



Street Trading Consent Guidance

Local Government (Miscellaneous Provisions) Act 1982

This guidance has been produced to provide information on obtaining Street Trading consents in Chichester City centre.

Which streets are Consent Streets in Chichester?

Chichester District Council (the 'Council') has designated the pedestrianised areas of East Street and North Street, Chichester as "Consent" streets under the Local Government (Miscellaneous Provisions) Act 1982 (the 'LG(MP)A 82') for the purposes of allowing certain street trading to take place.

This means that persons wishing to sell items from a stall in these streets must first obtain a Street Trading Consent from the Council. Street Trading in these areas without consent from the Council is prohibited and the Council may take formal action against traders who do not hold a valid Street Trading consent.

The purpose of allowing street trading

The purpose of the designation is to provide diversity in the shopping facility offered in the city centre of Chichester whilst providing support for businesses. The Council particularly wish to encourage local and specialist food based businesses whose products offer a diversity of supply from that which are generally not or are only in limited supply in the city centre. Street Trading Consent applications will also be considered for one-off markets and events where goods are more specialist in nature or from a particular region/country which are intended to attract increased attendance of the general public into the city and therefore likely to benefit other businesses.

Selection criteria used to assess applications

This guidance is intended to provide examples of the main factors the Council will consider when evaluating Street Trading Consent applications and outlines the grounds under which an application may be refused. Each application will be considered on its individual merits.

In considering applications the Council will, amongst other matters, take account of:

- The number, layout and specific location(s) of trading pitches
- The size, design, quality and appearance of trading stalls and other erections
- The products and goods to be sold at each trading pitch and their origin
- The proposed trading hours and trading dates

- The dates and frequency of other approved Consents
- The arrangements for the setting up, dismantling and removal of trading stalls and other erections
- Whether the proposed Street Trading is for charitable purposes

The Council may **not** give approval for Consent applications where

- The application proposes less than 10 (ten) trading pitches or
- The proposed event is likely to give rise to street congestion or
- The siting of any trading pitch or other erection is considered likely to
 - a) unduly hinder the visibility of any existing shop or business frontage or
 - b) obstruct access to any existing shop or business or
 - c) hinder the movement of emergency vehicles or
- Products or goods proposed to be sold are the same or similar to products or goods available from existing shops or businesses or
- The proposed trading is from a vehicle which includes trailers.

Prior to submitting an application we would recommend you contact the Licensing Team on 01243 785166 Ext 2267 (or via licensing@chichester.gov.uk). This Council also strongly recommends liaising with the Chichester City Centre Partnership (www.chichester.bid.co.uk) on 01243 773263 or at info@chichesterbid.co.uk and West Sussex County Council who oversee events on the public highway.

Supporting Information - planning an event or market?

Organisers have a legal responsibility to ensure the health, safety and welfare of employees, volunteers/participants and contractors involved with arranging an event/market and of course the attending public. This should be ensured by carrying out a detailed event specific risk assessment (see separate guidance form). In addition, larger events may require an Event Plan. If you would like more information on Event Planning or guidance on registering as a food business (food traders) please contact Health Protection (Environmental Health) on 01243 534602 or email healthprotection@chichester.gov.uk

If you are proposing to supply/sell alcohol, provide regulated entertainment and/or late night refreshment you will also need to comply with the Licensing Act 2003. For further information please contact the Licensing Team as above.

Street Trading Consent application process

Completed applications for new Consents or to vary an existing Consent must be received by the Licensing Team **at least 8 (eight) weeks before** the proposed market/event.

Applications that are not submitted within this timescale or that are incomplete will not be treated as a valid and therefore not processed. If you are applying for a variation to an existing Consent, you will need to complete a new application along with providing the required supporting documentation and requisite fee.

In all circumstances a minimum of £5 million Public Liability Insurance will be required. However, the Council may require additional cover for some proposals where the risk is deemed to be higher (£10 million). If this is the case you will be advised in writing.

On receipt of a completed application, the Council will consult with the following partners:

- City Centre Manager/Chichester City Centre Partnership (the 'BID')
- Sussex Police
- West Sussex Fire & Rescue Service.
- West Sussex County Council
- Chichester City Council
- Chichester District Council – Economic Development
- Chichester District Council - Health Protection Team and Environmental Management Team (Environmental Health)

Where considered necessary the Council may also consult with the Council's Emergency Planning and Business Continuity Officer.

Consultation will take a maximum of 4 (four) weeks (however this may be reduced in exceptional circumstances). If issues arise with an application, the Licensing Team will endeavour to resolve these through mediation with the applicant and objector. If mediation is unsuccessful the application will be referred to the Council's Licensing & Enforcement Committee for determination.

The Council may revoke a Street Trading Consent after it has been granted if the holder (including traders, participants etc.) do not comply with the terms and conditions of the specific Consent issued. Failure to abide by the conditions may also lead to prosecution.

If your application is refused/revoked you may discuss the application with the Licensing Manager on 01243 534742 or Head of Housing & Environment Services. Applicants can submit an appeal to the Licensing & Enforcement Committee by writing to Mr S Carvell, Director of Environment, Chichester District Council, East Pallant House, 1 East Pallant, Chichester, West Sussex PO19 1TY.

Fees

The applicant shall pay to Chichester District Council the appropriate fee for the grant, renewal or variation of a Street Trading Consent.

The fees for all applications are as follows; £105.00 for the application (a one day event) plus £53.00 for each additional day of the event thereafter (or plus £26.00 for each additional day of the event thereafter if the event is for charitable purposes or is managed by another service of Chichester District Council).

It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant or renewal of a Street Trading Consent. A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement. To do so a person could receive a fine of up to £1,000.

It is also an offence to trade at a different place(s) or at different time(s) to those specified in the issued Street Trading Consent.