



Street Trading Licences and Consents – Guidance for Applicants

Introduction

- 1) Any person wishing to sell any goods in a street in Manchester may only do so under the authority of a licence or consent issued by Manchester City Council. The definition of a street includes any road, footway, beach or other area to which the public have access without payment (such as public parks and gardens or supermarket car parks).
- 2) Streets in Manchester are designated as either 'licence streets' or 'consent streets'. If you wish to trade in a licence street then you need to apply for a street trading licence. If you wish to trade in a consent street then you need to apply for a street trading consent.
- 3) Streets within the city centre are licence streets. There are a small number of streets that are prohibited streets so no street trading at all can take place there. Streets outside the city centre that are not prohibited streets are consent streets. See Appendix A at the end of this guidance for details of prohibited streets, licence streets and consent streets.

Making a new application

- 4) To apply for a new street trading licence or consent you need to submit the following documentation –
 - a) A completed and signed application form.
 - b) The required application fee is £720 for a Street Trading Licence (within Manchester City Centre) and £420 for a Street Trading Consent.
 - c) An additional fee of £11 for each assistant named in the application. This is to pay for the badge that all assistants are required to wear when working on the unit or stall.
 - d) A passport-sized photograph of each applicant for the licence or consent (a licence or consent can be granted to more than one person).
 - e) A passport-sized photograph of each assistant named on the application form. This is needed for the badge that all assistants are required to wear when working on the unit or stall.
 - f) A description of the precise location of the trading unit (for fixed location applications) – e.g. 'on the corner of...', 'next door to...', 'adjacent to...' etc. You may want to include a map to illustrate the location; or,
 - g) A full list of every street in which you intend to trade (for ice cream vans or other mobile trading applications).

- h) Three colour photographs of the trading unit illustrating the front, rear and side views of the unit.
 - i) Written permission from the landowner (only applicable where the location is private land such as a supermarket car park or a garage forecourt).
 - j) Written details of the proposed arrangements for the storage, collection, removal and disposal of refuse.
- 5) The following documents need not be submitted with an application for a new licence or consent but must be submitted and verified prior to any licence or consent being granted:
- a) A copy of the certificate of insurance covering third party and public liability risks.
 - b) Written permissions/certificates relating to advertisements, power source or generator (where applicable).
 - c) A copy of the food business registration certificate, where applicable. Please see contact details for registration in Manchester at the end of this guidance.

Please note: where the trading location is a public street planning permission will not normally be required. However, if the trading location is on private land (such as a garage forecourt or a supermarket car park) planning permission may be required.

Please contact Manchester City Council's Planning Department on 0161 234 4516 for further information regarding whether planning permission is required for your proposed trading location and how to make an application.

It is the applicant's responsibility to determine whether planning permission is required. Even if a licence or consent has been granted, you will not be able to trade without the relevant planning permission.

Statutory declaration

- 6) Each applicant will be required to make a statutory declaration in relation to any unspent criminal convictions. You will also need to declare any cautions or any pending matters.
- 7) If any unspent convictions or cautions are declared then the Council will hold a hearing to determine whether the applicant is a suitable person to hold a street trading licence or consent. The application will not proceed until the suitability of the applicant has been determined.

Renewing an existing licence or consent

- 8) To renew an existing licence or consent, where the applicant, the location, the trading hours or goods sold have not changed you need to submit the following documentation –
 - a) A completed and signed application form.
 - b) The required application fee as stated on the application form.
 - c) A description of the precise location of the trading unit (for fixed location applications) – e.g. 'on the corner of...', 'next door to...', 'adjacent to...' etc. You may want to include a map to illustrate the location; or,

- d) A full list of every street in which you intend to trade (for ice cream vans or other mobile trading applications).
 - e) A copy of the certificate of insurance covering third party and public liability risks.
 - f) Written permissions/certificates relating to advertisements, power source or generator (where applicable).
 - g) A copy of the contract for arrangements for the storage, collection, removal and disposal of refuse.
- 9) There is no need to apply for a new badge for assistants working on the stall when renewing the licence or consent if they already have one issued by the Premises Licensing team.
- 10) A photograph of the applicant(s) is not required if you already have a badge.
- 11) As above, a photograph of the assistants is not required if each assistant already has a badge.
- 12) Photographs of the trading unit are not required if the appearance of the unit has not changed in any way.
- 13) A statutory declaration in relation to any unspent criminal convictions is not required if there have been no new convictions since the licence or consent was granted, you just need to confirm this on the application form. If there has been a change you need to include a new statutory declaration form.

Submitting your application

- 14) If you wish to submit your application electronically, you can do so by e-mailing it to: premises.licensing@manchester.gov.uk. We will then e-mail you a secure link to pay for the application via our website. Please note that we can only accept e-mailed applications that are either signed electronically or are signed by hand and scanned. Please provide an e-mail address within the application form on submission and we will send you a secure link to make the payment by card once your application has been validated.
- 15) If you wish to submit your application by post, send your completed application form along with a cheque for the correct amount to:

Premises Licensing
Manchester City Council
Level 1 Town Hall Extension
Albert Square
PO Box 532
M60 2LA

Any cheque should be made payable to Manchester City Council.

Consultation

- 16) Once it's been determined that the applicant is a suitable person, the Council will consult with various interested parties, including the following –
- a) Occupiers of premises immediately adjacent to and opposite fixed location trading sites.
 - b) Local ward councillors and Neighbourhood Delivery Team Officers
 - c) Manchester City Council Highways Division
 - d) Manchester City Council Food Hygiene department
 - e) Manchester City Council Planning department
 - f) Manchester City Council Land & Property department
 - g) Greater Manchester Police
 - h) Any other interested parties relevant to a particular application.
- 17) Each application will be subject to a consultation period of 28 days to allow for any relevant comments to be returned. At the end of the consultation period the applicant will be advised as to the responses received in respect of the consultation and of the next stage of the application process.

Grant or Refusal of a Street Trading Licence or Consent

- 18) Where there are no objections to an application after the 28-day consultation period a licence or consent will be granted after verification of the following matters:
- a) All relevant food safety checks on the vehicle have been done and the relevant documentation has been provided by the local authority where the trading unit is usually kept.
 - b) All documentation, as outlined in 5 & 6 above, has been supplied to the Licensing Premises Team.
- 19) Where objections are received in respect of a street trading or consent application the matter will be dealt with as follows:
- a) A hearing will be held before the Licensing and Appeals Sub-Committee to determine the application.
 - b) The applicant and anyone who made an objection to the application will be invited to attend.
 - c) The Council will endeavor to hold all hearings within 28-days of the end of the consultation period.
 - d) At the hearing the sub-committee may –
 - (1) grant the licence or consent in full; or
 - (2) grant the licence or consent for fewer days or shorter hours, or limit the items permitted to be sold, or restrict the streets or part of a street in which the licence or consent holder is permitted to trade; or
 - (3) refuse the application.

Appeal Process

- 20) Street Trading Licence –

- a) The legislation provides a right of appeal to the Magistrates Court in respect of a decision by the Council not to grant, or to grant on different terms, a street trading licence.

21) Street Trading Consent –

- a) The legislation does not provide for a statutory right of appeal to the Magistrates Court in respect of any decision made in relation to a street trading consent. Any appeal therefore can be made to the full Licencing and Appeals Committee.

22) In both cases, any such appeal should be made within 21 days, beginning with the day on which the applicant is notified of the sub-committee's decision.

Miscellaneous

23) Legislation:

- a) The legislation that governs street trading is Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. Persons granted a street trading licence or consent are advised to ensure that they are fully aware of all legislative requirements. The legislation can be viewed using the following link:
<http://www.legislation.gov.uk/ukpga/1982/30/schedule/4>
- b) Persons making an application may also need to be aware of the following legislation (and any subsequent revisions):
 - i) Manchester Act 2010
 - ii) Environmental Protection Act 1990
 - iii) The Human Rights Act 1998
 - iv) Food Premises (Registration) Regulations 1991
 - v) Food Safety Act 1990
 - vi) Food Safety (General Food Hygiene) Regulations 1995 (as amended)
 - vii) The Food Safety (Temperature Control) Regulations 1995
 - viii) Health and Safety at Work etc Act 1974 and any regulations made under this Act.
 - ix) The Licensing Act 2003

This list is not exhaustive and there may be other relevant legislation.

24) A person will not require a street trading licence or consent for:

- a) Anything done in a market or fair.
- b) Trading in a trunk road picnic area as defined in s112 of the Highways Act 1980.
- c) Trading as a news vendor (newspapers and periodicals),
- d) Trading which -
 - i) is carried on at premises used as a petrol filling station; or
 - ii) is carried on at premises used as a shop or in a street adjoining premises so used and as part of the business of the shop.
- e) Selling things as a roundsman (e.g. a milkman).

25) Street trading can take place from a fixed location or the trader can be mobile and trade at various locations within a defined area (as an ice cream van does). Mobile traders will be asked to provide the times, days and streets where they wish to trade.

- 26) Trading between 11.00pm and 05.00am - any trader that wishes to submit an application for the sale of hot food and/or hot drinks that include the hours between 11.00pm and 05.00am will also need to submit an application for a licence under the Licensing Act 2003. The applications will be considered separately and obtaining one does not imply that the other will be granted.
- 27) Type of vehicle, trailer or stall - in general terms:
- a) The vehicle, trailer or stall to be used for a street trading licence or consent will be of a high quality design and build and will add to the quality of the street scene.
 - b) Any vehicle, trailer or stall that is to be used in the city centre will be of an agreed design and colour.
 - c) An authorised officer of the Council will inspect the unit prior to any consent or licence being issued.
 - d) Persons wishing to apply for a street trading licence or consent should seek advice from the Council as to their choice of vehicle, trailer or stall prior to purchase or submission of an application. See contact details at the end of this guidance.
- 28) Privately owned land and public parks:
- a) Trading on privately owned land will usually require a Street Trading Licence or Consent. Persons wishing to trade from private land should seek advice from the Licensing Premises Team prior to submitting an application. See contact details at the end of this guidance.
 - b) A relevant Street Trading Licence or Consent will be required in respect of any street trader operating in parks or public open spaces in Manchester as these are likely to fall within the definition of a street. Any such trader will also require authority from the relevant Council department (such as Leisure Services).
 - c) Trading in a public park or on private land such as a supermarket car park may incur a further fee as permission is required from the landowner as well as a street trading licence or consent being required.
 - d) Where a public park or other open space is being used as a venue for a concert or similar event (where public access is restricted to members of the public who have paid to access the site) a street trading licence or consent is not required within the restricted area. Persons wishing to trade at such events should contact the event organiser or the owner of the land where the event is taking place.
- 29) Temporary Licences and Consents:
- a) Temporary street trading licences or consents are possible, subject to consultation with key organisations. Street traders will not normally be granted permission to operate as part of a market.
- 30) Advertisements on Street Trading Stalls/Units:

- a) Street trading licence or consent holders wishing to advertise on or from their stall or unit shall, prior to any advertisements being displayed, seek written permission from the Licensing Premises Team.
- b) The use of advertising 'A' boards is not allowed.

31) Causing Damage:

- a) Any damage caused to the pavement flagstones as a result of street trading activity will result in the trader responsible for such damage being charged.

32) Using a Loudspeaker:

- a) In relation to any street trader who uses a loudspeaker to advertise in the course of their business, the provisions of section 62 of the Control of Pollution Act 1974 will apply. The use of loudspeakers for this purpose will only be permitted between the hours of 12 noon and 7.00pm.

33) Power Supply:

- a) The Council will normally expect a street trader to have their own power and water as part of a self contained unit. Where an external source is being used written permission shall be sought from the City Council, prior to any external power source being used.

34) External Power Sources:

- a) Any costs related to the use of any external power source will be borne by the licence or consent holder.
- b) Any generator and/or electrical equipment, including switchgear, should be satisfactorily barriered to prevent unauthorised access or interference.
- c) Generators –
 - i) Any generator being supplied shall have a certificate to show that it is electrically safe.
 - ii) Generators shall be positioned so as to reduce the length of cabling required to an absolute minimum and to minimise nuisance to local residents or businesses from noise or fumes. Where required, silenced generators or acoustically insulated generators should be sourced.
 - iii) Fuel for generators shall be stored safely in a suitable container at least 12 metres away from electrical or other sources of ignition and away from potential interference by others.
 - iv) A 2kg dry powder fire extinguisher shall be provided for any generator and all generator exhausts and moving parts shall be suitably guarded to prevent injury to others.
 - v) The Health and Safety Executive event safety guide HSG 195 gives detailed guidance on the use of generators and states: "Electrical power to catering operations should, wherever possible, be provided by the site electrical supply (see chapter on Electrical Installations and Lighting)".

- vi) Where petrol generators are used, a specific risk assessment (detailing how relevant hazards, i.e. fire, explosion, refuelling, segregation, fumes etc. are controlled) should be provided by the applicant.

Contact details:

Address: Premises Licensing Team, Manchester City Council, Level 1 Town Hall Extension,
Albert Square, PO Box 532, M60 2LA
Tel Number: 0161 234 5004 (call centre)
Email: premises.licensing@manchester.gov.uk

For information regarding registering a food business in Manchester please contact:

Address: Manchester City Council, Environmental Health, 1 Hammerstone Road,
Manchester, M18 8EQ
Tel Number: 0161 234 5004
Email: envh.licensing@manchester.gov.uk

Contact information for parks and open spaces can be obtained at the following website:
[www.manchester.gov.uk/a to z/service/1068/parks and open spaces](http://www.manchester.gov.uk/a-to-z/service/1068/parks-and-open-spaces)

Annex A

Prohibited Streets

The following streets are designated as 'prohibited streets' under the Local Government (Miscellaneous Provisions) Act 1982 – this means that no street trading of any kind is permitted in these streets.

Hulme, Ardwick, Moss Side - Oxford Road (except for the pavement area immediately in front of Grosvenor Park)

Bradford, Ancoats & Clayton - Hulme Hall Lane and Alan Turing Way (from the Rochdale Canal to Pottery Lane), Ashton New Rd, Mill Street, Wilson Street (from Holroyd Street to Clayton Lane), Clayton Lane, Croft Street, Simpson Street, Score Street, Quinn Street, Corbet Street, Colliery Street, Barking Street, Rowsley Street, Philips Park Road, Edwin Road, Cambrian Street (from Ashton New Rd to junction of Philips Park Road), Grey Mare Lane, Butterfly Street, Sledmere Close, Howarth Street, Brookshaw Street, Bronx Street, New Viaduct Street, Albert Street, Palmerston Street (from Albert Street to the junction of Viaduct Street), Councillor Street, Orme Street, Darley Street, Hulme Hall Lane and Alan Turing Way (from the Rochdale Canal to Pottery Lane), Ashton New Road (to the junction of Edge Lane), Briscoe Lane (from Alan Turing Way to Ten Acre Lane), Bradford Road (from Alan Turing Way to Barking street), Riverpark Road, Clayton Lane, New Viaduct Street, Gwelo St, Linfield Street, Bank Street, Fairclough Street, Stuart Street, Stuart Street East, Gibbon Street, Archer St, Clague St, Kinloch St, Willdale Close, Still Water Drive, Side St, Cantrell St, Aintree St

Cheetham - Trinity Way from A56 junction – Cheetham Hill Rd Junction (including the junctions themselves). Cheetham Hill Rd A665 Park St to Millar St. Dutton St to Park St and Robert St. Park Street to Shaw St, A56 Trinity Way to Chapel St. Hunts Bank, Walkers Croft, Victoria Station Approach up to Corporation St.

Wythenshawe - All streets within the area bounded by Simonsway, Brownley Road, Poundswick Lane and Crossacres and where the said area is bounded by a street the designation includes the whole of the street throughout the length thereof which forms the boundary and including all forecourts, roads, footways or other areas adjacent to the streets, referred to in this resolution for a distance of 30 meters.

City Centre - The area known as St Ann's Square and Exchange Street from the junction of St Ann's Square with St Ann's Street along its length and including Exchange Street along its length to its junction with St Mary's Gate and where the said area is bounded by a street throughout the length thereof which forms the boundary. The area known as King Street from Cross Street along its length to Deansgate and where the said area is bounded by a street throughout the length thereof which forms the boundary Market Street and St Mary's Gate, Piccadilly, New Cathedral Street, Exchange Square.

Licence Streets

The following streets are designated as 'licence streets' under the Local Government (Miscellaneous Provisions) Act 1982 – this means that street trading can only take place under the authority of a street trading licence. Please note, all licence streets are in the city centre.

All streets within the area bounded by the River Irwell, Regent Road, Dawson Street, Egerton Street, Mancunian Way, London Road, Travis Street, Sheffield Street, a line drawn between the junction of Baird Street and Sheffield Street and the junction of Sparkle Street and Chapeltown Street, Sparkle Street, Store Street, Great Ancoats Street, Redhill Street, Bengal Street, Oldham Road, Thompson Street, Rochdale Road, Gould Street, Dantzig Street, Victoria Station to Miles Platting Railway line, Cheetham Hill Road and Trinity Way (formerly New Bridge Street) and where the said area is bounded by a street the designation includes the whole of the street throughout the length thereof which forms the boundary and including all forecourts, roads, footways or other areas adjacent to the streets referred to in this resolution for a distance of 30 metres but excluding any land or streets in the ownership or control of the British Railways Board, such area being indicated in the plan.

Consent Streets

Any street not identified as a prohibited street or a licence street can be considered for applications for a Street Trading Consent.