



Somerset
Council

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Street trading consent

Somerset Council has granted consent to **Wellington Town Council** to carry out street trading at **High Street and South Street in Wellington**, in accordance with the Schedule 4, section 7 of the Local Government (Miscellaneous Provisions) Act 1982.

The reference number for this consent is: **MY1/000702**

Permission has been given for the following van/vehicle/stall/barrow/cart to be used:

Trading stalls from local traders, community groups, charities and local schools.

This consent is valid between **03.06.2023** and **03.06.2023**. It is subject to certain conditions, listed on separate pages. The council can, at any time, vary these conditions or revoke the consent.

Dated: 5th April 2023

Executive Director – Community Services

Consent conditions

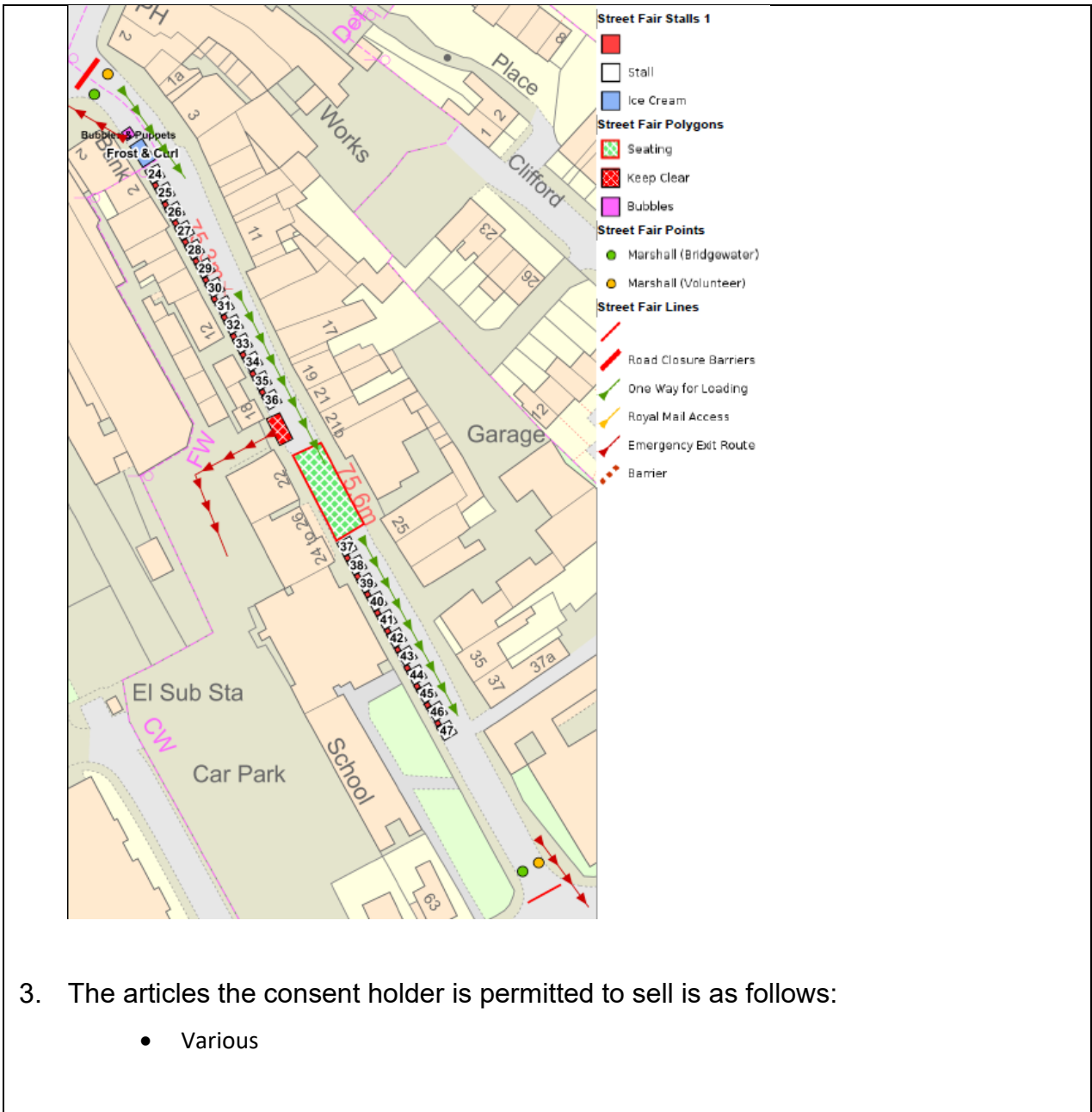
Appendix 1 - Consent holder's own specific conditions:

- Trading is permitted between the following hours only:

	Start	Finish
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday	10:00hrs	16:00hrs
Sunday		

- The permitted trading area is as follows: **High Street and South Street, Wellington** – see maps below





Appendix 2 - Standard trading consent conditions

General Conditions

1. These conditions may be dispensed with or modified by the Council in any individual case by means of a Consent variation in accordance with the statutory requirements.
2. The Council reserves the right to exercise its powers under the Local Government (Miscellaneous Provisions) Act 1982 to prohibit any street trading for a maximum of six days in any one year where it is deemed necessary by the Council subject to notice in writing at least 14 days prior to removing the Consent day(s).

3. The Consent given by the Council is not transferable and is applicable to the consent holder only and it will relate to a specific stationary van, cart, barrow or other vehicle or moveable stall.
4. Traders shall comply with any recommendations/advice given to them by the Council, any Authorised Officer of the Council or a Police Officer.
5. The Councils Street Trading Consent Notice shall be conspicuously displayed on the stall, barrow, cart etc, to which the Consent applies, so that it is clearly visible to the public.
6. The Consent Holder(s) shall notify the Licensing Unit within 72 hours of any convictions or proceedings arising out of the use or enjoyment of the Consent.
7. The Consent Holder shall not assign, underlet or part with his interest or possession under this Consent without informing the Council in writing.
8. The Consent Holder shall at all times maintain a valid Third Party Public Liability insurance policy to the satisfaction of the Council and shall produce a valid certificate of such insurance at any time upon request by an authorised officer of the Council.
9. If Trading is to take place on private land, the trader must have written permission from the Land Owner that trading can take place.
10. Traders/Trader Assistants must report the loss of a Consent Notice to the Council's Licensing Unit within 72 hours of losing it.
11. Traders/Trader Assistants must not trade under the influence of any illegal or intoxicating substance. Any traders found with illegal substances on their pitch or on their position will have their licence revoked.
12. Only those goods or services specified on the Consent may be sold or offered or exposed for sale on the street trading consent pitch.
13. Goods may not be of an inflammable, corrosive or otherwise dangerous nature.
14. All goods shall be clearly priced and goods sold by weight or number shall indicate the unit of quantity in which they are being offered for sale. A street trader offering a service shall make clear the nature and cost of that services
15. Traders shall, notify the Council in writing details of any assistants or of change of assistants working on the pitch.
16. Trading may only take place on the days and during the times specified on the Consent without special authorisation being given in writing from the Council.
17. Traders and their assistants employed by them shall ensure the public are treated fairly and with courtesy at all times.
18. Traders shall conduct their undertaking in such a way as to ensure so far as is reasonably practicable that no person is exposed to risks to their Health and Safety.

19. Traders shall notify the Council in writing of any change of address or addresses at which the stall and perishable goods are stored. Such notice shall be given within 7 days of the change.
20. If a trader wishes any of the terms of the Consent to be varied or to seek the Council's agreement under these rules, application must be made in writing to the Council in accordance with the statutory requirements.

Site Conditions

21. The trader will be responsible for cleansing of the trading area and ensure that all refuse arising as a result of the activities of the trader shall be placed in suitable covered containers provided by the trader, unless otherwise provided by the Council, and shall be kept exclusively for that purpose. Such refuse containers shall be kept as clean as is reasonably possible and disposed of in an approved manner on a daily basis.
22. The trader shall make such provision as is necessary to prevent any discharge of water or effluent from the street trading activity to any surface drainage or any other watercourse.
23. The trader when operating on a static site shall have access to suitable and sufficient sanitary accommodation for both the Consent Holder, and any persons employed in the street trading activity.
24. Advertisements or other notices must not be placed outside of the area of the street trading site without the approval of the Council. The Consent Holder shall not make any excavations or alterations of any description in the surface of the street or land in the ownership of the Council adjoining a street, or place or fix equipment of any description in the said surface except with the previous consent from the Council in writing.
25. The trader shall not place on the street or in a public place any furniture or equipment other than as permitted by the Consent and he must maintain the same in a clean and tidy condition and not place them so as to obstruct the entrance or exit from any premises.
26. Traders shall not allow any obstruction to fire hydrants, manholes or other street furniture etc, resulting from their business.
27. The trader shall trade only from the position, which is detailed on the Consent, unless directed to or agreed to by the Licensing Authority.
28. The trader must not cause or allow to be caused any damage to the street surface, street furniture, lighting and landscaping within the permitted area and will be responsible for the making good of any such damage.
29. No heat producing equipment shall be used without the express permission of the Council and any such equipment shall be so placed within the trading areas as to offer maximum safety to the public. The position of such equipment in relation to other goods or materials shall be agreed with the Authorised Officer of the Council.

30. Fabrics or other sheet materials used in the construction of the stalls, roof coverings, drapes or awnings shall be rendered flame retardant and maintained in that condition to the satisfaction of the Council.
31. Traders selling food products, shall comply with the provisions of the Food Safety Act 1990 (Amendment) Regulations 2004, General Food Regulations 2004, Regulations (EC) No. 178/2002, 852/2004, 853/2004 of the European Parliament and of the Council and the Food Hygiene (England) Regulations 2006.
32. Liquefied Petroleum Gas shall not be used without the express permission of the Council and any equipment using this gas shall have only flexible and approved armoured hoses complying with the relevant British Standard Specification or equivalent.
33. No mobile generators shall be used without the express permission of the Council. Where permission is granted generators shall be so positioned that: - they do not present a danger to the public do not present a fire or similar hazard to the stall, goods displayed thereon or adjoining premises and do not cause any noise or fume nuisance.
34. A competent person must install all generators and documentation must be provided to show that the generators have been maintained in accordance with the manufacturers instructions.
35. No combustible materials are to be stored in the vicinity of a generator and suitable first aid fire fighting appliance(s) must be immediately available.
36. Wherever possible all generators must be fuelled by diesel oil.
37. No fuel may be stored in the vicinity of a generator.
38. Generators must not be filled up during the trading day. All generators should be filled up at the start of the day before trading.
39. The Consent Holder shall ensure that any equipment, such as a generator, is in a safe working condition and suitably cordoned off to ensure that the General Public do not have access to the equipment.
40. All traders using any form of power must have a minimum of a one-litre fire extinguisher.
41. Mobile traders must not trade in an area that conflicts with the trade of any business or street trader that is located within the close proximity of the trading site.

Food Trading

42. Vans and stalls used for cooking must be adequately ventilated.
43. The Business must comply with current food safety legislation.
44. All staff must have attended, as a minimum, "level 1" Food Hygiene training within the past 5 years. Evidence of Food Hygiene training must be available for

examination by an authorised officer of the Council at any time when the unit is trading.