

## LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

### GUIDANCE NOTES – STREET TRADING

#### INTRODUCTION

This guidance is to assist applicants in lodging their application. It should be read alongside the current Street Trading Policy.

#### APPENDICIES

Appendix 1 Nutritional Discount Criteria & Questionnaire

Appendix 2 Mandatory Conditions

Appendix 3 Fees

Appendix 4 Disclosure Barring Service information

Appendix 5 List of registered Gas Safe businesses

#### LEGISLATION

The controls relating to street trading are governed by Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 (Part III).

Warrington Borough Council has adopted the provisions in the Act relating to street trading and as a result trading is only allowed in the Borough with the written consent of the Council.

#### CONSENTS-GENERAL

- Street trading consents can only be applied for by those persons aged 17 and over.
- Street trading consents are issued for a maximum of 12 months beginning on the date the consent is first granted.
- Day permits may be applied for a maximum of 12 times in a calendar year per applicant or company.
- Short Term Consents may be applied for once per calendar year and for a maximum of 3 consecutive weeks.
- Consent plates must be attached to the rear of the vehicle, van, barrow, cart etc. whilst street trading takes place.
- The ID badge issued to the applicant must be available upon request for inspection by an authorised officer.
- The consent must be displayed at all times in the vehicle, van, barrow, cart etc, whilst street trading takes place.
- A consent may be revoked at any time by the Council

## **ENFORCEMENT**

- Persons trading without consent and who are not exempt (see 3.1 of the Street Trading Policy) will be the subject of enforcement action.
- Each trader will be the subject of compliance checks. The Council will respond to any complaints from other traders, residents, ward members and other interested parties about the operation of a trader as soon as practicable.
- Consent holders must allow access to an authorised officer of the Council and Police Officers at all reasonable times.

## **OTHER CONSIDERATIONS**

It should be noted that although the Licensing Authority may grant exemptions from the need to obtain a Street Trading Consent based on the examples in the Policy, this does not exempt applicants requiring further consent from other departments of the Council.

You are strongly recommended to run all trading requirements past a member of the Licensing Team as soon as possible so that all relevant licences and permits can be applied for.

### **Warrington Market Charter:**

In all cases where there is a concourse of 5 or more buyers and sellers in the same location (e.g. at the same event) permission **MUST** be sought from the Warrington Market Manager to obtain a separate licence under the Market Charter for Warrington. This may be instead of or in addition to a Street Trading Consent. Further information can be obtained by contacting the Market Manager on 01925 632 571.

### **Disclosure Barring Service (DBS) (Formerly CRB)**

Applicants applying for a new street trading consent will be expected to obtain a DBS certificate from Disclosure Scotland which must be one month in date when submitted to the Licensing Authority. (Please see Appendix 8).

The DBS certificate must in the name of the applicant as detailed on the application form and the original certificate must accompany the application form.

The Licensing Authority will ask for a new DBS certificate from an applicant every third year beginning with the year after the issue of a new consent.

The DBS certificate will be expected to accompany a renewal application and the Licensing Authority will make it clear to applicants when this is required.

## **The Gas Safety (Installation and Use) Regulations 1998**

It is a requirement under the above Regulations that at least annually but ideally every 6 months, an inspection, test and servicing of the mobile gas installation should be undertaken by a competent engineer who is registered by Gas Safe to work on mobile catering units. This is to ensure gas soundness of pipe work and correct operation of appliances, flues and ventilation.

It is therefore a requirement of the Street Trading Conditions that each applicant provides a copy of the last inspection certificate (current within the last 12 months) with either new, renewal, day permit or short term consent applications. This certificate can only be produced by an authorised engineer who is Gas Safe Registered for LPG - Commercial Catering - Mobile Catering. A list of Engineers/Businesses who are registered to carry out the test/inspection and certification has been provided by Gas Safe. Please see Appendix 5 for the full list.

**\*\* During the renewal process and in order to ensure consistency, each trader will be required to provide their PREVIOUS Gas Safety Certificate alongside their new certificate to show there has been continuous cover for the trader for the duration of the Street Trading Consent\*\***

If applicants require further information on the Gas Safety regulations, please contact Julie Bate on 01925 442645.

### **Appeals**

The Street Trading regulations do not give applicants the right of appeal against rejected applications.

However, the Council recognises the rules of natural justice and has included an appeals procedure within its Street Trading Policy. (Please see Section 6.2 of the Street Trading Policy).

Applications that receive objections from either a consultee or an interested party (such as a resident or a business operating in the vicinity of the proposed trading location) will normally be rejected by a delegated officer of the council.

Where an application is rejected, the applicant will receive a determination notice outlining the reasons for refusal along with a copy of any objection(s) received.

An applicant will be given 14 days from the date of the determination notice to inform the Council if they would like to appeal the decision.

Upon receipt of written notification that an appeal is sought, the Council will arrange a hearing by members of the Licensing Sub-Committee.

Applicants and objectors will be invited to attend a hearing and present their case to members of the Sub-Committee, who will then determine the application.

The Licensing Sub-Committee can either:

- Accept the application in full;
- Reject the application;
- Accept the application and impose additional conditions;
- Accept the application, but make changes to days and hours of trading.

The applicant will be given written notification of the Licensing-Sub Committee's decision.

Applicants dissatisfied with the outcome of a hearing, must seek redress by way of Judicial Review.

## **APPLICATIONS**

### *New Applications*

Applicants will be required to provide the following documents and fees with their application form:

- A completed and signed street trading consent application form.
- A cheque (made payable to Warrington Borough Council) for:
  - (a) £542 Food Traders
  - (b) £442 Non Food Traders
  - (c) £442 Food Traders applying for Nutritional Discount.
- A detailed location plan showing the precise position of the van, cart, barrow etc. (Ice Cream & Mobile Sandwich Vans are exempt from providing a location plan unless they are stationary).
- One colour photograph of the vehicle, van, cart, barrow etc (For Ice Cream & Mobile Sandwich Vans, please ensure your Vehicle Registration Number is visible & legible on the photograph).
- One passport size colour photograph of the applicant.
- If the land is in the ownership of Warrington Borough Council, written permission from the Estates and Valuation Service will be required.
- If the land is privately owned, written permission from the land owner.
- Provide details of any permission already held for example Planning Consents, Premises Licence (for Late Night Refreshment after 11.00pm) and waste disposal agreements.
- **For Food Traders Only**-Confirm (via application form) that the business is registered with the Council's Food Hygiene Section. If you are unsure if you are registered or you need to register, please contact the Food Team on 01925 442645 **BEFORE** you submit your street trading application. (It is possible to be registered with other Local Authorities, please indicate this on the application form)

- Nutritional Discount Questionnaire (See Appendix 1). If an applicant is applying for the discount offered for Food Traders wishing to promote healthy eating the questionnaire must be submitted with the application form.
- Original Certificate of Public Liability Insurance for £5,000,000 (This can be submitted to the Licensing Team once you have confirmation that your application has been granted. Please note that your consent will NOT be issued until this certificate is received).
- A Disclosure Barring Service Certificate, which must be one month in date when submitted with your application form. (See Appendix 4 for information on how to obtain a Basic DBS).
- Each applicant must provide a copy of the last Gas Safety inspection certificate (current within the last 12 months). This certificate can only be produced by an authorised engineer who is Gas Safe Registered for LPG - Commercial Catering - Mobile Catering. (See Appendix 5 for information on registered gas safe engineers).

Once received and verified, the Licensing Team will issue you with a receipt for your fee and return any original certificates (such as your Public Liability/DBS/Gas Safety Certificates if you have submitted them).

The application will be consulted upon for a period of 21 consecutive days beginning the day after your application is received by the Licensing Team.

Once the 21 day consultation period has ended, and as long as there are no relevant objections received, the consent will be granted as soon as possible. The Licensing Team will at this time request any outstanding Public Liability Certificates.

Should your application receive any relevant objections, then a delegated officer will determine the application with reference to the Street Trading Policy criteria.

A notice will be sent to applicants informing them of any decision and confirming the process for appealing a decision

If a consent is granted, applicants will be sent the following documentation:

1. Consent (which may include additional conditions) which must be displayed in the vehicle, van etc.
2. ID badge for the applicant, which must be carried at all times.
3. Mandatory Conditions attached to the consent (See Appendix 2).
4. Consent plate (which must be attached to the vehicle, van etc).

## Day Permits

An applicant or company may apply for a day permit a maximum of 12 times in a calendar year.

Applications will only be accepted up to a minimum of **14 working days before** the first day trading commences.

Day permits will expire on the date specified in the consent.

Applicants will be required to provide the following documents and fees with their application form:

- A completed and signed street trading day permit application form
- A cheque made payable to Warrington Borough Council for £65.00.
- A detailed location plan showing the precise position of the van, cart, barrow etc. (Ice Cream & Mobile Sandwich Vans are exempt from providing a location plan unless they are stationary).
- An original Certificate of Public Liability Insurance for £5,000,000.
- If the land is in the ownership of Warrington Borough Council, written permission from the Estates and Valuation Service will be required.
- If the land is privately owned, written permission from the land owner.
- Provide details of any permissions already held for example Planning Consents, Premises Licence (for Late Night Refreshment after 11.00pm) and waste disposal agreements.
- **For Food Traders Only**-Confirm (via application form) that the business is registered with the Council's Food Hygiene Section. If you are unsure if you are registered or you need to register, please contact the Food Team on 01925 442645 **BEFORE** you submit your Street Trading Application. (It is possible to be registered with other Local Authorities, please indicate this on the application form)
- Each applicant must provide a copy of the last Gas Safety inspection certificate (current within the last 12 months). This certificate can only be produced by an authorised engineer who is Gas Safe Registered for LPG - Commercial Catering - Mobile Catering. (See Appendix 5 for information on registered gas safe engineers).

Once received and verified, the Licensing Team will issue you with a receipt for your fee and return any original certificates (such as your Public Liability/Gas Safety Certificate if you have submitted them).

The application will be consulted upon for a period of 14 consecutive days beginning the day after your application is received by the Licensing Team.

Once the 14 day consultation period has ended, and as long as there are no relevant objections received, the day permit will be granted as soon as possible.

Should your application receive any relevant objections, then a delegated officer will determine the application with reference to the Street Trading Policy criteria.

A notice will be sent to applicants informing them of any decision and confirming the process for appealing a decision.

Applicants can expect to receive the following documentation:

1. Day permit (which may include additional conditions) which must be displayed in the vehicle, van etc.
2. Mandatory conditions attached to the consent (See Appendix 2)

### Renewal Applications

Applicants should submit their application if they wish to continue to trade, at least **two months** prior to the expiry of their consent.

The Council will provide notification at time of renewal for each trader.

Where there have been no reported enforcement issues during the consent's lifetime, a renewal application will normally be granted.

Where there have been reported incidents, applications for renewal may be rejected. Applicants will be notified in writing and will have the opportunity to appeal such decisions.

Applicants will need to submit the following documents and fees with the application form:

- A completed and signed Street Trading Consent Application Form
- A cheque (made payable to Warrington Borough Council) for:
  - (a) £542 Food Traders
  - (b) £442 Non Food Traders
  - (c) £442 Food Traders applying for Nutritional Discount
- An up to date certificate of Public Liability Insurance for £5,000,000.
- If the land is in the ownership of Warrington Borough Council, written permission from the Estates and Valuation Service will be required.
- If the land is privately owned, written permission from the land owner.
- Provide details of any permission already held for example Planning Consents, Premises Licence (for Late Night Refreshment after 11.00pm) and waste disposal agreements.

- Nutritional Discount Questionnaire (See Appendix 1). If an applicant is applying for the discount offered for food traders wishing to promote healthy eating the questionnaire must be submitted with the application form.
- Each applicant must provide a copy of the last Gas Safety inspection certificate (current within the last 12 months). This certificate can only be produced by an authorised engineer who is Gas Safe Registered for LPG - Commercial Catering - Mobile Catering. Applicants will also be required to supply the previous certificate to show continuous cover for the trader. (See Appendix 5 for information on registered gas safe engineers).
- On the third year of renewal, applicants will be required to obtain a new DBS certificate which must be one month in date when submitted. An original certificate will be required. **The Licensing Authority will notify applicants when they are required to obtain a new DBS with their renewal application.**

Applicants **will not** be required to provide passport or vehicle, van etc. photographs unless any changes have been made at the time of renewal.

Registration Vehicle Numbers maybe changed on a Renewal application for those traders who wish to.

*Applicants should note that any changes to the trading location, hours, and days of trading or applicants wishing to sell their business on will need to be dealt with through a New Application.*

Once received and verified, the Licensing Team will issue you with a receipt for your fee and return any original certificates (such as your Public Liability/DBS/Gas Safety certificates if you have submitted them).

The application will be consulted upon for a period of 14 consecutive days beginning the day after your application is received by the Licensing Team.

Once the 14 day consultation period has ended, and as long as there are no relevant objections received, the consent will be granted as soon as possible.

Should your application receive any relevant objections, then a delegated officer will determine the application with reference to the Street Trading Policy criteria.

A notice will be sent to applicants informing them of any decision and confirming the process for appealing a decision.

Applicants can expect to receive the following documentation:

1. Consent (which may include additional conditions) which must be displayed in the vehicle, van etc.
2. ID badge for the applicant, which must be carried at all times.
3. Mandatory conditions attached to the consent (See Appendix 2).
4. Consent plate (which must be attached to the vehicle, van etc).

### Short Term Consents

An applicant or company may apply for a short term consent for a maximum of 3 consecutive weeks in a calendar year.

Applications will only be accepted up to a minimum of **14 working days before** the first day trading commences.

Short term consents will expire on the date specified in the consent.

Applicants will be required to provide the following documents and fees with their application form:

- A completed and signed street trading short term consent application form.
- A cheque made payable to Warrington Borough Council for £133.00
- A detailed location plan showing the precise position of the van, cart, barrow etc. (Ice Cream & Mobile Sandwich Vans are exempt from providing a location plan unless they are stationary).
- An original Certificate of Public Liability Insurance for £5,000,000.
- If the land is in the ownership of Warrington Borough Council, written permission from the Estates and Valuation Service will be required.
- If the land is privately owned, written permission from the land owner.
- Provide details of any permission already held for example Planning Consents, Premises Licence (for Late Night Refreshment after 11.00pm) and waste disposal agreements.
- **For Food Traders Only**-Confirm (via application form) that the business is registered with the Council's Food Hygiene Section. If you are unsure if you are registered or you need to register, please contact the Food Team on 01925 442645 **BEFORE** you submit your Street Trading Application. (It is possible to be registered with other Local Authorities, please indicate this on the application form)
- Each applicant must provide a copy of the last Gas Safety inspection certificate (current within the last 12 months). This certificate can only be produced by an authorised engineer who is Gas Safe Registered for LPG - Commercial Catering - Mobile Catering. (See Appendix 5 for information on registered gas safe engineers).

Once received and verified, the Licensing Team will issue you with a receipt for your fee and return any original certificates (such as your Public Liability/Gas Safety certificates if you have submitted them).

The application will be consulted upon for a period of 7 consecutive days beginning the day after your application is received by the Licensing Team.

Once the 7 day consultation period has ended, and as long as there are no relevant objections received, the short term consent will be granted as soon as possible.

Should your application receive any relevant objections, then a delegated officer will determine the application with reference to the Street Trading Policy criteria.

A notice will be sent to applicants informing them of any decision and confirming the process for appealing a decision.

Applicants can expect to receive the following documentation:

1. Short term consent (which may include additional conditions) which must be displayed in the vehicle, van etc.
2. Mandatory conditions attached to the consent (See Appendix 2).

**Street food vending - Nutritional discount criteria  
Self-assessment questionnaire**

<b>Trading Name:</b>	<b>Trading Address:</b>
<b>Street Trading Consent No:</b>	
<b>Date:</b>	<b>Phone No:</b>

<b>Food safety</b>						<b>FOR OFFICE USE ONLY</b>		
What is your Food Hygiene Rating Scheme Rating	0	1	2	3	4	5	Unknown	
	(please circle)							
	Yes	No	N/A	Comments / notes / examples				
<b>Home made food</b>								
Do you make any food products from scratch e.g. soup? If yes, please attach the recipe(s) with your application								
<b>Salt</b>								
Do you add salt during food preparation e.g. Do you cook vegetables etc in unsalted water?								
Do you add salt to food before serving it to your customers e.g. chips, jacket potato								
Do you have salt cellars for customer use?								
If yes, please state where these are kept while you are serving customers								
Do you use lower salt alternatives of your regular ingredients, for example, baked beans, stock cubes?								
<b>Fat</b>								
What fat(s) do you use for cooking? Please specify								
What reduced-fat ingredients do you use, for example, mayonnaise, cheese?								

Do you use the minimum amount of fat possible to cook with?					
Please state what cooking methods you use to cook the majority of the food you offer					
What type of milk do you use for teas / coffees etc?					
Do you ask before using spread on food, for example on bread, jacket potatoes etc					
Do you check ingredient labels and buy lower fat alternatives, for example, meat products?					
Do you serve chips? If yes, have you altered your cooking practices in line with the Food Standards Agency's Tip for Chips guidelines?					
<b>Sugar</b>					
Do you have artificial sweeteners available alongside sugar?					
Do you supply diet or sugar-free drinks, pure unsweetened fruit juice or water?					
<b>Portion control</b>					
Do you offer smaller sizes of crisps, chocolates etc?					
Do you sell different portion sizes of foods such as chips?					
<b>Staff training</b>					
Have you trained staff to follow the above healthier catering practices?					

<b>FOR OFFICE USE</b>	
<b>Date Form Received</b>	
<b>Date of Visit</b>	
<b>Officer Initials</b>	
<b>Recipe checked</b>	<b>Y / N/A</b>
<b>Discount Granted</b>	<b>Y / N</b>
<b>Discount Not Granted/Reasons/Works Required</b>	

**Street food vending  
Nutritional discount criteria**

**Food safety**

- Must have acquired a 4 or 5 rating on the Food Hygiene Rating Scheme

**Healthier catering**

- Home made recipes have a healthy nutritional profile

Salt

- No salt is added during food preparation
- Salt is not added to food before it is given to the customers
- Salt is made less accessible, for example, by placing it behind the counter
- Lower salt alternatives are used whenever practical
- Vegetables are cooked in unsalted water
- Lower salt ingredients such as baked beans are used

Fat

- Saturated fats (e.g. lard) are not used for cooking – named vegetable oils such as sunflower and rapeseed are used
- Reduced fat ingredients are sourced (mayonnaise, spread, baked beans, cheese etc)
- As little fat as possible is used for cooking
- Alternative healthier cooking methods are used where possible
- Semi-skimmed / 1% / skimmed milk is used for drinks
- Spread or butter is only used on bread e.g. in sandwiches if the customer asks for it
- Where available, meat products with a lower fat content must be obtained
- The Food Standards Agency ‘Tips for Chips’ guidelines are followed as far as possible

Sugar

- Artificial sweeteners are available as an alternative to sugar
- Diet/sugar-free drinks, pure unsweetened fruit juice or water is available

Portion control

- Smaller packs of snacks such as crisps and chocolate are available
- Smaller sized portions of food such as chips are offered

Staff

- All staff are aware of the criteria the business has agreed to

**WARRINGTON BOROUGH COUNCIL  
STREET TRADING CONDITIONS**

**GENERAL**

1. The grant of a street trading consent shall not be deemed to give any approval or consent which may be needed under any byelaw, enactment or regulation other than Part 3, Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. For the avoidance of doubt this includes the requirement to seek and obtain planning permissions and/or advertisement consent.
2. A street trader shall have legibly and prominently displayed upon his/her receptacle a notice showing their name and the consent number of his/her street trading consent.
3. The consent holder shall notify the Director of Economic Growth, Regeneration & Environment of the Council immediately of any convictions or proceedings arising out of the use or enjoyment of the consent.
4. Traders shall notify the Council of any permanent change of address as soon as it occurs.
5. The trader shall not assign, under let or part with his/her interest or possession under this consent or any part thereof but may surrender it to the Council at any time.
6. The consent holder shall observe and comply with any directions in relation to the use of the street or public place by a duly authorised officer of the Council.
7. Nothing contained in these conditions shall relieve the consent holder, his/her employees or agents from any legal duty or liability and the consent holder shall indemnify the Council in respect of all claims, actions, demands or costs arising from this consent.
8. If the street trading site is located on private land, including forecourts, satisfactory written evidence must be provided to the Council that permission of the land owner or lessee has been obtained to carry out the street trading activity.
9. Only those goods specified on the consent may be sold on the licensed street trading area. All commodities must comply with current consumer protection legislation. Particular attention should be paid to the requirements of the Health and Safety at Work Act 1974, Food Hygiene (Market Stalls and Delivery Vehicles) Regulations 1966, the Shops Act 1950 and the Food Safety Act 1990.

10. A street trader shall not lend or allow any other person to use his/her licence or his identification badge.
11. A street trader shall not in any way alter, erase or deface his/her consent or his identification badge.
12. Trading may only take place on the dates and during the times specified on the consent.
13. Any receptacle used by the consent holder must be of a type and style approved in writing by the Council and positioned entirely within the licensed area.
14. Each consent holder shall ensure that disabled persons and wheelchair users can be adequately served. This may involve such customers being served from outside the vehicle/stall.
15. A consent holder shall not undertake any action or activity on the street, including trading from the site in a manner which, in the opinion of the Council, causes an obstruction in the street or constitutes a danger, nuisance, annoyance or inconvenience to the Council or to the owners or occupiers of any adjacent or neighbouring premises or to members of the public.
16. No advertisement shall be displayed on the licensed pitch which relates to any goods, commodities or services other than those offered for sale or provided on that pitch.
17. The consent holder shall comply with all reasonable directions given by the Council or by any authorised officer of the Council regarding any matter to which this consent relates.
18. No water or waste material shall be discharged onto the highway or any adjacent property.
19. The consent holder's vehicle/stall shall be kept in a clean, safe and well maintained condition.
20. At least one refuse container shall be provided by the consent holder and placed on the pavement near to his/her vehicle/stall and be available for use by his/her customers. A notice shall also be displayed requesting customers to deposit litter in a waste container.
21. The consent holder shall ensure that the area in the vicinity of his/her vehicle/stall shall be kept clear at all times of all refuse originating from his/her trade and from customers, and in particular, shall leave the site clear of such refuse at the completion of trading.
22. The consent holder shall ensure that his/her vehicle/stall is positioned only in the allocated area of the consent for which he/she holds a street trading consent. With the exception of static units, vehicles shall be removed from the site after the close of each trading day.

23. Where any vehicle or structure contains a portable or fixed heat producing appliance, the street trader shall provide a 1 x 2.5 kilogram dry powder fire extinguisher sited adjacent to the exit from the vehicle or structure, the extinguisher to be maintained in accordance with British Standard 5306; Part 3.
24. Notwithstanding the other terms and conditions relating to this consent, every street trader shall comply with any order or instruction given by any Police Officer in uniform:-
  - (i) for the prevention of obstruction or danger or annoyance to the public or to the occupiers of any premises; or
  - (ii) in connection with any emergency or disturbance; or
  - (iii) on any occasion when such officer in his discretion may consider it necessary in the public interest to give such an order or instruction.
25. Noise and litter issues resulting from the street trader remaining at the same location for a prolonged period will be governed by the Laws of Statutory nuisance, for example, the Environmental Protection Act 1990.
26. There will generally be a 100 metre exclusion zone around schools in which street traders are not allowed to trade. This restriction would only apply during term time and then between the hours of 12 noon to 2.00pm and 3.00pm to 5.00pm on any school day. The restrictions would apply to all street trading consents, regardless of whom the consent holders are targeting and whether or not the application is new or for a renewal of an existing consent.
27. The consent holder may terminate this consent by written notice to the Council.
28. The consent is personal to the consent holder and is not transferable.
29. If a consent holder fails to comply with any of the conditions attached to the consent he/she will risk the consent being revoked and risk prosecution.
30. These general conditions may be varied by any special conditions relating to a particular location as listed on the consent certificate.
31. In the case of day permits, fees must be paid in full, prior to the consent being issued.
32. If you are convicted of any offence(s), given a formal caution(s) for any offence or have any fixed penalty notice(s) imposed, you shall write to the Council giving full details of the offence(s), caution(s) or fixed penalty notice(s).
33. Nothing contained in these conditions shall relieve or excuse the consent holder or his/her employees or agents from any legal duty of liability.

34. At all times the consent holder shall comply with the legislation in force.
35. This consent may be revoked by the Council at any time and the Council shall not in any circumstances whatsoever be liable to pay any compensation to the holder in respect of such revocation.
36. The holder of a street trading consent plate shall return the said plate to the Council immediately on revocation or surrender of the consent.
37. The holder shall return this consent to Warrington Borough Council immediately on revocation or surrender of the consent.
38. Mobile units may sound chimes but NOT before 12 noon and after 7.00pm, on any day.
39. Trading in the Town Centre by any trader is prohibited unless a street trading consent has been granted by the Council.
40. Trading on Warrington Walking Day is prohibited by all street traders without the written permission of the Council.
41. Trading at the Halliwell Jones Stadium area(s) is not permitted by any street trader on match days without the prior approval of the Council.
42. Each applicant must provide a copy of the last Gas Safety inspection certificate (current within the last 12 months). This certificate can only be produced by an authorised engineer who is Gas Safe Registered for LPG - Commercial Catering - Mobile Catering.
43. The consent holder must not trade within any area that will conflict with the trade of any business, whether mobile or fixed premises, that is located within 100 metres of the trading site. This restriction will apply between the hours of 7am and 6pm and will apply to any trader trading in items similar to businesses within the area.

### Fees

1 April 2015 – 31 March 2016

The fees below have been set by the Full Council following consultation and will be reviewed annually.

#### **New Application**

- (a) With Food £542.00
- (b) Non Food £442.00
- (c) With Food (with waiver for adopting Nutritional Standards) £442.00

#### **Day Permit**

- (a) £65.00 per application form (Max of 12 applications per year)

#### **Renewal Application**

- (a) With Food £542.00
- (b) Non Food £442.00
- (c) With Food (with waiver for adopting Nutritional Standards) £442.00

#### **Short Term Consent**

- (a) £133.00 (Max of 1 application per year for 3 consecutive weeks)

The fee must be submitted in full with the relevant application form. Payment by instalment is not permitted for a street trading consent

The fee may be paid by cheque or postal order made payable to Warrington Borough Council or;

Credit/Debit Card payment over the phone by calling 01925 442119.

#### **Failure to Pay**

If a bank dishonours a cheque, this will result in the revocation of the street trading consent or the rejection of the application by the Council, unless payment of the outstanding fee(s) is made by credit/debit card or cash.

#### **Refunds**

Applications that are rejected either by delegated officers of the Council or by members of the Licensing Sub-Committee, will be entitled to a refund of the application fee.

Partial year refunds will not normally be offered for those applicants whose consents are surrendered or revoked part way through the consent period.

#### **\*\*Applicant's taking advantage of the Nutritional Discount\*\***

Please note that your application will be assessed on the basis of the information provided with your application form. A visit will take place after the determination of the application to ensure compliance with the criteria. Traders who are found not to comply with the nutritional standards will need to demonstrate compliance within 3 months of the visit or pay the balance of the outstanding fee. Failure to comply will result in the revocation of the consent.

**Basic Disclosure Barring Service Certificate**  
**(Formerly CRB)**

To apply for a Basic Disclosure (DBS) the applicant will need to contact Disclosure Scotland, details below:-

Disclosure Scotland

Website – [www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk)

Telephone – 0870 609 6006

Email – [info@disclosurescotland.co.uk](mailto:info@disclosurescotland.co.uk)

Applicants applying for a new street trading consent will be expected to obtain a DBS certificate from Disclosure Scotland which must be one month in date when submitted to the Licensing Authority.

The DBS certificate must in the name of the applicant as detailed on the application form and the original certificate must accompany the application form.

The Licensing Authority will ask for a new DBS certificate from an applicant every third year beginning with the year after the issue of a new consent.

The DBS certificate will be expected to accompany a renewal application and the Licensing Authority will make it clear to applicants when this is required.

Appendix 5

**Mobile Catering Gas Safe Registered Businesses**

**Deeside LPG Services**

Gas Safe Registered number **203611**  
T: 01244821666

**Flame Gas Services Ltd**

Gas Safe Registered number **302754**  
T: 07586 404040

**First Call Catering Maintenance Ltd**

Gas Safe Registered number **519171**  
T: 07855 977157

**SAS Gas Services**

Gas Safe Registered number **191961**  
T: 07967 229882

**PH Services**

Gas Safe Registered number **3116859**  
T: 07811 733895

**Emmett, Smith and Co Limited**

Gas Safe Registered number **535839**  
T: 01925 763683

**NML Gas Services**

Gas Safe Registered number **225393**  
T: 01744730908

**Process Gas Services**

Gas Safe Registered number **548477**  
T: 01925 763683

**KID Commercial Catering Equipment Services**

Gas Safe Registered number **66137**  
T: 03331232450

**Selwyn Building Services Ltd**

Gas Safe Registered number **211656**  
T: 0845 467 3205

**DISCLAIMER**

The information provided in this document is provided for the assistance of applicants and other persons and represents a summary of the relevant legislation at the time of publication. Interpretation of the legislation is ultimately a matter for the courts, and applicants and other persons must take their own professional and legal advice where appropriate.