

# Kettering

*Borough Council*

## Local Government (Miscellaneous Provisions) Act 1982

### Application for Street Trading Consent

I/WE\* HEREBY MAKE APPLICATION under the provisions of the above Act for a Street Trading Consent.

I/WE\* confirm that this application is for:

- A Kettering Town Centre Pitch – Pitch Number .....
- An Out of Town Pitch (submit detailed plan showing location of proposed site)

Note: If making an application for a Kettering Town Centre Pitch you MUST specify which pitch you would like to trade from (see attached plan).

An Out of Town Pitch is any proposed pitch which is not one of the specified pitches in Kettering Town Centre (see attached plan). The applicant must decide on the site from which he/she wishes to trade and submit a detailed plan showing the location of his/her proposed site.

**The following restrictions apply with regard to Street Trading Consents and must be considered before submitting any application:**

- a) **the sale of clothing is not permitted**
- b) **no more than four pitches in Kettering Town Centre will be approved for the sale of foods**
- c) **laybys on major trunkroads in the Borough will not be considered as they are subject to clearway orders which prevent trading from them**
- d) **Trading on private land to which the public have access will require a street trading consent and possibly planning permission which should be arranged first.**

Name(s) of Applicant(s)	
Trading Name (if any)	
Home Address	
Business Address	
Day Time Telephone No.	
Date of Birth of Trader(s)	
National Insurance No.	

<p>Are you currently a Kettering Market Trader, or have you been in the past 6 months?</p>	
<p>Desired Trade/Goods to be sold</p> <p><i>See a) overleaf</i></p>	
<p>Type of stall/vehicle from which trading is proposed.</p> <p>Please give details of size, colour, style etc. and include one photograph of the stall/vehicle.</p>	
<p>Proposed <u>days</u> and <u>hours</u> of Trading.</p>	
<p>Out of Town pitches – please provide details of landowner</p>	
<p><b>I enclose a copy of my Public Liability Insurance – see condition 4.</b></p> <p><b>I certify that, to the best of my knowledge and belief, the above particulars are correct.</b></p> <p><b>Dated:</b> .....                      <b>Signed:</b> .....</p>	
<p>This form should be returned to: Head of Environmental Health  Kettering Borough Council  Municipal Offices  Bowling Green Road  Kettering  NN15 7QX</p>	

The information provided in this form may be used for the prevention and detection of fraud.

## STREET TRADING CONSENT CONDITIONS

1. Pitches used must not exceed three metres in any direction, without the express permission, in writing, of the Council.
2. The holder of a Street Trading Consent shall trade only from the designated site set out in the Consent.
3. If it is the wish of a Street Trading Consent holder to use a stall or vehicle from which to trade, the size and design must be approved, in writing, by the Council.
4. A Street Trading Consent holder must have valid public liability insurance cover for a minimum of £5 million.
5. Town Centre Trading will not take place on Christmas Day
6. Other sites Trading will not take place on Good Friday and Christmas Day
7. The Street Trading Consent shall be prominently displayed at all times when trading.
8. The holder of a Street Trading Consent shall follow forthwith the instructions of any authorised Officer of Kettering Borough Council or any agent acting on the behalf of Kettering Borough Council.
9. The holder of a Street Trading Consent shall follow the instructions of any authorised Officer of Kettering Borough Council, an agent acting on the behalf of Kettering Borough Council or Police Constable, immediately with regard to obstruction of the street or danger to persons using it; or nuisance or annoyance (whether to persons using the street or otherwise).
10. Day to day management of the Street Trading Consent for Town Centre sites is the responsibility of Kettering Borough Council. Please contact Licensing on 01536 534291 with any problems.
11. Fees will continue to be paid on the due dates until the Consent expires or is surrendered to the Council by the Consent Holder prior to the expiry date. Failure to pay fees when required to do so may lead to revocation of this consent.

Current fees are as follows:-

Town centres sites ( <i>Sunday to Thursdays only</i> )	£358.33 per month £1,075.00 per 3 months £4,300.00 per year
Other sites ( <i>Sunday to Saturday only</i> )	£375.00 per month £1,125.00 per 3 months £4,500.00 per year

Monthly and quarterly consent fee payments should be in advance by direct debit, standing order or BACS transfer. Annual payments will accompany the application. There will be no further acceptance of cash payments. Failure to make a payment without good cause may result in revocation of the street trading consent.

11. Traders wishing to trade in the town centre on Fridays and Saturdays will need to do so as market traders and should contact [markets@kettering.gov.uk](mailto:markets@kettering.gov.uk) to obtain details regarding their trading conditions.
13. The holder of the Street Trading Consent must take all reasonable steps to prevent litter being generated from the business and, if this is not possible, be responsible for its disposal.
14. The use of loudspeakers is prohibited and the street trader shall not cause annoyance by verbally advertising their goods.
15. The consent holder is allowed four weeks leave from the pitch. There will be no waiving of the fee during this time as the consent is still in effect during this period and therefore the pitch cannot be let to anyone else.
16. No A boards to be placed on the highway advertising the business.
17. Stall/Vehicle to be removed from the pitch at the end of each working day.

## **STREET TRADING CONSENT PROCEDURE ON DETERMINING AN APPLICATION**

One of the key aspects of the street trading process is that it allows the Authority to influence the variety of goods being sold and ensure that no negative issues arise as a result of the consent being granted. To achieve this, the following outlines the procedure undertaken by Kettering Borough Council upon receipt of a completed Street Trading Consent application form.

1. Upon receipt of an application, the form will firstly be checked to ensure that all relevant information is supplied. It is important that the form is completed in full and that the quality and quantity of the information provided is sufficient to allow the application to be properly considered. If there are any queries or missing information, the form will be returned for your attention.
2. If the application is satisfactory after 1. above the following criteria will be considered:
  - Public Safety
  - Potential nuisance or annoyance to those in the street or nearby premises
  - Relationship/competition to existing shops
  - Relationship/ competition to existing market traders
  - Relationship/ competition to other street traders
  - The addition of variety to the town centre/proposed area of trading
3. The following external and internal organisations may be consulted where necessary:
  - Northamptonshire Police
  - Northamptonshire County Council
  - Any Landowner
  - Development Services
  - Environmental Care (Town Centre sites only)
  - Economic Development
  - Health Protection
4. At the end of this process, the application will be determined. If there are no issues, the application will be approved and a Street Trading Consent issued. Where it is felt that the issue of a consent is not in the best interest of the area, the application will be declined.
5. Where an application is refused, the applicant will be notified in writing with the reasons for the refusal..