emergency services if necessary.
15. All food businesses must be registered as a food business with the local authority where the van/stall is kept overnight. All food businesses registered outside of the Oxford City Council area must be able to demonstrate food business registration, e.g. by written confirmation from the relevant local authority or by providing a copy of the latest inspection letter or report. Any changes in registration details must be notified to the relevant local authority.
16. All food handlers must hold a current Level 2 Award in Food Safety in Catering accredited by The Chartered Institute of Environmental Health or The Royal Institute for Public Health.
17. All food businesses must achieve and maintain a minimum Food Hygiene Rating of '3 – Generally Satisfactory'. The Hygiene Rating must be displayed prominently on the stall or vehicle.
18. 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 action to prevent excessive noise.
19. The Environmental Protection Act 1990 places a duty of care on businesses to dispose of their trade waste in an appropriate manner. Trade waste must be stored appropriately and be disposed of by a licensed waste carrier. No water or waste material shall be discharged on to the highway or any adjacent property. The Consent holder shall take reasonable steps to ensure that litter arising from their own trade is minimised as far as possible, for example by making a bin available for customers to use.
20. 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 subletting of a pitch is prohibited.
21. 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 Planning and Regulatory Services of the name and address of that person. An administration fee will be payable.
22. Anyone who operates a stall/vehicle other than the Consent Holder must be authorised by the Head of Planning and Regulatory Services.
23. A Consent Holder may terminate a Street Trading Consent by written notice to the Head of Planning and Regulatory Services. 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.
24. Consent holders shall ensure that disabled people and wheelchair users can be adequately served. This may involve serving persons from outside the vehicle.
25. A copy of the Consent shall be displayed by the operator when trading and must be produced on demand to a Council Officer or Police Officer.

26. Consent Holders shall have and maintain a proper insurance policy against public liability and third party risks. The minimum insurance cover shall be £5,000,000 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. Proof of cover must be produced to an officer of Oxford City Council on application and as required.
27. 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.
28. For Annual Street Trading Consents fee installments are required quarterly, in advance. The first installment must be paid in advance of the issue of Consent. The remaining fee can be paid in installments on the following dates 1st July, 1st October and 2nd January. Annual fees may be paid in advance.
29. For Weekly Street Trading Consents 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.
30. The sale of food and/or drink is not permitted by Weekly Street Traders. The items to be sold must be agreed before a Weekly Consent can be issued.
31. For food traders all packaging and utensils for use by customers shall be made of biodegradable or recyclable materials.

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.

Oxford City Council

Local Government (Miscellaneous Provisions) Act 1982

Hearing to determine an application for renewal of a street trading consent under Schedule 4 of the Act.

Applicant: John Irvin
Premises: Street trading site 23, St Ebbes Street, Oxford
Date of Hearing: 29th March 2011

Hearing before the Licensing and Registration Sub Committee

The Sub Committee heard from: - Andrew Thomson (Licensing Authority)
- Dawn Cox (Licensing Authority)
- Tony Payne (Licensing Authority)
- John Irvin (Applicant)
(As set out in the minutes to the meeting)

The Sub Committee also considered a report from Head of Environmental Development.

Decision and reasons of the Licensing Registration Sub Committee

The Sub Committee took into account all evidence before it, both written and oral. Members agreed that the issue was that of renewing (or otherwise) the application. They were not at liberty to make any exceptions within the current licensing policy governing street trading stands. They noted Mr Irvin's undertaking to comply with the terms of his licence, if granted.

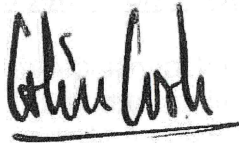
Resolved to:

- (1) Grant a street trading licence to Mr Irvin for an initial period of 3 months, and to delegate to licensing officers the power to renew this for a further nine months, subject to there having been no problems with this pitch;
- (2) Inform Mr Irvin that the granting of this application covered only the main stall and did not include the freestanding rotating display units at each corner or any other ancillary stand;
- (3) Note that the policy concerning the size and layout of stalls was an issue for another Committee,

- (4) Ask officers to prepare a report containing proposals for the design, layout and size of street trading pitches, with special reference to pitches that had the capability to overhang the 2m x 1m curtilage, for the next meeting of the General Purposes Licensing Committee.

Decision: The Application for renewal of street trading consent is **granted for a period of 3 months** with delegation to the Head of Environmental Development to renew for a further 9 months subject to compliance with the Street Trading Policy. The consent is granted subject to the Oxford City Council general conditions applicable to street trading consents.

Signed:

A handwritten signature in black ink, appearing to read 'Colin Cook', written over a horizontal line.

Councillor Colin Cook (Chair)

Oxford City Council

Local Government (Miscellaneous Provisions) Act 1982

Hearing to determine an application for renewal of a street trading consent under Schedule 4 of the Act.

Applicant: John Irvin

Premises: Street trading site 23, St Ebbes Street, Oxford

Date of Hearing: 20th March 2012

Hearing before the Licensing and Registration Sub Committee

The Sub Committee heard from:

- Dawn Cox (Licensing Authority)
 - Tony Payne (Licensing Authority)
 - John Irvin (Applicant)
- (As set out in the minutes to the meeting)

The Sub Committee also considered a report from Head of Environmental Development.

Decision and reasons of the Licensing Registration Sub Committee

The Sub Committee took into account all evidence before it, both written and oral.

The Sub Committee were satisfied that the evidence showed that Mr Irvin had breached condition 11 of his consent on at least three separate occasions during the last year by using free standing displays separate to his stall. As well as breaching the conditions of his consent his use of separate displays was also contrary to the following objectives of the Street Trading Policy:

Public Safety - risk of obstruction and hazard to public.

Appearance of the stall or vehicle - not smart and in excess of approved dimension.

Highway - risk of obstruction and danger to highway users.

The Sub Committee was mindful that only a year ago Mr Irvin had been before it because of similar problems and he had at that time given an undertaking to comply with the requirements of his consent in relation to the size and nature of displays. At

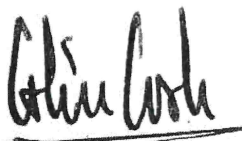
that hearing his consent had been renewed for an initial period of 3 months. The Sub Committee found it significant that Mr Irwin had apparently traded for that period without complaint and had therefore shown himself capable of trading within the conditions of his licence.

Given this the Sub Committee found that Mr Irvin's consent should be renewed for a further 12 months, but that the Head of Environmental Development should be authorised to revoke the consent without further reference to the Sub Committee in the event of any future substantiated breach of condition.

The Sub Committee wished to make clear to Mr Irvin that he must comply with the conditions of his consent and that his consent may be revoked in the event of any further breach of conditions during the coming year.

Decision: The Application for renewal of street trading consent is **granted for a period of 12 months** with delegation to the Head of Environmental Development to revoke Mr Irvin's consent without further reference to the Sub Committee in the event of any future substantiated breach of condition. The consent is granted subject to the Oxford City Council general conditions applicable to street trading consents.

Signed:

A handwritten signature in black ink, appearing to read 'Colin Cook', is written over a horizontal line. The signature is cursive and somewhat stylized.

Councillor Colin Cook (Chair)