

Street Trading Consent - guidance for new applicants

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What is street trading?

West Suffolk Council has adopted the provisions of the Local Government (Miscellaneous Provisions) Act 1982 so that it can effectively control street trading.

Street trading covers a wide range of outdoor retail and catering activities undertaken in public streets. It includes familiar sights such as flower sellers, ice-cream vendors, fancy goods, souvenir stalls and a variety of hot and cold catering activities such as burger vans. Under the act, it does not cover the council run markets.

Before contacting us, we strongly advise you take time to read all the information about each application step below in conjunction with the [West Suffolk Council Street Trading Policy](#).

All new applicants must be at least 17 years old.

Step 1 – Before you apply

Trading pitch

Before you submit an application, you will need to identify a suitable trading pitch or site. It is for the applicant to identify a suitable pitch having regard to the requirements in the [West Suffolk Council Street Trading Policy](#) and your business needs.

A suitable pitch must meet the following criteria:

- be safe for other street users including traffic and pedestrians
- be safe for customers using the street trading unit
- not cause any potential for obstruction, interference, inconvenience or nuisance to other street users including other traders, traffic and pedestrians
- not cause any potential for nuisance to residents and other businesses for example noise and/or smell
- the goods being sold complement and do not conflict with the goods sold by other established retailers within vicinity.

Discussion with licensing officer

Once you have an idea of potential trading pitches you will need to speak to the licensing team who will be able to advise you on the next steps and to ensure that you have adequately considered the above criteria.

Please email licensing@westsuffolk.gov.uk with the subject header of **potential street trader**. It will help us if you can supply details of the following:

- potential pitch location(s)
- confirmation that you have approached the landowner for permission or the Highways Authority to confirm that they have no objection to trade from the location
- potential trading times
- goods you intend to sell

A member of the licensing team will then be in touch to discuss your application in more detail. Once discussed, an application form and payment link will be emailed to you.

Other supporting documents required

Disclosure and Barring Service (DBS)

You will need to apply for a Basic Disclosure and Barring Service (DBS) certificate. The process usually takes a few weeks for the certificate to return. Therefore, we advise that you submit your DBS application as early as possible and continue completing the additional requirements of your street trading application while your DBS is being processed.

You will need to ensure that regular assistants apply for a Basic DBS certificate and that you submit evidence of these as part of your application. For the purposes of the DBS, we would consider any person who works on the unit, or in any other customer facing role, without the consent holder being present, for more than 14 days a year, as assisting on a regular basis.

Please note – the Disclosure and Barring Service have specified that applications should not be processed if documents don't match exactly. This includes hyphens in names, therefore before you submit your DBS application, you should check that all your documents meet these criteria.

Photographs of the stall

Colour photographs of the stall or vehicle that is intended to be used for the street trading activity.

Proof of insurance

Evidence of valid public liability insurance of at least £5,000,000

Gas Safety Certificate

The gas safety certificate will need to be a commercial, mobile catering gas safety certificate, CP44. Additionally, it must need to be undertaken by someone who is authorised to provide the relevant service (LPG or natural and per equipment specific): [Find or check a Gas Safe registered business](#)

This is an annual requirement.

Food businesses

Evidence of food registration

If you are intending to sell food as part of your business, then you will need to ensure that you register your business with the local authority where your vehicle or stall is being stored overnight. Registration is free and can be done on the [GOV.UK - Register a Food Business](#) webpage.

Following registration, you will receive email confirmation and your registration number. Hold onto this as it will form part of the information that you need to provide for application. If you are already registered with a local authority, then it will be sufficient to source a copy of your most recent inspection report.

Waste transfer contract

A valid waste transfer agreement, or waste carrier licence.

Static consent application

Permission of landowner

Where the application is to trade on private land, written confirmation of freeholder's permission to trade on land.

Where the application is to trade on the highway, written confirmation from the Highways authority to trade from this location.

Plan of trading location(s)

A plan clearly identifying the proposed trading area with a red line on a map. Where the application is for more than one location each site will need to be detailed and marked.

Mobile consent application

Plan of trading location(s)

A map that shows the area to be trade from, marked clearly with a red line on a map.

In the case of mobile ice cream traders then names of the streets and parishes is enough.

Step 2 – Completing your application

Once you have all the documents you require from the areas covered above in Step 1, you can now complete the final requirements of your Street Trading Consent application.

An application form and payment link will be emailed to you following your discussion with a licensing officer.

You will need to complete the street trading application form in full. Please make sure you answer all the questions and tick all boxes as required, including the declaration. The form must be signed. We accept electronic signatures.

Right to Work check(s)

Street trading consents must not be issued to people who are unlawfully present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from holding such a consent. Therefore, you will need to supply proof of your right to work in the UK. This can be by providing a document such as a UK passport, or by providing a share code. For full guidance on how to prove your right to work in the UK, please visit: [GOV.UK - Prove your right to work to an employer](https://www.gov.uk/prove-right-to-work-employer)

You will be required to check the right to work of all persons you employ to assist you under your street trading consent. Any trader found to allow an illegal worker to work as part of their trading activities is likely to have their street trading consent reviewed and/or revoked.

Proof of identity

You will need to provide a valid photo document such as a passport or driving licence for yourself (if not already provided) and for any customer facing assistants.

Fees

The full fee for street trading consent is **£409**.

There is a non-refundable fee of **£250** to cover the cost of processing your application and administering the consultation. This must be paid in advance and proof of payment must be submitted with your street trading application.

The balance of **£159** will be collected after the end of consultation pending a positive determination.

No partial refunds will be given should your consent be surrendered or revoked before the expiry date.

Step 3 – Submitting your application

All applications for street trading consent require at least 28 days' notice to be given to the Licensing Team. This is to allow sufficient time to process the application.

Your complete application should be sent on one email to: licensing@westsuffolk.gov.uk. The subject line should state **new street trading application**. Each supporting document should be added as an attachment.

The most common reasons for rejected applications are:

- multiple emails – attaching as PDF or JPEG documents will help with file sizes to send as a single email
- embedded documents (putting documents inside the body of the email)
- embedded links to documents on file sharing sites can cause issues with access for licensing or may be blocked due to our IT security
- multiple pages per supporting document rather than one attachment for each document for example two pages of an insurance certificate must be combined into one document
- missing documents – follow the checklist on the application form if you are a new applicant or renewing. If you are not sure or have any issues acquiring a document, please contact us before you submit so we can advise and support you
- incomplete application form – double check every box and question has been filled in
- missing payment – if you have paid and do not complete the payment reference section on the application form, a screenshot or just the payment reference in your email is also acceptable.

Useful tips on how to submit your email

- Use a computer rather than a mobile phone. This makes it easier to attach documents.
- If you don't have your own computer or access to one, you can use a computer and email address belonging to someone else or use one at the public library.
- Use the Word version of the application form and complete it electronically if you can - then you do not need to print it and write it out – you can type directly into the form, and we accept electronic signatures or typed signatures.
- Attachments:
 - these must be in PDF or JPEG format (as shown in the screen shot above). You can use apps or programmes to convert pictures from your mobile phone to PDF.
 - make sure they are legible, not damaged, or defaced, or blurry, the right way up and clearly labelled (as shown in the screen shot above)
 - only send one email with all the required documents.
- Once you have all your documents ready in PDF or JPEG format, attach them to the email. Make sure you have attached all the documents required on the application form attached to the email before sending it.
- Make sure you have paid and remember to add your payment reference onto the application form or as a screenshot or text in the email.

Step 4 – What happens next

Consultation

Once we have confirmed receipt of payment and a complete application, we will undertake a consultation exercise within three working days in order to seek the views of other agencies.

Consultees will then have a period of 14 days (minus bank holidays) in which to lodge representations with the Licensing Team.

Review

After the consultation period a Licensing Officer will review any representations that have been received to assess the suitability of the business and the suitability of the applicant. More details of the points they will be considering can be found in the [West Suffolk Council Street Trading Policy](#).

On approval

If no representations are received, then the applicant is notified of its approval.

We will contact you if you have been successful and to provide you with a link to make the remaining payment of £159.

Once we have received payment your street trading consent will be issued.

On refusal

Where the Licensing Officer feels that that the business or the applicant is not suitable and does not meet the street trading criteria they will refuse your application.

If this is the case, then we will write to you and explain the reason why your application was refused. It may be the case that you are able to amend your application for example a change to locations and resubmit in the future.

On referral to the Licensing and Regulatory Sub-committee

Alternatively, the Licensing Officer may make the decision to refer your application to the Licensing and Regulatory Sub-committee for determination.

The Licensing and Regulatory Sub-Committee will determine an application with regards to the suitability criteria, as detailed in the [West Suffolk Council Street Trading Policy](#).

A panel of three elected members will hear your application and determine whether to grant your application as applied for, whether to grant your application provided additional conditions are met, whether to modify the days, times, or locations from which trading may take place, or whether to refuse your application.

Appeal

We recommend that you initially contact the Licensing Officer to discuss why your application was refused. They will be able to explain the reasons why and may be able to provide you with additional insight should you be in a position to apply for a street

trading consent in the future.

There is no statutory right of appeal against a refusal to issue a street trading consent. However, you may appeal against the decision through the [West Suffolk Council Complaints Procedure](#).

Any appeal against a decision must be made in writing to the council, setting out the reasons the applicant believes the decision is unwarranted.

More information

Please be aware that this document is just a quick guide on how to apply for a new Street Trading Consent and you must refer to [West Suffolk Council Street Trading Policy](#) to find full details and guidance on the criteria and conditions that must be met.

Application process with timeline

1. Applicant submits street trading consent application to West Suffolk Council with supporting information
2. Licensing Officers review application to ensure that it is valid and meets policy requirements
3. If an incomplete application is received, then the application is rejected, it is returned to the applicant, and the reasons given
4. Licensing Officers consult with interested parties or relevant authorities to see if they have any comments or concerns. Consultees have 14 days (minus bank holidays) in which to respond in line with street trading policy requirements
5. If the application is for a static consent, then licensing officers may carry out site visits to review the general vicinity
6. Licensing Officers review responses from consultees.

Consent granted

7. If no responses are received, then the applicant is notified of its approval and consent is issued. The consent can be issued with standard or specific conditions dependent on the consultation responses.

Consent refused

8. If a Licensing Officer or another consultee objects to the application within policy requirements, then the application is refused. The decision notice and copies of relevant responses are sent to the applicant.
9. In the event of their application being refused, the Licensing Team may take this opportunity to encourage the applicant to put forward a new application which included significant change(s) to their original submission e.g. proposed trading hours or goods that will be offered for sale.

Appeals process

10. The applicant may appeal against the decision through the West Suffolk Council Complaints Procedure: [Comments, compliments and complaints](#).
11. On receipt of an appeal request, the decision will be reviewed, and the applicant informed of the outcome.

Tacit consent does not apply

It is in the public interest that the authority must process your application before it can be granted. Please contact us at licensing@westsuffolk.gov.uk if you have not heard from us within a reasonable time.

Changes to the unit

You must contact the licensing team if you want to change your unit.

Change of assistant or staff

A consent holder must provide licensing with confirmation that they will require a basic criminal record disclosure that is not more than 30 days old for any persons that assist in a customer-facing role on a regular basis. A copy of the criminal record disclosure must be provided to the licensing authority within fourteen days.

Right to work checks

You will be required to check the right to work of any persons you employ to assist you under your street trading consent. Any trader found to allow an illegal worker to work as part of their trading activities is likely to have their street trading consent reviewed and/or revoked.

Do I need a pavement licence?

Responsibility for licensing tables and chairs sits under separate, national legislation (Business and Planning Act). Whilst these activities are licensed by West Suffolk Council, they are not covered by the Street Trading Policy.

Pavement licences to site tables and chairs outside a premises are covered by separate, national legislation, which was recently made permanent by the Levelling-up and Regeneration Act 2023.

Fees

The fee for a one yearly street consent (static or mobile) is £409 per application and is the same regardless of the type of consent (static or mobile) or the location being applied for. The fee for a street consent variation (for example to add additional sites) is £249.