

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING CONSENTS

MOBILE FRUIT & VEGETABLE STREET TRADING

APPLICATION FORM AND GUIDANCE

Licensing Service
Place Portfolio
Business Strategy and Regulation
Block C, Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD

Telephone Number: 0114 2734264
Fax Number: 0114 2734073

Or visit our website: www.sheffield.gov.uk/licensing
Or email us at: licensing@sheffield.gov.uk

Opening Times

Monday to Friday

10am to 4pm



GUIDANCE FOR APPLYING FOR A MOBILE FRUIT & VEGETABLE STREET TRADING CONSENT NOTES FOR APPLICANTS

The purpose of the Street Trading process is to allow the selling or exposing or offering for sale of any article (including a living thing) in a street, under the Local Government (Miscellaneous Provisions Act 1982

The Council passed a resolution under Schedule 4 of the above Act designating all streets (which includes roads, footway, forecourts, or other areas to which the public have access) within the Sheffield City Boundary as consent streets.

This designation took effect from the 1st April 2002. The effect of the above resolution is that from the aforementioned date, it is an offence to engage in street trading in any street or other place identified in the above resolution without being authorised to do so by consent from the City Council.

If you wish to street trade in Sheffield, you must apply to the Licensing Authority. Please ensure you fully read our Street Trading Policy before making an application to us. This can be viewed at www.sheffield.gov.uk/licensing.

Any street trading consent granted under the Local Government (Miscellaneous Provisions) Act 1982 will generally remain in force for one year or for such shorter period as the licensing authority thinks fit.

Mobile consents are issued to traders who want to trade from numerous locations for a short period of time and are restricted to two categories; ice cream and fruit and vegetable traders.

Any trader wishing to trade anything else other than fruit and vegetables under this application must do so by applying for a static street trading consent (please see static street trading application and guidance).

In order to regulate mobile street traders who trade in fruit and vegetables, restrictions are put in place as below:

- Traders will move from site to site and will only remain stationary for no longer than 20 minutes for sales to be made and must not return to that site within the same week (site refers to an 500 metre radius)
- Any consent issued for a mobile fruit and vegetables street trader does not permit the holder to trade within an 800 metre radius of the Sheffield Arena, Don Valley Stadium, Sheffield Wednesday and Sheffield United Stadiums on any event / match day (see attached plan) for four hours previous, during and one hour after any event.
- Mobile consent holders for the above are not permitted to trade within a 500 metre radius of any static traders, other mobile traders, or shops, trading in similar goods / articles.
- Mobile traders are only permitted to trade within the hours of 9am to 7pm inclusive seven days a week.
- Mobile traders for the above cannot stop within 800 metres of any school from an hour before the start of the school day until an hour after the end of the school day

- Mobile street traders as above will only be permitted to trade in a maximum of 5 areas in the city for each consent. The Licensing Committee may at any time wish to restrict the number of traders in a particular area.
- Mobile trading vans in this section are required to have a side hatch to serve customers to avoid obstruction.

1. **Eligibility Criteria**

An applicant:

- Must be at least 17 years old

2. **Fee**

- The fee of £325 is payable on submission of an application

3. **Application**

All questions on the application form must be answered unless otherwise stated. If relevant questions are not answered, the application will be deemed incomplete and returned to the applicant. Application forms are available from www.sheffield.gov.uk/licensing

To apply for the grant of a Mobile Street Trading Consent for fruit / vegetables and anything other than ice cream an applicant must produce to the Council:-

- a) A completed application form.
- b) The relevant fee.
- c) 3 colour photographs of the vehicle to be used showing front, back and side.
- d) Two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.
- e) Current passport of the applicant(s).
- f) Current drivers licence of the applicant(s).
- g) One other proof of identity, showing applicant's name and current address (recent utility bill, bank statement etc).
- h) Right to work documentation (if applicable).
- i) If trading in food, confirmation that the business has a food hygiene score rating of 3 or more.
- j) Confirmation that you can meet the qualitative criteria (as attached)
- k) Any further information you may wish to submit in support of your application.

The following documents must be forwarded to us before the grant of a consent:

- a) A certificate of insurance in respect of the vehicle.
- b) An appropriate vehicle test certificate.
- c) A certificate of public liability insurance (the level of cover shall be a minimum of £2,000,000).
- d) Written confirmation that the vehicle meets the Council's food safety standards.
- e) Waste management contract.
- f) Declare that you have registered as a food business if relevant.

4. **Consultation**

Once an application is received, it will be circulated to:

| | | |
|-------------------------------|---------------|--|
| South Yorkshire Fire & Rescue | 0114 272 7202 | www.syfire.gov.uk |
| Planning | 0114 203 9183 | planningdc@sheffield.gov.uk |
| Highways | 0114 273 6677 | highways@sheffield.gov.uk |

Twenty-eight days is given to the above services and anyone else thought relevant by the Licensing Authority to make comments on your application.

5. Traffic Regulation Orders

You will need to be aware of any parking restrictions (yellow lines) and other traffic restrictions on the highway when deciding where to site your vehicle.

If you think there is a traffic regulation order that might affect your consent, you must contact the traffic regulations section on (0114) 273 6178 or email Traffic_Regs@sheffield.gov.uk before you submit your application.

6. Objections

Any person objecting to an application for a consent shall give notice of their objection in writing not later than 28 days after the date of the application.

In any cases where an objection is received the application will be referred to Members of the Licensing Committee for their consideration. The applicant and objectors will be notified of the hearing and will be invited to attend.

7. Grant of a Licence

The Council may grant to any applicant a consent to trade in the terms and conditions as specified by the Council.

A consent will remain in force for one year, or such shorter period specified on the consent, unless previously cancelled or revoked.

All mobile street trading consents expire on the 31st March.

8. Offences

It is an offence for any person to engage in street trading in a consent street without being authorised to do so except under and in accordance with the terms and conditions of a consent granted by the appropriate Authority.

The maximum penalty on summary conviction is £1000 for each offence (each individual sale would constitute a separate offence).

Any person who, in connection with an application for the grant or renewal of a consent, makes a false statement which he knows to be false in any material respect or which he does not believe to be true shall be guilty of an offence.

9. Other Legislation to be Aware of

Food Establishments

Food establishments must be registered with Environmental Health (contact (0114) 273 5774 / 273 4415 or email: healthprotection@sheffield.gov.uk).

It is a criminal offence to operate a food business without registering.

There is no charge for registering with Environmental Health.

Trade Waste Disposal

You have a legal responsibility under the Environmental Protection Act 1990 and other related legislation to safely contain and legally dispose of any waste produced from your business. If you don't, you may be prosecuted.

For further information on this, please contact Environmental Protection on 0114 2037411 or visit www.netregs.gov.uk.

Identification of Consent Holders and Assistants

Consent holders must ensure that any person who is working on the site has obtained the relevant authorisation in the form of an identification badge from the Licensing Service.

Application forms for assistant identification badges can be collected from the Licensing Service.

Along with the form, the consent holder and any assistants must submit two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness. These will be used to issue an identification badge.

Assistant badges will be at a cost of £30 each.

Lost or replacement badges will be at a cost of £20 for consent holders and assistants.

The identification badge must be worn by the person/s working at all times.

Consent holders must ensure that the Licensing Service are immediately informed of any new assistants that are employed to work. Assistants may not commence work until being issued with the appropriate identification badge.

The consent holder must not allow anybody under the age of 17 to work on the pitch.

Applications must be submitted to:

**Licensing Service,
Block C, Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD**

The Service is open from 10am to 4pm, Monday to Friday. Telephone (0114) 2734264.

SHEFFIELD CITY COUNCIL
Licensing Service

PLEASE NOTE:

DISCLAIMER

The information / guidance supplied in this pack by Sheffield City Council, Licensing Service, is offered purely as a basic guide for your assistance.

Sheffield City Council can take no responsibility or liability for the completion of your application form.

We will however endeavour to offer basic information / guidance.

Should you require any legal assistance you must seek your own legal advice.

Stephen Lonnia
Head of Licensing
Sheffield City Council

Local Government (Miscellaneous Provisions) Act 1982

Application for a MOBILE Fruit & Vegetable Street Trading Consent

Notes to Applicant

All questions must be answered unless otherwise stated.

If relevant questions are not answered, the application will be deemed incomplete and returned to the Applicant.

***I / *WE HEREBY APPLY** to the Sheffield City Council for the grant of a Mobile fruit / vegetable and other traders street trading consent (*delete as appropriate).

A. THE APPLICANT(S)

| | | 1st Applicant (Mr/Mrs/Miss/other) | 2nd Applicant (Mr/Mrs/Miss/other) |
|-----------|--|--|--|
| Q1 | Full name(s) of the applicant | | |
| Q2 | Applicant(s) permanent private address | | |
| Q3 | Date of birth | | |
| Q4 | Nationality and place of birth | | |
| Q5 | National Insurance No. | | |
| Q6 | Do you have the legal right to work and live in the UK? | YES / NO Details: | YES / NO Details: |
| Q7 | Have you ever been refused a street trading consent in this or any other area? | YES / NO Details: | YES / NO Details: |
| Q8 | Telephone No | | |
| Q9 | Email address | | |

B. COMPANY DETAILS (if applying as a Corporate body)

| | | |
|------------|--|--|
| Q10 | Name | |
| Q11 | Registered address | |
| Q12 | Registered number | |
| Q13 | Telephone number | |
| Q14 | Email address | |
| Q15 | Please provide details of all Directors (names, addresses, dates of birth and details of any convictions). A separate sheet may be used. | |

C. LOCATION AND TRADING DETAILS

| | | |
|------------|--|--|
| Q16 | Please list a maximum of 5 areas of Sheffield to trade as a mobile trader: (you can use the attached area list to help you identify the Sheffield areas) | |
| | Area 1 | |
| | Area 2 | |
| | Area 3 | |
| | Area 4 | |
| | Area 5 | |

| | | |
|--|--|--|
| | <p>Note, Mobile traders</p> <ul style="list-style-type: none"> • will not be permitted to trade within “The City Centre Management Team Boundary”; • will not be permitted to remain static for more than 20 minutes, and cannot return to the same site within the same week (site refers to an 500 metre radius); • will not be permitted to trade within an 800 metre radius of the Sheffield Arena, Don Valley, Sheffield United and Sheffield Wednesday Stadiums on event / match days for four hours prior, during and one hour after each event; • will not be permitted to trade within a 800 metre radius of any school; • will not be able to trade in any other area except what is granted on the Consent; and • will not be permitted to trade within a 500 metre radius of any static traders, or other traders trading in similar goods / articles. | |
|--|--|--|

| | | |
|------------|--|--|
| Q17 | Trading items <i>(Unable to modify or change)</i> | <p style="text-align: center;">FRUIT & VEGETABLES ONLY</p> <p>Nb: No other items are permitted to be sold under this Consent, you must apply for a static consent for anything other.</p> |
| Q18 | Specify days of trade <i>(Permitted to trade 7 days a week)</i> | <p style="text-align: center;">7 DAYS A WEEK</p> |

D. THE VEHICLE

| | | |
|------------|--|------------------------------|
| Q19 | Description of vehicle to be used | |
| Q20 | Registration number | |
| Q21 | Date of first registration | |
| Q22 | Last MOT and service | |
| Q23 | Size of vehicle | Height: Width: Length: |
| Q24 | Does the vehicle meet the quality criteria? Your vehicle will be inspected prior to granting a consent. | |

E. CONVICTIONS / CAUTIONS

| | | | | |
|--|---|--------------------------------------|--------------------------|-----------------|
| Q25 | Have any of the applicants ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere? | Applicant 1 Yes [] No [] | | |
| | If the answer is Yes please give full details below: | Applicant 2 Yes [] No [] | | |
| Details of previous convictions and/or cautions | | | | |
| | Date of Conviction | Court of Conviction | Nature of Offence | Sentence |
| | Applicant 1 | | | |
| | Applicant 2 | | | |

F. CHECK LIST

The following documents must be attached with this application:

(tick)

| | |
|---|--|
| The appropriate fee | |
| Your current passport | |
| Your current drivers licence | |
| One other proof of identity, showing your name and current address (recent utility bill, bank statement etc) | |
| Right to work documentation (if applicable) | |
| Two colour (recent and identical) passport size photographs signed and dated on the reverse as a true likeness. | |
| Photographs of the vehicle / unit showing front, side and rear. | |
| Details of any food hygiene qualifications | |
| If trading in food, confirmation that the business has a food hygiene score rating of 3 or more. | |
| Confirmation that your vehicle meets the qualitative criteria | |
| Any further information you may wish to submit in support of your application | |

The following documents must be forwarded to us before the grant of your consent:

(tick if enclosed with this application)

| | |
|---|--|
| Certificate of insurance in respect of the vehicle / unit | |
| Appropriate vehicle test | |
| Public liability insurance (minimum of £2,000,000) | |
| Written confirmation that the vehicle meets the Council's food safety standards | |
| Waste management contract | |
| Declare that you have registered as a food business | |

G. DECLARATION

WARNING

Paragraph 10(3) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 gives the following warning:-

“Any person who, in connection with an application ...for a street trading consent, makes a false statement which he knows to be false, in any material respect, or which he does not believe to be true, shall be guilty of an offence.”

I / We,

- declare that all the information I have given in this application is complete and correct;
- declare that I am over 17 years of age (in cases of individual applicants)
- declare I understand and will comply with the Sheffield City Council Street Trading Consent Conditions;
- undertake to pay Sheffield City Council the relevant consent fee in advance whether demanded or not;
- understand that consents are not transferable;

- understand that the Local Authority reserve the right to make further enquiries with South Yorkshire Police as a result of this application as they may consider desirable; and
- understand that giving false information is an offence and may result in prosecution and / or a street trading consent being refused or revoked:

| | |
|--|--|
| | <p>Applicant 1</p> <p>Signature:</p> <p>Print name:</p> <p>Date:</p> <p>Capacity:</p> |
| | <p>Applicant 2</p> <p>Signature:</p> <p>Print name:</p> <p>Date:</p> <p>Capacity:</p> |

Please read these notes before completing the application form.

- (a) If there is insufficient room on this form to fully answer the questions; or if you wish to make any further statement in support of your application, please do so on a separate sheet of paper attached to this form.
- (b) None of the information which you supply on (or with) this form will be treated as confidential except where it relates to convictions.
- (c) The Council is under no obligation whatsoever to grant a consent to any person; you will be notified of the result of this application, as soon as possible.

Please return the fully completed form and all attachments to:

**Licensing Service,
Block C, Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD**

The Service is open from 10am to 4pm, Monday to Friday. Telephone (0114) 2734264.

**SHEFFIELD CITY COUNCIL
SHEFFIELD AREAS**

| | | | | | |
|---|------------------|---|----------------|---|------------------|
| A | Abbeydale | H | Hackenthorpe | S | Sharrow |
| | Acres Hill | | Halfway | | Sharrowvale |
| | Arbourthorne | | Handsworth | | Shirecliffe |
| | | | Heeley | | Shiregreen |
| B | Basegreen | | Hemsworth | | Skyedge |
| | Batemoor | | Herding | | Sothall |
| | Beauchief | | High Bradfield | | Southey |
| | Beighton | | High green | | Southey Green |
| | Bents Green | | Hillsborough | | Stannington |
| | Birley | | Hollins End | | Stocksbridge |
| | Bolsterstone | | | | Stradbroke |
| | Bradway | I | Intake | | |
| | Brightside | | | T | Tinsley |
| | Broomhall | J | Jordanthorpe | | Totley |
| | Brungreave | | | | |
| | Burncross | K | Kelham island | U | Upperthorpe |
| | | | | | |
| C | Catnerknowle | L | Langsett | W | Wadsley |
| | Chapelton | | Lodgemoor | | Walkley |
| | Charnock | | Longley | | Waterthorpe |
| | Crookes | | Low Bradfield | | Waverley |
| | Crookesmoor | | Lowedges | | Westfield |
| | Crosspool | | Loxley | | Wharncliffe Side |
| | | | | | Whirlow |
| D | Darnall | M | Manor | | Wincobank |
| | Deepcar | | Meadowhead | | Winn Gardens |
| | Dore | | Meersbrook | | Wisewood |
| | Dungworth | | Midhopstones | | Woodhouse |
| | | | Millhouses | | Woodseats |
| E | Ecclesall | | Mosborough | | Woodthorpe |
| | Ecclesfield | | | | Worrall |
| | Endlciffe | N | Nether Green | | Wybourn |
| | | | Netherthorpe | | |
| F | Fir Vale | | Norfolk Park | | |
| | Firth Park | | Norton | | |
| | Foxhill | | Norton Lees | | |
| | Fulwood | | | | |
| | | O | Oughtibridge | | |
| G | Gleadless | | Owlthorpe | | |
| | Gleadless Valley | | | | |
| | Granville | P | Park Hill | | |
| | Greenhill | | Parson Cross | | |
| | Greenlands | | Phillimore | | |
| | Grenoside | | | | |
| | Greystones | R | Ranmoor | | |
| | | | Ringinglow | | |

**CITY WIDE STREET TRADING
QUALITY SPECIFICATION
(This specification does not include the city centre)**

UNIT DESIGN

- Good display is an important part of the selling process and top quality presentation encourages purchase and benefits the retailers' reputation.
- It is in the best interest of traders to produce a high quality design both internally and externally in their unit.
- The function of the unit is to identify the trader and add vitality and colour to the immediate area, and reflect the quality, cleanliness in their operation. The unit must contribute to the appearance of the area for good or bad, so design matters to everyone who uses the street, as well as the operator.
- Stalls must enhance the visual appearance of the street rather than detract from it and be constructed in a suitable style and of appropriate materials.

Examples of acceptable designs include:

- Modern, simple, functional stalls with umbrellas, canopies or striped awnings.
- Traditional or 'period' type handcarts, barrows or tricycles.
- The stall design should be fully accessible for all customers.
- The outside of the unit will be limited to the name of the stall, the type of product sold and a simple price list. Ad hoc pictures and advertiser's slogans should be avoided, as should untidy handwritten signs.
- Advertisements on stalls will not be permitted except by permission of the Council in writing and subject to further conditions. The Council shall be the sole judge of what is an acceptable advertisement.
- Sign writing and scrollwork must be finished to a standard acceptable to the City Council.
- The unit must be visually acceptable to the City Council.
- The general design of the unit must meet the requirements of the Council for the location and proposed hours or days of trading. A photograph of the actual unit or proposed model must be submitted on application.
- Bright colours and a sense of fun are encouraged.
- Pitched and curved roofs are encouraged.
- Canopies must be maintained and cleaned.
- No expenditure on units or equipment should be made until the Council has granted consent and the unit design has been approved.
- The internal layout of the unit must be clean and to a high standard.

- Non-motorised vehicles (ie carts/barrows) are encouraged in pedestrian areas. For example shopping areas like Woodseats, Hillsborough, etc.
- Mobile trading vans must have a side hatch to serve customers.
- The unit / vehicle must be clearly identifiable as a trader.

Environmental Health considerations of the unit design:

For Enclosed Food units:

- The internal arrangements must be such that:
 - There is suitable and sufficient hand washing facilities with hot water;
 - The work surfaces are impervious to water and readily cleansable;
 - There is sufficient compliant temperature controlled food storage facilities appropriate to the business;
 - The gas and electrical installations are certificated and deemed to be safe by a competent and suitably qualified engineer; any gas store cupboard should be outside of the food area;
- The external arrangements must be that the mobile is sufficiently weather and pest proof so as to not risk the contamination of the food.

For Market-Stall or Street-Barrow type food units:

- The stall must be covered to prevent the risk of matter falling on to the food;
- The work surfaces likely to be in contact with the food must be impervious to water and readily cleansable;
- Any intrinsic storage food area must be able to be secured against the intrusion by pests;
- If temperature controlled food is to be stored on the mobile, the storage facility shall be capable of maintaining the food in a legally compliant manner;
- That there are adequate hand washing facilities.

Food Hygiene record (for all food stalls) - all food regulations have been adhered to:

- The applicant will need to demonstrate that:
 - they have registered with their home Local Authority;
 - all food handlers have received adequate food safety training appropriate to their job role;
 - the food business has a legally compliant Food Safety Management System (e.g. Safer Food, Better Business);
 - if there is a history of non-compliance, it has been addressed and accepted by the Food Safety Enforcing Officer, or that the food business is in the process of

addressing the issues and the Food Safety Officer does not consider the defect too severe so as to prohibit the food business from trading; and

- their business has a food hygiene rating score of at least 3.

DRESS

- Trader and their assistants must be identifiable (i.e wear a uniform).
- The style of dress worn by stall operators should be chosen to complement the style and period of the unit.
- Over clothing must always be smart and clean. Operators of food stalls should ensure that sufficient changes of clothes are provided so as to enable personnel to always wear over clothing, which is clean.
- Personal cleanliness is also important and persons employed at food stalls are required to have good personal hygiene.

GENERAL

- Vehicles used to tow trailers must be parked legally at all times.
- The Council will reserve the right to not renew any consent where it considers the product/s offered by the operator are not in keeping with the requirements of the site.
- The goods complement and do not conflict with the goods sold by other retailers within their proposed area(s).

The criteria above are intended to guide applicants for street trading consents as to the type of stall and dress, which the Council is looking to promote as a means of regulating the street trading.

It is not intended to exclude any design that does not fall within the examples given.