

BOLTON COUNCIL

NOTES FOR GUIDANCE - STREET TRADING CONSENTS

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The Licensing Team
Ground Floor
Town Hall
Bolton
BL1 1RU

Tel 01204 336584

1. **INTRODUCTION**

These notes are for guidance only and are not exhaustive, reference should also be made to Local Government (Miscellaneous Provisions) Act 1982 Section 3 & Schedule 4.

2. **CORRESPONDENCE**

All correspondence should be addressed to the Licensing Team, Ground Floor, Town Hall, Bolton BL1 1RU.

3. **TELEPHONE ENQUIRIES**

Telephone enquiries should be made by telephoning a direct line to the Licensing Unit – Bolton (01204) 336584 (office hours Monday - Friday).

4. **STREET TRADING**

Any person who wishes to sell goods or articles, which includes food and any living thing, from a 'consent street' within Bolton must have a Street Trading Consent. A 'consent street' includes private property if members of the public can gain access without payment. The holder of a Street Trading Consent can trade from any appropriate location (a pitch) in a consent street or operate as a mobile unit eg ice cream vendors, but you must not cause obstruction or nuisance, trade in a prohibited area, or occupy a pitch within 100 metres of a fixed premises retailing the same or similar goods.

All the streets within the Bolton area are designated as 'consent streets' for the purpose of street trading EXCEPT the main commercial centres where street trading is prohibited – Bolton, Farnworth, Horwich and Westhoughton town centres and the area around the Middlebrook complex and the Reebok Stadium.

5. **CHOOSING A LOCATION TO TRADE**

- You may only trade from the location(s) which you identify on your application form - for mobile traders e.g. ice cream vendors, this may be the whole of the borough – however you are required to provide a map indicating the area you intend to trade in.
- You cannot in a prohibited area – these are shown in para 15.
- You cannot trade within 100 metres of any fixed trade outlet selling similar goods during their trading hours normal trading hours.
- You cannot trade in the area of another local authority using the Consent issued by Bolton Council.

- Once you have found a prospective pitch, you are advised to contact the Highways on 01204 336627 to ensure that trading from the pitch will not cause an obstruction or breach any restriction which is the responsibility of the Highways Section.
- If your prospective pitch is on private land, we will ask you for written confirmation that you have the permission of the landowner and you may require planning permission, as the current planning permission may not cover the supply of goods covered by a street trading consent. Confirmation regarding planning permission should be obtained from the landowner and/or the Planning Department at Bolton Council.
- You may renew your street trading consent up to one month before it expires using the same application form (STC1).
- Where the Council receives more than one application to trade from the same location, the applications will be referred to the Licensing and Environmental Regulation Committee for determination.
- If during the consent period you wish to move to a different location, you must notify the council in writing and ensure that the above criteria is met.

6. **HOW TO APPLY FOR NEW APPLICATION**

To apply for the first time for a street trading consent you will need all of the following

- A completed application form (which is available to download from www.bolton.gov.uk)
- Proof of your National Insurance Number
- Proof of your home address – utility bill; bank statement, etc
- 1 passport style photograph of you and any employees – name(s) written on the reverse of the image(s)
- Employee registration form for each employee (which is available to download from www.bolton.gov.uk)
- Proof of National insurance for employees
- 2 photographs of your trading unit – front and side view
- Consent Fee/ Plate Fee/ Protected Pitch Fee* – see attached fees.
- If you intend to sell food and/or beverages, proof of registration with Food Control Unit (Food Safety Act 1984)
- DVLA licence (card and paper) for the person towing/driving the unit
- Insurance certificate and V5 for vehicle towing the unit.
- Your fee is determined by how long you want your trading consent to last.

NB Personal callers will only be seen by the licensing team by appointment. To arrange an appointment please contact 01204 336584 or by emailing the licensing at licensing.unit@bolton.gov.uk

7. **RENEWAL APPLICATION**

To reapply for a street trading consent you will need the following:

- A completed application form (which is available to download from www.bolton.gov.uk)

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- Proof of your National Insurance Number
- Proof of your home address – utility bill; bank statement, etc
- 1 passport style photograph of you and any employees – name(s) written on the reverse of the image(s)
- Employee registration form for each employee (which is available to download from www.bolton.gov.uk)
- Consent Fee/ Plate Fee/ Protected Pitch Fee
- Proof of National insurance for employees
- DVLA licence (card and paper) for the person towing/driving the unit
- Insurance certificate and V5 for vehicle towing the unit
- Your fee is determined by how long you want your trading consent to last,

NB Personal callers will only be seen by the licensing team by appointment. To arrange an appointment please contact 01204 336584 or by emailing the licensing at licensing.unit@bolton.gov.uk

8. **PITCH PROTECTION**

Where a trader wants the right to exclusive use of their chosen location, and where there is no other restriction to occupy that land (statute; ownership of land, etc), they must demonstrate that either:

- a) They have traded exclusively from that location for a period of more than 26 weeks within the last twelve months; or
- b) That the location has not been occupied by a street trader during the preceding twelve months; and
- c) That the consent applied for is for at least three months

The council may then issue a consent giving the applicant pitch protection for the period of the consent upon payment of a 25% premium.

No other trader shall be allowed to trade within 200 metres of a protected pitch without the written permission of the council.

The Licensing Unit will take all reasonable steps to inform all consent holders of the positions of protected pitches. Any trader who trades from a protected pitch without permission may have their street trading consent revoked.

Where there is more than one application for the same location and neither of the applicants can meet the above criteria, the Licensing and Environmental Regulation Committee will determine to whom the consent should be granted.

9. **EMPLOYEES**

Where you employ staff you will need the following:

- 1 passport style photograph of any employees – name(s) written on the reverse of the image(s)
- Employee registration form (STC2) for each employee.

There is no fee for processing employee registration forms.

10. TRAILER CHANGE

You will need to notify the Licensing Unit if you change the trailer which you trade from.

11. SELLING YOUR STREET TRADING BUSINESS

PLEASE NOTE: It is not possible to transfer a street trading consent if you sell your business. As the existing consent holder will need to surrender your consent and plate and notify the council writing.

Please see the *Refunds* section for information on refund of fees.

The purchaser will need to make an application in their own right.

If the pitch is currently protected when you sell the business, the new proprietor can apply for this automatically

12. REFUNDS

Where a refund is to be granted because the consent and consent plate are returned or revoked, the amount refunded will reflect the fee which the council would have charged for that period for which the consent has been in force; for example, if an application is made for a consent for 12 months, but is returned after seven days, a refund will be made of the difference between the 12 month fee and the 8 day fee.

15. SCHEDULES

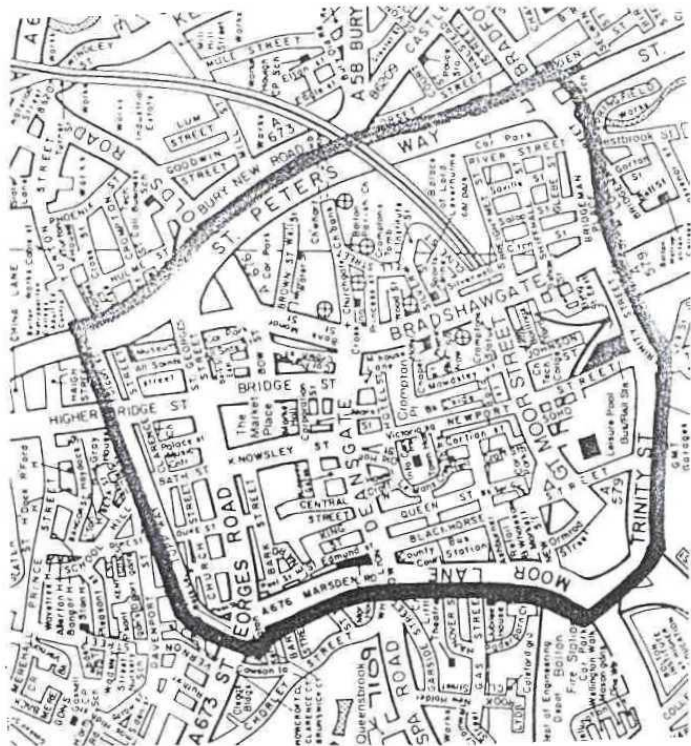
STREET TRADING CONSENTS – PROHIBITED AREAS

Bolton Council prohibits street trading in the following designated areas of the borough. Any person contravening this requirement commits an offence and may be prosecuted.

BOLTON

Area bounded by: -

Topp Way
St. Peter's Way
Bridgeman Place
Trinity Street
Crook Street
Moor Lane
Marsden Road



FARNWORTH

Area bounded by: -

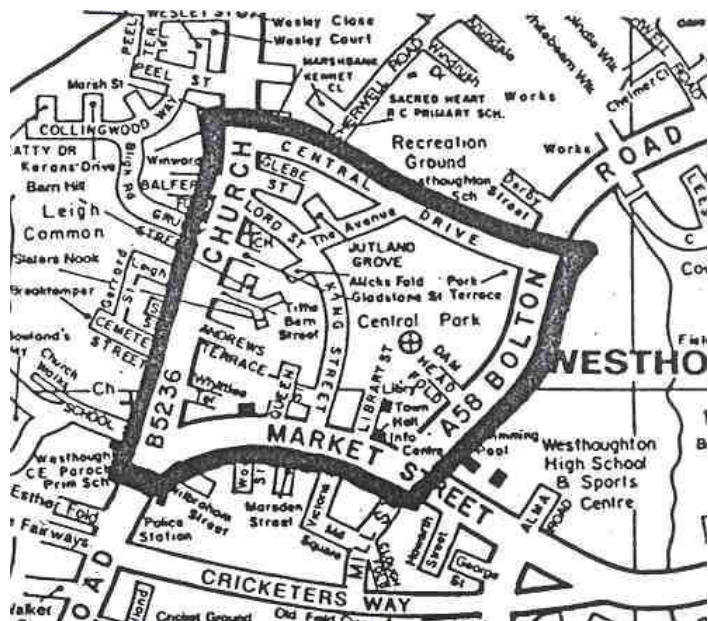
Market Street
Longcauseway
Albert Road
Gladstone Road



WESTHOUGHTON

Area bounded by: -

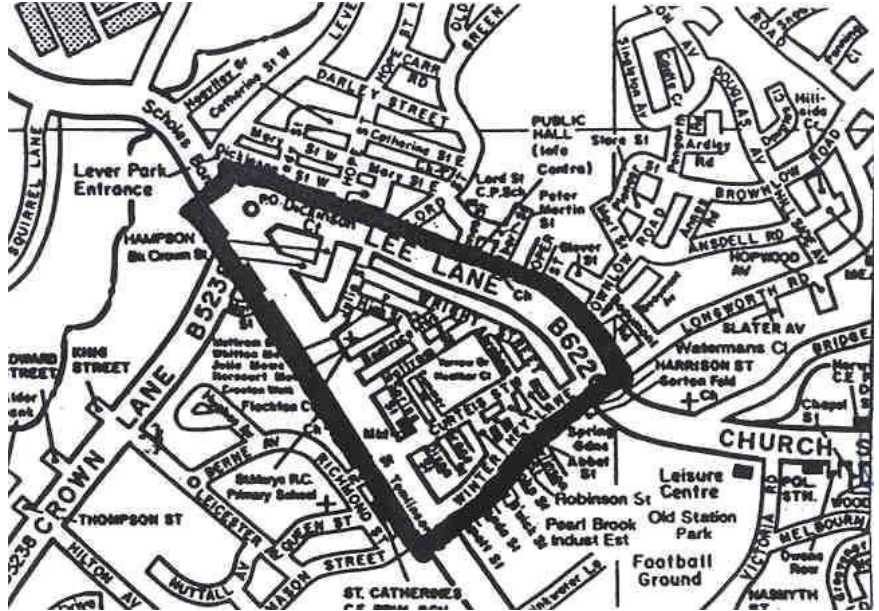
Market Street
Bolton Road
Central Drive
Church Street



HORWICH (AREA 1)

Area bounded by: -

Chorley New Road
Winter Hey Lane
Lee Lane



HORWICH AREA 2 – MIDDLEBROOK STREETS WHERE STREET TRADING IS PROHIBITED

(outlined in bold below)

Arena Approach

Aspinall Street

Aspinall Way

Burnden Way

Chorley New Road from Victoria Road to de Havilland Way (A6027)

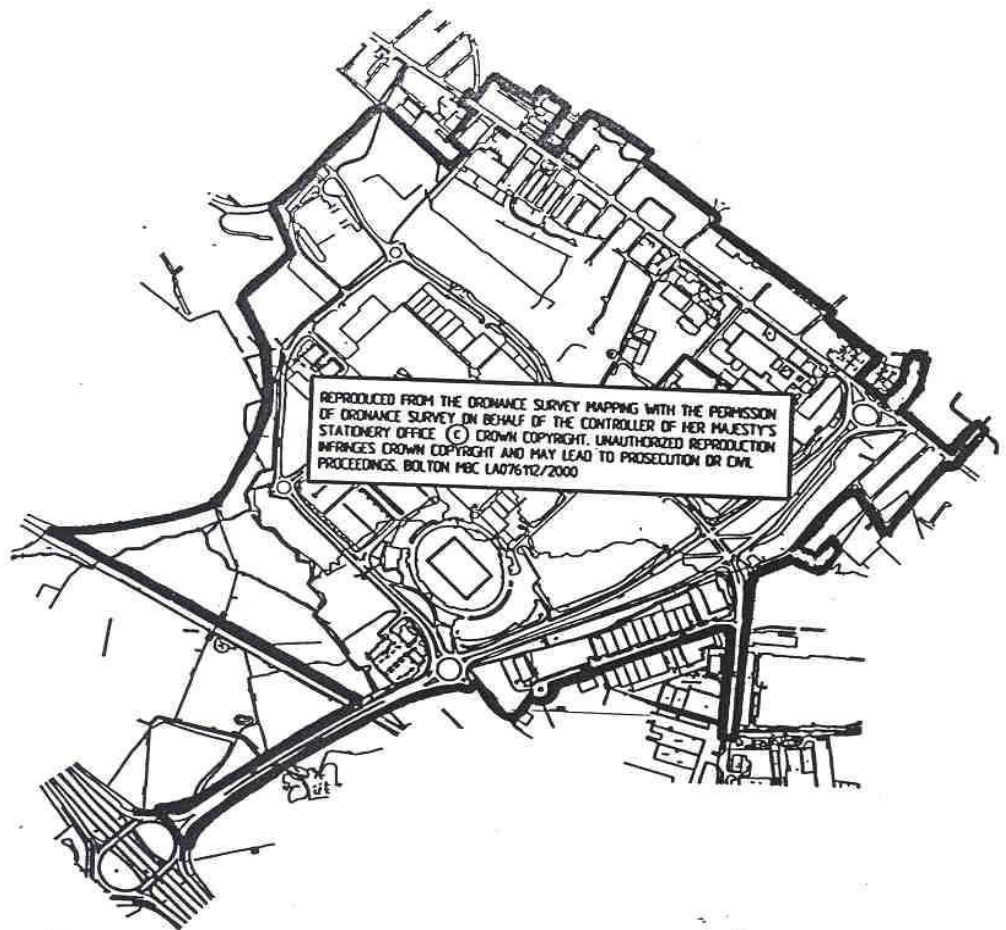
de Havilland Way (A6027) from Chorley New Road to M61 Junction

Eastgate Approach

Enterprise Park

Green Pine Road

Mansell Way



HORWICH AREA 3 PUBLIC HIGHWAYS

The consent holder shall not sell the following classes of goods, or items of a similar nature on any of the streets within the area specified below, as referred to in Condition 10 of the Consent:

Classes of Goods

- (i) Hot food
- (ii) Clothing
- (iii) Products associated with football
- (iv) Products associated with music concerts

Ainsworth Avenue (Chorley New Road to Highland Road)	Arrowsmith Court
Ash Grove	Carlton Grove
Austins Lane (Chorley New Road to Melbury Drive)	Carwood Grove
Bleasdale Close	Essex Street
Cedar Avenue	Greenwood Avenue
Claypool Road (Chorley New Road to Hawthorne Avenue)	Greenwood Lane
Crompton Road (Chorley New Road to Bleasdale Close)	Haskoll Street
Dale Street East	Hollingworth Mews
Dale Street West	Hollowell Lane
Derby Street	Knowsley Grove
Hawthorne Avenue	Lindsay Street
Highland Road	Old Greenwood Lane
Lower Mankinson Fold	Panton Street
Maple Avenue	Sefton Lane
Mount Street (Chorley New Road to Craven Street East)	Springfield Road
Mount Pleasant	Stanley Grove
Mount Pleasant Street	Travers Street
Oak Avenue	
The Crescent	
The Heights	
Alexandra Road	
Cambridge Road	
Crescent Road	
Oxford Road	
Ox Hey Close	
Ox Hey Lane (from its junction with Alexandra Road to Ox Hey Close)	

The streets referred to ON THE PREVIOUS PAGE are those within the areas outlined in bold below.

