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STREET TRADING – GUIDANCE FOR APPLICANTS

The Local Government (Miscellaneous Provisions) Act 1982 allows Councils to control street trading. For Public Safety reasons, Waverley Borough Council adopted these powers in 1992 and have regularly reviewed them since that time. As a result, certain streets are designated either as 'Prohibited' or 'Consent' streets for street trading purposes (the list is at the end of this guidance). Street trading is defined as "the selling or exposing or offering for sale of any article [or living thing] in a street".

Waverley Borough Council has also adopted a policy specifically about street trading: "Street Trading in Waverley – Policy", copies of which are available from the Council. These guidance notes are based on the information contained in the legislation and the Council's policy and should assist in making applications correctly. Certain community-run events, charitable events or those of a similar nature are the subject of special provisions in the Policy and a separate application form is needed.

To complete an application:

1. The things to be sold must be listed in detail, the words 'miscellaneous' or 'bric-a-brac' or 'second-hand goods' cannot be accepted and will not be entered on a consent if granted. In determining an application, a new consent is unlikely to be granted where it is considered that sufficient provision for these articles is already provided by other outlets.

2. **Sale and Storage of Food**

Food stalls, mobile food vehicles, etc. must be registered with your local Environmental Health Department. If your vehicle is normally kept in Waverley, full details and forms of application are available from Environmental Health, The Burys, Godalming, Surrey, GU7 1HR or www.waverley.gov.uk - search under 'food premises registration'. This is a free service.

3. **Fees**

An annual fee is payable for Street Trading Consents; payment should be made on application. A partial refund (currently 50%) will be made if the application is refused. Fees are reviewed annually and published on the Council's website. Different fees apply to different categories of Street Trading.

4. **Consultation**

A 28 day period for consultation is normally allowed. The Council will always contact: the police, the fire authority, the highways authority, local ward councillors, local Chambers of Commerce, relevant Town or Parish Councils and relevant Portfolio Holders or Committee Chairman. Public notification will be achieved through the Council's webpages.

Any applications that fall outside Policy or which attract relevant objections will be determined by the appropriate Committee. Applications falling within policy can be determined by the Head of Service. Matters always considered include: public order, public nuisance, public safety, needs of the area.

Category 1 applications – sole traders, annual consents – must include:

- a copy of a map or plan showing all streets and other public areas within a radius of half a mile (800 metres) of the proposed location
- the above map or plan shall be a proper Ordnance Survey map (or of equivalent or similar standard) to a scale of 1:5000
- It shall clearly indicate the position of the proposed site and any other street traders or other outlets already trading in similar commodities to those proposed for sale

Category 1 applicants must deliver notices giving details of the application to traders and premises thus identified and to the nearest six premises (in any direction being residential, commercial or otherwise) of the proposed location.

5. **Conditions**

Street Trading Consents will include standard consent conditions in all cases – to promote public safety and to avoid obstructions, nuisance and annoyance. Other conditions may be attached and these will be relevant to the category of Consent issued and the nature of the local environment.

6. **Appeals**

The governing legislation does not allow for appeals and grounds for refusal need not be given. However, in order to ensure this process is fair, open and transparent Waverley Borough Council will follow a formal appeals procedure as laid down in the Policy.

7. **Community and Special Events**

For Category 2, 3, 4 or 5 events, i.e. community-run events, charitable events or those of a similar nature, the Council will issue one Consent to the person organising that event. The Consent will last for the duration of the event, or for the duration of each of a number of such events in a 12 month period, and may include additional conditions according to the individual merits of the event(s).

8. **Third Party Insurance**

Trading Consents will only be issued on production of a certificate or current policy of Public Liability Insurance in respect of the type of trading authorised by the Council.

9. **Submission**

Completed applications should be submitted to:
Waverley Borough Council
Environmental Health
The Bury
Godalming
Surrey
GU7 1HR

Please check you have:

- included the correct fee and 2 passport type photographs,
- included a suitable location plan
- signed & dated the form

Any queries: Tel: 01483 523393 E-mail: environmentalhealth@waverley.gov.uk

Note: the issuing of a street trading consent does not confer a right to use any street, highway or land. Applicants should satisfy themselves that all other necessary permissions for the activity of street trading (e.g. Landowner's permission, planning permission, Highways Authority consent) are in place where applicable.

List of Prohibited and Consent Streets in Waverley

PROHIBITED STREETS

Farnham

Victoria Road;

Union Road

East Street, from the traffic lights at its junction with South Street up to the east end of Dogflud Way (excluding the area immediately fronting Nos 1 – 6 Woolmead)

Dogflud Way

South Street

Bear Lane, from the traffic lights at its junction with South Street to the junction of Woolmead Road

Park Row

Woolmead Road

West Street, from The Borough to its junction with The Hart

A31 from Willey Mill through the Farnham Bypass to the Shepherd and Flock Roundabout

A31 from the Shepherd and Flock in an easterly direction to the Waverley Borough Council boundary

A325 Wrecclesham Road, from the Coxbridge Roundabout to the Railway Bridge

Odiham Road from the junction with Folly Hill to the county boundary

Tilford

Tilford Road between All Saints Church and the River Wey (South Branch)

Tilford Road (East Side of the Green) from its junction with Tilford Road to The Street

The Street between its junction with Tilford Road and Whitmead Lane

Godalming

Wharf Street, Godalming from its junction with High Street to its junction with Flambard Way

Woolsack Way

Farncombe Street, from its junction with St Johns Street to the junction of Nightingale Road

St Johns Street

Summers Road

Station Road, Farncombe.

Cranleigh

Dewlands Lane

Ewhurst Road, from the junction of High Street to the junction of Mead Park Drive

Mead Road, from the junction of Ewhurst Road to the junction of Bridge Road

Horsham Road to the Borough boundary

Overford Drive, from its junction with Horsham Road to the junction of Little Manor Gardens

Church Lane

Knowle Lane, from its junction with the High Street to the access at the rear of Stocklund Square

Victoria Road

St James's Place

Guildford Road from the roundabout junction of the B2128 and B2130 to the entrance to Manfield Park Industrial Estate

Elmbridge Road from the roundabout junction of the B2128 and B2130 to the entrance to Hewitts Industrial Estate

Park Drive to the junction with Cranbrook Terrace

CONSENT STREETS

Cranleigh

High Street
Rowland Road
The Common

Farnham

Castle Street
The Borough
Downing Street
Longbridge
West Street from its junction with The Hart, westward to its junction with Crondall Lane
Bear Lane, from its junction with Woolmead Road to its junction with High Park Road

Godalming

High Street
Church Street
Great George Street
Moss Lane
The whole of Crown Court
Queen Street
The whole of Angel Court.

Haslemere

High Street
Shepherds Hill
Petworth Road, from its junction with the High Street to the junction of Swan Barn Road
Lower Street
Weyhill
St Christopher's Road
St Christopher's Green
Junction Place; Lion Lane, from its junction with Lion Green to the junction with Underwood Road
Lion Mead, from the junction of Lion Green to the junction of Mead Way
Kings Road from its junction with Lower Street to the junction with Courtshill Road
Cedar Court
Tanners Lane from its junction with Lower Street to the junction with Oaklands
Sandrock
West Street
Well Lane
College Hill
Hill Road from its junction with Shepherds Hill to the junction with Park Road
Cobden Lane
Access road to High Street Car Park.

Explanation Notes

“consent street” means a street in which street trading is ‘prohibited’ without the consent of the Local Authority.
“prohibited street” means a street in which trading is prohibited at all times.
“street” includes:-any road, footway, lay-by or other area to which the public have access without payment; it includes any part of the street.