



# **Street Markets & Street Trading Guide**

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## 1. Street Markets and Street trading in Lambeth

- 1.1. Street markets and isolated pitches licensed by the Council offer traders the opportunity to run a small business with low overheads offering goods for sale, from coffee, clothes or street food, to pots and pans or hand-made crafts. They also offer the opportunity to test the viability and marketability of products for start-ups; access to quality goods and services for people on low incomes; provision of a local amenity; and a focal point for local social interaction.
- 1.2. You need a valid street trading licence from the Council if you are selling, offering to sell, or displaying for sale anything in a street or any other public area, or within seven metres of the public highway. If you are thinking of trading in a park, you also need advanced written permission in place before you start.
- 1.3. The Council manages Brixton Street Market on Electric Avenue, Popes Road and Brixton Station Road. We also directly license a number of 'isolated' pitches – which are standalone pitches on a part of the street which is already designated for street trading. We also work with organisations who run markets on our behalf at Herne Hill, Venn Street, Streatham, and Lower Marsh.
- 1.4. This document provides guidance for new applicants; as well as existing traders; traders applying to renew their street trading licence or applying for a pitch transfer, and market operators.

## 2. Permissions and licences

- 2.1. Before applying, you first need to check what type of licence and/ or permission you will need. The table below aims to cover the main types of enquiries the Council's Markets and Street Trading team receive, and to signpost you in the right direction. This does not set out all of the permissions and licences that you might need – it is your responsibility to make sure that you have these in place before you undertake any trading activity in the borough.

<b>You want to apply to trade from an existing vacant street trading pitch operated by the Council</b>	You are applying for a street trading licence to trade from an existing, vacant street trading pitch	Visit <a href="https://beta.lambeth.gov.uk/business-rates-services/licensing/markets-street-trading">https://beta.lambeth.gov.uk/business-rates-services/licensing/markets-street-trading</a>
<b>You want an individual trading pitch in a Lambeth park or open space</b>	You wish to trade in one of the borough's many parks or open spaces.	Contact the Council's Parks team on <a href="mailto:parks@lambeth.gov.uk">parks@lambeth.gov.uk</a>
<b>You want to apply to trade from a parking space anywhere in the borough</b>	<b>Not permitted at any time.</b>	
<b>You want to trade on Lower Marsh market</b>	This market is run by Lower Marsh Market Ltd	<a href="https://www.lowermarshmarket.com/">https://www.lowermarshmarket.com/</a>

<p><b>You are a food trader wanting to trade in the Waterloo area</b></p>	<p>Contact Lower Marsh Market, or St John's Church courtyard. Please note that St John's Church courtyard is independent from the Council.</p>	<p><a href="https://www.lowermarshmarket.com/">https://www.lowermarshmarket.com/</a> <a href="https://stjohnswaterloo.org/contact-us">https://stjohnswaterloo.org/contact-us</a></p>
<p><b>You want to trade at one of the one-day markets at Herne Hill or Venn Street</b></p>	<p>Herne Hill Market – Sundays Venn Street – Saturdays</p>	<p>Herne Hill Market: <a href="https://weareccfm.com/locations/herne-hill/">https://weareccfm.com/locations/herne-hill/</a> Venn Street: <a href="https://www.vennstreetmarket.co.uk/">https://www.vennstreetmarket.co.uk/</a></p>
<p><b>You want to apply to trade in the South Bank area, including near the London Eye</b></p>	<p>Trading in the South Bank area is managed by our partners and not the Council There are no vacant Council pitches in this area and no plans for any more to be added</p>	<p><a href="https://www.southbankcentre.co.uk/visit/cafes-restaurants-bars/scfood-market">https://www.southbankcentre.co.uk/visit/cafes-restaurants-bars/scfood-market</a> <a href="https://southbankbid.co.uk/">https://southbankbid.co.uk/</a></p>
<p><b>You want to apply to trade at the Lambeth Country Show</b></p>	<p>This annual event held in Brockwell Park welcomes around 120,000 visitors each year. It is one of the biggest free family festivals in the UK</p>	<p><a href="https://lambethcountryshow.co.uk/">https://lambethcountryshow.co.uk/</a></p>
<p><b>You want to hold a one-off or regular event which will involve street trading</b></p>	<p>You need to apply via our Events Team</p>	<p><a href="https://eventlambeth.co.uk/">https://eventlambeth.co.uk/</a> <a href="https://eventlambeth.co.uk/organising/planning-your-event/">https://eventlambeth.co.uk/organising/planning-your-event/</a></p>
<p><b>You want to start a new food market in the borough</b></p>	<p>We will advertise any opportunities which will be subject to open competition</p>	<p>Please check the Street Trading pages of the Lambeth Council website where any opportunities to tender will be publicised. <a href="https://beta.lambeth.gov.uk/business-rates-services-licensing/markets-street-trading">https://beta.lambeth.gov.uk/business-rates-services-licensing/markets-street-trading</a></p>
<p><b>You want to have a street party</b></p>	<p>You need to apply via our Events Team</p>	<p><a href="https://eventlambeth.co.uk/streetparties/">https://eventlambeth.co.uk/streetparties/</a></p>
<p><b>You want to trade at a Council-run event</b></p>	<p>You will need to check the Events team website for</p>	<p><a href="https://eventlambeth.co.uk/about/">https://eventlambeth.co.uk/about/</a></p>

	trading opportunities and contact the event organiser directly.	
<b>You want to trade in Brixton indoor market (e.g. 'Brixton Village'; Granville Arcade)</b>	This is a privately-run market and you will need to apply direct	<a href="https://brixtonvillage.com/">https://brixtonvillage.com/</a> <a href="https://hondo-enterprises.com/deals/brixton-market/">https://hondo-enterprises.com/deals/brixton-market/</a>
<b>The land on which you wish to trade is privately owned, but your display falls within seven metres of the public highway</b>	You need a street trading licence. You may need a private land licence	<a href="https://beta.lambeth.gov.uk/business-rates-services-licensing/markets-street-trading">https://beta.lambeth.gov.uk/business-rates-services-licensing/markets-street-trading</a>
<b>You already operate a shop and want to display the same items for sale outside the front of the shop</b>	You need a shop front licence	<a href="https://www.lambeth.gov.uk/business-services-rates-and-licensing/licence-applications/apply-for-a-shop-front-licence">https://www.lambeth.gov.uk/business-services-rates-and-licensing/licence-applications/apply-for-a-shop-front-licence</a>
<b>You want to offer outdoor seating to the customers of your café or restaurant</b>	You need a Tables and Chairs licence or pavement licence	<a href="https://beta.lambeth.gov.uk/Business-rates-services-and-licensing/licensing-and-permits/Apply-change-or-pay-for-a-licence/Apply-for-a-licence/Apply-for-a-pavement-licence/apply-tables-chairs-licence">https://beta.lambeth.gov.uk/Business-rates-services-and-licensing/licensing-and-permits/Apply-change-or-pay-for-a-licence/Apply-for-a-licence/Apply-for-a-pavement-licence/apply-tables-chairs-licence</a>
<b>You want to buy or sell tickets (e.g. for a concert)</b>	Use one of the authorised websites  We may consider issuing licences in exceptional circumstances You need a street trading licence	Visit <a href="https://beta.lambeth.gov.uk/business-rates-services-licensing/markets-street-trading">https://beta.lambeth.gov.uk/business-rates-services-licensing/markets-street-trading</a>
<b>You want to give out free samples or promote your services or company</b>	You need advance permission from the Council, who will need to agree to what you are promoting. You are only permitted to operate from designated sites, and a fee may be payable.	Contact our Events team in the first instance. <a href="https://eventlambeth.co.uk/">https://eventlambeth.co.uk/</a>  Please note that no alcohol or nicotine/ tobacco/ smoking promotions are accepted, or for products such as fizzy drinks.  To apply to distribute products at a railway station (e.g. Waterloo) please visit <a href="https://experientialspace.co.uk/">https://experientialspace.co.uk/</a>

<b>You are selling goods door to door</b>	You may need a pedlar's licence	Visit <a href="https://www.met.police.uk/advice/advice-and-information/pc/pedlars-certificate/">https://www.met.police.uk/advice/advice-and-information/pc/pedlars-certificate/</a>
<b>You sell from a kiosk onto the public highway</b>	You need a street trading licence.	Visit <a href="https://beta.lambeth.gov.uk/business-rates-services-licensing/markets-street-trading">https://beta.lambeth.gov.uk/business-rates-services-licensing/markets-street-trading</a> <u>You are also liable for business rates.</u> <a href="https://beta.lambeth.gov.uk/business-rates-services-licensing/business-rates/contact-business-rates-team">https://beta.lambeth.gov.uk/business-rates-services-licensing/business-rates/contact-business-rates-team</a>
<b>You want to film in a market area (for commercial purposes) – or any other location in the borough</b>	Contact our Film Office as you need permission from the Council before you start.	<a href="https://lambethfilmoffice.co.uk/">https://lambethfilmoffice.co.uk/</a>
<b>You want to sell ice cream or ice products from a van or bicycle</b>	Please refer to section 15 of this document	
<b>You want to sell food and/or drink from a vehicle or bicycle and move around the borough to catch late night revellers on their way home, outside a venue or event, or at any time</b>	<b>Not permitted.</b>	
<b>You want to sell caramelised peanuts, or hot dogs from a stand on the public highway or on a bridge</b>	<b>Not permitted</b>	
<b>You want to advertise a vehicle for sale on the public highway</b>	<b>Not permitted</b>	
<b>You want to sell newspapers</b>	You do not need a licence to trade as a news vendor provided that the only articles sold or exposed or offered for sale are newspapers or periodicals and they are sold or exposed or offered for sale without a receptacle for them or, if with a receptacle for them that the receptacle does not— (i) exceed 1 metre in length or width or 2 metres in height; or (ii) occupy a ground area exceeding 0.25 square metre; or (iii)	

	stand on the carriageway of a street; or (iv) cause undue interference inconvenience to persons using the street;
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2.2. The majority of vacant street trading pitches directly licensed by the Council are in Brixton. For Brixton market (Electric Avenue, Popes Road and Brixton Station Road) we are no longer accepting applications for pitches proposing to sell fruit and/or vegetables, as these are over-represented on the market. If you apply intending to sell these, your application will be unsuccessful.

### **3. Applying for a street trading pitch: things you need to consider**

3.1. It is important that you consider some fundamental things before you apply:

- Working on a street trading pitch is hard work – you are working outdoors, and will need to come out in all weathers.
- How do you know that people will want to buy your products?
- Is the product you want to sell already for sale nearby?
- Have you visited the location? Does what you intend to offer fit in?
- What is your experience?
- What is your business plan for the next 3-5 years? How do you know if your proposal is viable?
- How much will you need to invest upfront – for example in stock and equipment?
- Are you able to afford all of your outgoings? These include street trading fees, costs for your stall and display, insurance, costs for your stock, transport and storage fees, any import duties (should these apply), and assistant costs - and don't forget to pay yourself a salary.
- Supply: How will you source your goods?
- How will you ensure that you're paying all the tax that you need to (and that you don't end up with an unanticipated bill)?
- Have you factored in any import duties?
- How will you arrive at the price for your products?
- Why should the Council offer you a pitch ahead of any other applicants?
- How will you market your products?
- Have you read the Council's Commodities Rules, and Guidance Notes for applicants and considered all of these?
- How will your customers pay for goods?
- Where will you store your goods and equipment?
- Do you need power for your pitch? How will you source this?
- How will you get your goods and equipment to and from the pitch each day?
- Have you got all the right paperwork in place for what you intend to sell?
- Legal compliance of goods: What systems have you got in place to ensure that the each of the goods you sell are safe, and do not break the law?
- How will you demonstrate that you meet the various requirements and laws as these apply to consumers – e.g. displaying prices, offering refunds and exchanges?

- **How will you make your display appealing to shoppers?**
  - **How will you ensure that your practices are Covid-compliant?**
- 3.2. If you have considered all of the above and are still confident that your business will be viable and that you should go ahead, then proceed to the next section of this document.
- 3.3. As part of the application process you may be requested to demonstrate that you have considered each of the above points.
- 3.4. **Support for businesses**
- Information and support are available for existing and prospective businesses in Lambeth. Find out more at <https://beta.lambeth.gov.uk/business-rates-services-licensing/help-businesses>
- Lambeth Council also offers a business advice line for existing businesses, budding entrepreneurs, or to those thinking of moving their business to Lambeth.
- The advice line number is 020 7926 8111.

#### **4. Applying for a street trading pitch: application process**

- 4.1. We aim for our markets to be vibrant, successful, safe and attractive places, with existing pitches fully occupied and offering a wide variety of goods for all customers. We also aim to support start-up businesses, community groups, and local educational institutions through offering street trading opportunities in the borough.
- 4.2. Only applications for vacant pitches will be accepted and considered. If you apply for a pitch which is already occupied, or for a location where there is not already an existing pitch, your application will not be processed. **There are two windows per year where we accept applications for street trading pitches – these are:**
- **1-30 June (for successful applicants to begin trading from the October)**
  - **1-31 December (for successful applicants to begin trading the following April)**
- 4.3. **We do not operate a waiting list outside of these times.**
- 4.4. The most suitable applicant will be selected from those applications received. All decisions are at the discretion of the Council.
- 4.5. When applying for a vacant pitch, you are required to complete the new trader application form, which is available on the Council's website or from [street-trading@lambeth.gov.uk](mailto:street-trading@lambeth.gov.uk). You will need to complete all sections of the form, and sign and date the application before sending it to us via email at [street-trading@lambeth.gov.uk](mailto:street-trading@lambeth.gov.uk). You will need to supply scanned copies of all supporting documentation listed on the form for your application to be valid and considered.
- 4.6. For new applicants, as well as competing all sections of the form, you will need to supply copies of the following:
- A passport-style photograph – a photo taken on a mobile phone in the last 12 months that clearly shows your face is sufficient
  - A copy of your valid public liability insurance certificate: minimum of £5,000,000 third party liability insurance cover
  - Proof of your identity together with proof of your place of residence (your address).
  - Your National Insurance number – applications without a valid NI number are not accepted.
  - Work Permit details if applicable.

Please refer to Appendix 1 of this document for full details, including the list of acceptable ID documents.

4.7. A licensed trader will be expected to personally work at the pitch and supervise the business of the pitch although a maximum of two registered assistants may help out. If you intend to employ assistants (remember that you are required to be present on your pitch for the majority of the time during trading hours) you will need to supply the following for them with your application:

- A passport-style photograph – a photo taken on a mobile phone in the last 12 months that clearly shows their face is sufficient
- Proof of identity for each assistant together with proof of their place of residence
- The National Insurance number for each assistant

You will need to ensure any assistant/s is/are covered on your insurance.

The information that you supply may be cross-checked with the relevant agencies and organisations.

Only the licence holder or named assistants who have been registered with the Council can work on the pitch. Where an individual or individuals not registered with the Council is/are on the pitch, this will be considered illegal street trading and enforcement action may be undertaken including the issuing of a fixed penalty notice. Any trading on the pitch will be required to cease immediately, and goods and the receptacle removed from site. The licence holder may be subject to revocation action in such circumstances.

You will also need to supply any additional documentation which is required (for example, if you want to sell food or cosmetics). See the relevant sections of this document for further information.

4.8. Once initial assessment via the application form has taken place and this is successful, applicants will then be required to submit further information in relation to their trading, followed in some cases by interview.

4.9. Applicants may be required to provide further information in support of the application. To assist the Council in making its decision applicants are requested to supply as much information as possible such as a business plan, photos of how the stall will look, detailed information about the products proposed to be sold, how the business will be marketed and how the applicant proposes to deliver excellent customer service.

4.10. The criteria used to assess all applications are:

- Availability of pitches
- The existing offer in the proposed location
- The number of trading spaces required by the applicant
- Illustration of the proposed receptacle design and business brand fit
- Markets vision
- Understanding of the business, along with details of the products and services the applicant wants to sell
- Sourcing and provenance
- Applicant's business experience, including skills and experience of the product / service range

- Clear customer policy showing how the business will deliver excellent customer service, including dealing with complaints, returns, etc.
  - Provision of robust business planning and financial information demonstrating the sustainability of the business, and the ability to pay street trading fees
- 4.11. Where an initial application is submitted, successful applicants at this initial stage will be invited to provide further application information in relation to the above. Please see Appendix 2 of this document for a copy of the Step 2 form, which is available from the Lambeth Council website (Street Trading pages).
- 4.12. An application fee applies, which is debited to the account of successful applicants upon grant, transfer or renewal of the licence. For further details and current charges, please see the Fees & Charges listed on the Street Trading pages of the Council's website.
- 4.13. **Applicants should note that the making of an application does not guarantee the grant of a licence. Tacit consent does not apply. It is in the public interest that the authority must process your application before a street trading licence can be granted.**

## 5. Street Trading Fees and Charges

- 5.1. All trading is subject to the payment of all fees and charges that are due, in full and on time, with a maximum permitted arrears period of four weeks. All prospective traders should bear this in mind and make sure that they can afford to pay street trading fees before applying to trade.
- 5.2. There will be no waiving of fees for illness, holiday etc, nor for any circumstances outside of the Council's control. The trader should ensure they have sufficient business interruption insurance to cover these costs.
- 5.3. Current fees and charges are listed on the Street Trading pages of the Council's website, and are listed on any street trading invoice.

## 6. Pitch operating hours

- 6.1. Permitted days and times of trading are set out on the street trading licence. A maximum of 90 minutes is allowed each side of trading hours for setting up and packing down. All traders must be set up and trading on Brixton market, for example, by 8am, and the trading day runs until 6pm on Mondays, Tuesdays, Thursdays and Saturdays, from 8am to 3pm on Wednesdays, and from 8am to 7pm on Fridays. Traders are expected to be on their pitches during these times. No vehicles are allowed on the market during its hours of operation.

## 7. Trading in the South Bank area

- 7.1. If you want to apply to trade in the South Bank area, including the streets near the London Eye, please note that the majority of the land in this location is privately-owned. For more information on how to apply to trade on the South Bank, you will need to visit <https://southbanklondon.com/>
- 7.2. The Council does not have any vacant street trading pitches in the South Bank area. We do not accept applications for the designation of new street pitches in this area.

## 8. Additional documentation and clearances

- 8.1. Ensuring the safety of shoppers is not only essential, it is a legal requirement when it comes to certain products such as food, cosmetics and herbal remedies. These require additional

clearances and documentation, which you will need to enclose with your street trading application. Information around these is set out in this section, however this is not an exhaustive list, and you will need to carry out your own checks and research and seek independent advice to ensure that your goods and practices are compliant with all applicable requirements and legislation.

## Selling food

- 8.2. If you are applying to sell food, you will need to have completed the following steps prior to application.

### Register your food business

Registration of a premises used for a food business (including market stalls, delivery vehicles, mobile units and other moveable structures) is required by law. This applies whether you are a hot food trader, for bar and drink vendors, and to all food produce retailers (for fruit, vegetables, meat, delicatessen products, cakes, breads, jams, chutneys and so on). You need to register your food business with the Council at least 28 days before you propose to start trading.

### Obtain a food hygiene rating

Food hygiene standards and health and safety inspections of food premises are a legal obligation placed on Councils (acting as food authorities), and an inspection will be carried out before you start trading as a market trader. Compliance is monitored through routine inspections. Failure to meet the standards expected may prevent you from trading in Lambeth in future.

If you have registered but have not yet received a Food Hygiene Rating Score at the time of your application, then please state 'awaiting inspection' on your application. If you have a rating already, please provide details of the score, and the date of this inspection.

For further details, please visit <https://beta.lambeth.gov.uk/Business-rates-services-and-licensing/licensing-and-permits/Apply-change-or-pay-for-a-licence/Apply-to-be-a-food-market-trader>

- 8.3. **Food businesses are separated into two categories: a) Low-risk and b) High-risk**

- 8.3.1. **Low-risk food businesses** are those trading in pre-packaged, non-perishable foods, such as fresh fruit, vegetables, sweets, crisps, biscuits etc.

Low-risk food businesses are required to adhere to the following:

- Stalls should have a suitable overhead canopy with side panels and be made of suitable rain-proof material
- Provision should be made to store food off the ground (at a minimum of approximately 45cm or higher)
- Provision for hand washing facilities (minimum of cold water, soap and basin). Please note that if all food items are wrapped / packaged, then no hand washing facilities are required.

Details of the above and a general description of what you are intending to provide should be provided with the application.

8.3.2. **High-risk food premises** include operations wishing to sell perishable foods or which carry out food preparation on site, for example seafood, hot food (such as takeaway meals, burgers, chips), fresh juice / smoothies, coffee etc.

High-risk food businesses are required to adhere to multiple criteria including (but not limited to) the following:

- Stalls must be constructed and maintained such that they are easy to clean and long lasting so that food is protected from risk of contamination.
- Bare wood contact surfaces must be avoided.
- Copies of the licence holder's Food Hygiene training certificate should be available, along with those of anyone working on the stall.
- Food storage and preparation details should be provided.
- Provision of dedicated Hand wash facilities (cold and hot water, soap and basin). The use of gloves or hand gels are not an accepted alternative to hygienic handwashing facilities.
- Details of how electricity is going to be provided for the running of refrigerators etc.
- Provision of suitable and sufficient lighting and ventilation.
- Provision of a dedicated refuse store and details of how the refuse will be disposed of
- All units must have a First Aid Box.
- Any trader wishing to produce high risk foods at our events or markets must be registered with their relevant local authority and have received a minimum Food Hygiene Rating of a minimum of 3.

If you are proposing to sell 'high risk' food items, you will need to demonstrate that you have knowledge of good food hygiene practices. In most cases this will require attendance at a training course in basic food hygiene. If you have already attended a training course, please provide copies of your and/or your staff members Food Hygiene training certificates with your application.

You will need to give further specific details around how you intend to trade (e.g. how food is handled, transported and stored, food labelling, particularly in relation to allergies, etc). Further details can be found at <https://beta.lambeth.gov.uk/Business-rates-services-and-licensing/licensing-and-permits/Apply-change-or-pay-for-a-licence/Apply-to-be-a-food-market-trader>

***PLEASE NOTE only the Courts can interpret legislation with authority and this information is subject to revision or amendment without notice.***

8.3.3. All food pitches are required to offer readily available and clearly-labelled healthier menu choices of food which is cooked using healthier fats with reduced quantities (or no) sugar and/or salt.

8.3.4. Any traders using charcoal must only use 'smokeless' charcoal and should not cause nuisance to other traders, shops or residents.

A list of authorised charcoals can be found on the DEFRA website at the following link:  
<https://smokecontrol.defra.gov.uk/search.php?type=fuels>

8.3.4.1. The use of barbecues is not permitted on any market, or on any market pitch or street trading pitch, anywhere in the borough.

8.3.4.2. The burning of charcoal for non-cooking purposes is not permitted.

8.3.4.3. Other requirements may exist regarding health and safety and it is the responsibility of the licence holder/ market operator to make sure that all of these requirements are met and continuously adhered to.

### **Selling cosmetic products – including soaps, skin creams and lotions**

- 8.4. A 'cosmetic product' is any substance or mixture intended to be placed in contact with the external parts of the human body - including the skin, scalp, hair, nails and lips- or teeth and mouth cavity - with a view to cleaning them, perfuming them, changing their appearance, protecting them, keeping them in good condition or correcting body odours.<sup>1</sup> 'Cosmetic products' therefore includes (but are not limited to) face cream, make-up, body creams and lotions, soaps, bath bombs, lip balm and hand cream.
- 8.5. If you want to sell any cosmetic products - including home-made products - it is essential that you undertake research and have the correct documentation in place before you apply to trade. You will need to submit the following documents with your application in order for it to be considered:
- **Product Information File** including a cosmetic product safety report for each of the products you intend to sell
  - **Evidence of the Cosmetic Product Notification** to the UK Government's OPSS (Office for Product Safety and Standards) <https://www.gov.uk/guidance/submit-a-cosmetic-product-notification>
- 8.6. The Product information file should include:
- the composition of the product
  - the specifications of the raw materials and the finished product, and the purity and microbiological control criteria of the cosmetic product
  - the method of manufacture
  - an assessment of safety for human health of the finished product, in the form of a 'cosmetic product safety report' (CPSR) signed by a qualified safety assessor
  - existing data on the undesirable effects on human health resulting from use of the product. This information must also be made easily available to the general public
  - evidence to justify any claims made by the product
  - data on any animal testing
- Further information is available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/968602/Guide-to-cosmetic-products-regulations-2013-tp.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/968602/Guide-to-cosmetic-products-regulations-2013-tp.pdf)
- 8.7. We do not accept applications for the sale of cosmetic products intended for use on children under the age of three, and/or for cosmetic products intended exclusively for use in external intimate hygiene.
- 8.8. There are additional steps you will need to take where the product is claimed to be 'organic' and/or 'vegan'.
- 8.9. If you intend to offer for sale skin lightening creams from any source, you will need to ensure and demonstrate that these do not contain hydroquinone, steroids or mercury prior to offering

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<sup>1</sup> <https://www.businesscompanion.info/en/quick-guides/product-safety/cosmetic-products#Therequirementsontheresponsibleperson>

these for sale, as these are banned ingredients for skin lightening creams in the UK, and enforcement action will ensue

- 8.10. All documentation will be checked by the Council's Trading Standards service to verify that all permissions are in order. Please note that we are unable to offer assistance with the compilation of these documents and permissions.

***PLEASE NOTE only the Courts can interpret legislation with authority and this information is subject to revision or amendment without notice.***

### **Herbal remedy-type products**

- 8.11. If you intend to sell herbal remedy-type products, you need to be aware that there are strict requirements relating to these. Applicants will need to provide documentary evidence to accompany their street trading application that any herbal medicine offered for sale has been registered with the Medicines and Healthcare products Regulatory Agency (MHRA) under the Traditional Herbal Registration (THR) scheme; and meets the required standards relating to its quality, safety, evidence of traditional use and other criteria as set out in the Human Medicines Regulations (2012).
- 8.12. A THR is only granted if the medicine is used for minor health conditions where medical supervision is not required (e.g. a cold).
- 8.13. Herbal medicinal products claiming to treat major health conditions (including cancer) are not permitted to be sold, advertised or offered for sale on any market or isolated pitches anywhere in Lambeth.

### **Cannabinoid-based products**

- 8.14. CBD is one of many chemicals called cannabinoids. It is found within hemp and cannabis. Strict rules govern the sale of CBD products in the UK. You need to ensure that you do your own research on these and seek independent advice to ensure that you have all the required permissions and documentations in place prior to applying to trade, however some key pointers are set out below.
- You should note that CBD products can only be sold as nutritional supplements or food supplements, rather than medicines. This means that you – and they - cannot make any unsubstantiated health or medical claims.
  - If you buy CBD products from others, you must ensure these products are correctly authorised, and that you only use them in ways described in the authorisation.
  - CBD products are only legal in the UK if they have been produced from an approved strain of the hemp plant which contains less than 0.2% THC (tetrahydrocannabinol), a psychoactive compound and a controlled substance in the UK.
  - The final CBD product itself must contain only trace amounts of THC – less than 1mg per container. This is because the product cannot be designed to administer or be used to extract the controlled substance (THC).
  - THC remains illegal.
- 8.15. Prospective and existing traders are required to supply documentation on demand where these products are offered for sale, or proposed to be offered for sale.

***PLEASE NOTE only the Courts can interpret legislation with authority and this information is subject to revision or amendment without notice.***

## **9. Power supply to the pitch**

9.1. You will need to confirm on your application how you will arrange for power to be supplied to your pitch (if required). Safety is paramount at all times – any equipment must be suitable for outdoor use, and supply compatible with equipment.

**Supply of power from neighbouring buildings or lamp posts is not permitted.**

### **9.2. Electrical equipment**

- A certificate of inspection of the electrical installation by a competent person must be available for inspection. All electrical equipment must have a valid up to date Portable Appliance Test (PAT) certificate.
- Appropriate safety devices (such as 30mA Residual Current Devices (RCDs)) must be used where necessary for electrical apparatus, particularly for any electrical equipment exposed to adverse conditions or electrical equipment to be used in association with hand held devices. Equipment operating at 230 volts or higher should be supplied via an RCD.
- Use of multi gang adapters and exposing conductors should be avoided at all times.
- The licence holder is required at all times to ensure that wires and cables are not trailed where they can be tripped over or walked into.

### **9.3. Liquid Petroleum Gas (LPG)**

If LPG is to be used on the stall, a Gas Safety Certificate – or Gas Safety Record Form - will have to be provided and supplied with the street trading licence application. The Certificate should be obtained from a Gas Safe registered engineer.

### **9.4. Generators**

If portable generators are intended to be used to supply electricity they cannot be of the type that use petrol or diesel as fuel. Applicants intending to use a generator are required to supply details of any generator proposed to be used with their application.

## **10. Receptacle and display**

- 10.1. The way goods are presented should enhance street trading, and the general appearance of the market (if part of a market). An attractive display is more likely to draw in customers and increase sales and business viability.
- 10.2. Only receptacles approved in writing by the Council shall be used. Any receptacles – including those provided by the Council - must be kept in good repair, and any damages to the receptacles where these have been supplied by the Council may be chargeable to the licensee.
- 10.3. Using a vehicle as a receptacle to trade from is not permitted.
- 10.4. Traders are required to use Lambeth Markets branded gazeboes, and branded equipment where instructed, for which a charge may be levied.
- 10.5. A licensed trader shall not permit any awning or roof of their receptacle to project over the footway, unless approved in advance in writing by the Council (please note that, where in place, any such permission may be withdrawn at any time). No receptacle shall have any attachments likely to cause damage to the street.

- 10.6. No receptacle shall be connected physically in any matter with any other receptacle or premises or street furniture or such like without the prior written consent of the Council, which can be reviewed or withdrawn at any time.
- 10.7. All trading receptacles must be removed at the end of the trading day. Adequate storage provision must be made and details provided to the Council at the application stage, and at any time on request. Failure to remove trading receptacles at the end of the trading day is a breach of the licence conditions, and the Council will seek to revoke the street trading licence where this occurs, and/or to undertake enforcement action which may result in a fine.

## 11. Sustainability

- 11.1. All traders and market operators must demonstrate a commitment to sustainable working practices – e.g. by not using or issuing single-use plastic cutlery, containers and/or bags.

## 12. Items or goods which are not permitted on our street markets and pitches

- 12.1. The following items are not permitted to be sold by prospective or existing traders from any street trading pitches or street markets in Lambeth under any circumstances:
- Any goods prohibited under the London Local Authorities Act 1990 (as amended); the Food Safety Act 1990; the Consumer Rights Act 2015, or any other relevant legislation;
  - Fireworks, explosives, ammunition or firearms;
  - Imitation firearms including where these are sold as toys;
  - Live animals;
  - Medical goods or medicine, or products claiming to be medical goods or medicine (including goods claiming to be 'herbal medicine');
  - Any goods claiming to 'cure' illness or medical conditions;
  - Second hand electrical goods;
  - Items promoting hate of any kind towards any sector(s) of the community;
  - Tobacco or nicotine products (including gum or sweets containing nicotine) or smoking paraphernalia;
  - Vaping products;
  - Alcohol or goods containing alcohol (except cakes containing alcohol such as rum cake or Christmas cake);
  - Goods which may generate or promote unacceptable levels of noise, odours, other nuisances, safety concerns or criminal behaviour.
- 12.2. In addition, Lambeth is committed to the 'Real Deal' to ensure that our markets and street trading pitches are 'fake-free'. This means that counterfeit or pirated goods, or goods which breach intellectual property (e.g. fake products bearing trade marks or copyrighted logos or design) are not permitted to be sold. More information is available at <https://www.realdealmarkets.co.uk/>
- 12.3. Applications in relation to the products or goods listed at 12.1. and 12.2. will not be processed.

## 13. Types of street trading licence

### 13.1. Types of licence

You can either apply to be:

- **A temporary trader** trading from an allocated market pitch all year round, from Monday to Saturday.

- **A casual trader** where you trade on the days you choose from no specific pitch (and subject to a pitch being available on the day). Casual licences will not be issued to food traders. For occasional trading where the commodity is food and/or drink applicants are directed to our partners markets at Herne Hill, Venn Street, Streatham and Lower Marsh or to the independently-run market at St John's Church courtyard (see section 2 of this document).
- 13.2. Casual traders pay for the days that they trade (and have no guarantee that they will be able to trade on those days), and temporary traders with a designated pitch pay fixed street trading fees for the term of the licence.
- 13.3. New traders whose applications have been successful will be granted a temporary licence for an initial period of six months.

## 14. Trader selection

- 14.1. It is essential that you carefully read through this document and that, before you apply for a street trading licence, you are:
- Convinced that street trading is right for you
  - Clear whether you should apply to the Council for a street trading licence or whether it would be better for you to apply direct to one of our market operators to trade at one of our one day markets, or to trade at an event
  - Clear that a street trading licence will cover the activities you want to undertake
  - Sure that a vacancy exists at the location where you are thinking of trading – we only accept applications for existing pitches in response to these vacant pitches being advertised on the Council website
  - Sure that vacancies exist for the commodity you are thinking of applying for - as a reminder, we do not have any vacancies for fruit and vegetable traders at any of our pitches in Brixton and no hot food pitches on Electric Avenue – and that the items you wish to sell are not already for sale nearby, whether from a shop or existing market stall.
- 14.2. The Council will select the most suitable applicant from those applications received.
- 14.3. **Where we receive a valid initial application – that means an application for an existing street trading pitch which is currently vacant, with all sections of the application form completed, and accompanied by all of the required documentation - this will be considered with reference to a range of factors** including:
- The Commodities Rules
  - Suitability of the proposed offer
  - Suitability of the applicant
  - Whether the proposal seems viable
  - The days for which the applicant has applied. Preference will be given to applicants applying for a greater number of trading days, particularly where market occupancy is lower on certain days of the week
  - Receptacle and display
  - The arrangements for the stall after trading hours

- The ability of the applicant to personally work the pitch and to comply with street trading laws and the Council's Standard Conditions
  - Any relevant strategy or plan
- 14.4. **Candidates deemed suitable at this initial stage may be invited to complete a second application setting out further details including an outline business plan to demonstrate viability.**
- 14.5. We may consult with parties including the Council's Enforcement, Regulatory and Environmental Health Services, the Council's Finance teams, the Police and the Home Office, once an application has been received.
- 14.6. Applicants should note that details may be shared with relevant parties and agencies in the interests of the prevention and detection of crime.
- 14.7. Having an unspent conviction will not necessarily be a bar to a successful application, and applications will be dealt with on a case by case basis. Applicants may be asked for further details in these cases.
- 14.8. Applications will be considered from owners/operators of adjacent retail premises who wish to extend their offer out onto an existing designated pitch.
- 14.9. Successful applicants will be selected with reference to their initial application, and any follow-up information – we may ask a trader, particularly where there is competition for a pitch, to respond to further questions in writing, and/ or ask to see a business plan. We will also consider asking applicants to attend an interview.
- 14.10. We may also undertake credit history checks to determine applicant suitability.
- 14.11. Where a street market or other street trading pitch is subject to improvement plans, development strategies, public realm/infrastructure works or other restrictions, the Council may refuse to grant licences until the completion of these works or the lifting of such restrictions.
- 14.12. Applications will be encouraged from students, apprentices or entrepreneurs wishing to start up a market business or who are part of an enterprise scheme. We may make special provisions in these instances including discounted fees and charges – these will be considered on a case by case basis. We may, at our discretion, issue licences to market operators or other similar organisations, to manage a group of licensed pitches or operate markets, fairs and seasonal events at street markets. These arrangements and permissions may be withdrawn at any time (in accordance with any written agreements that may be currently in place).
- 14.13. In this sort of arrangement the licensing authority regulates all the pitches that have been designated and which operate pursuant to a street trading licence whilst a third party operator is given a temporary licence which enables them to hire out individual pitches or stalls to traders on a temporary basis. These will be subject to street trading licence agreements and fees will be payable to the Council.
- 14.14. All licences are granted at the discretion of the Council's Head of Regulatory Services whose decision is final.

## **15. Unsuccessful applications**

- 15.1. Applications will not be considered where:
- Applications are incomplete and/or not accompanied by the required supporting documentation

- They are submitted for a location where there is not a street trading pitch that is already designated (and the pitch is vacant)
- An application has been made by an existing or former trader with outstanding debt on their street trading account
- there are already enough traders trading in the street or in any street adjoining the street in respect of which the application is made in the goods in which the applicant desires to trade
- An application is made for Brixton for trading in fruit and vegetables
- The application is made for goods not permitted to be sold
- The proposed trading receptacle is a vehicle
- The intention is for the receptacle not to be removed at the end of each trading day
- The applicant is on account of misconduct or for any other sufficient reason unsuitable to hold the licence
- Enforcement action is pending, or has previously been taken, against the licence holder/applicant
- An applicant has without reasonable excuse failed personally to avail themselves fully of a previous street trading licence
- The applicant is or has been in breach of their licence conditions
- The applicant has failed to provide or to identify suitable or adequate premises for the storage of any receptacles or perishable goods in which they propose to trade when street trading is not taking place.

15.2. Where a valid application has been received, please note that there is no guarantee that a street trading licence will be granted.

## **16. Ice cream and ice lollies/ shaved ice products**

16.1. Street Trading Licences are not issued for ice cream vans selling on a street, as these are only permitted to trade as 'itinerant traders' which means they should go from place to place remaining in any one location in the course of trading for periods of 15 minutes or less and not returning to that location or any other location in the same street on the same day.

16.2. Ice cream vans are not permitted to trade on the following licence streets in the borough at any time:

- Electric Avenue
- Popes Road
- Brixton Station Road
- Railton Road
- Brockwell Passage
- Venn Street
- Lower Marsh

or from any designated isolated street trading pitches unless they have a valid street trading licence which would permit trading from a designated pitch which would be indicated on the licence.

16.3. People trading from the traditional 'stop-me-and-buy-one tricycle', a trolley, vehicle other than a van, or the like, to sell ice cream and ice collies/ shaved ice products are also subject to the same conditions.

- 16.4. Even if trading on private land with written permission of the landowner, this would have to be at least 7 metres away from the nearest footway or roadway if remaining in the same location for more than 15 minutes.
- 16.5. Any ice cream trader not moving on after 15 minutes if on the public highway would be undertaking unlicensed street trading which will result in enforcement action, which can result in a fixed penalty notice and/or a £1000 fine. If trading after being convicted in the Courts, Police and Council Officials can seize the vehicle and it is up to a Magistrates' Court whether or not it is returned.
- 16.6. It is important to note that itinerant ice cream trading – this means trading from an ice cream van, trolley, bicycle or tricycle or any type of vehicle - is prohibited in the following streets in the South Bank area within the London Borough of Lambeth at any time:  
Addington Street; Alaska Street; Albert Embankment; Baylis Road; Belvedere Road, Chicheley Street, Coin Street, Concert Hall Approach, Cornwall Road (from Stamford Street to Upper Ground), Doon Street, Exton Street, Lambeth Road, Lambeth Palace Road, Mephram Street, Sandell Street, Stamford Street, Tenison Way, The Cut, Upper Ground, York Road, Waterloo Road and Westminster Bridge Road.  
This resolution was passed by a meeting of the Council on 20 December 2000, following agreement at Licensing Committee on 12 December 2000. Itinerant ice cream trading in these locations will result in enforcement action.
- 16.7. Selling ice cream at events or in a park: permission must be in place via the Council's Parks service, and any documents indicating permission to trade must be shown on request to an officer of the Council to avoid enforcement action being undertaken.

## **17. Trading on private land**

- 17.1. If you wish to sell anything from private land including the front garden of a property to customers on the public highway and you are within seven metres of the public highway you need a street trading licence.
- 17.2. You may also need a private land licence. As part of the application process for this licence, we carry out consultation that includes:
- asking local residents (two addresses either side of the location) to comment on the application
  - Checking that you have written permission from the land owner/ freeholder, including signed documentation and their current contact details
  - searching the Land Registry to cross-check that the land owner/ freeholder listed is correct
  - consulting with local police.

## **18. Kiosks**

- 18.1. Kiosks are fixed structures which are also liable for the payment of business rates (and any applicable rent and other charges etc). A street trading licence is required by anybody trading from a kiosk onto the public highway.

Please note that there are no plans to add any kiosk sites to the borough, and that no approaches will be taken forward at this time.

## **19. Requests to designate a new street trading pitch**

- 19.1. All sites for street trading whether on a market or an isolated pitch must first be designated for such use. Please note that we are not currently accepting applications or requests to designate new street trading pitches – our priority is to ensure full occupancy of our existing vacant street trading pitches, which are primarily in Brixton. Should this situation change the Street Trading pages of the Lambeth Council website will be updated accordingly.

## **20. Trading without a valid street trading licence**

- 20.1. It is against the law to trade anywhere on the roads or pavements in the borough without a valid street trading licence or prior written consent from the Council.
- 20.2. Trading from parking spaces is not permitted at any time and constitutes unlicensed street trading. Likewise, 'pitching up' on a public highway and proceeding to sell or offer goods or services for sale is also unlicensed street trading.
- 20.3. The Council takes enforcement action in relation to unlicensed street trading across the borough. Unlicensed street trading may result in a fine, prosecution, and/ or the seizing of goods and equipment.

## APPENDIX 1: Street Trading Licence: Application Guidance Notes

### A. Proof required in support of your application:

#### 1. Proof of Identity

The following documents will be accepted as proof of ID:

- \_ United Kingdom passport, or
- \_ European Economic Area passport, or
- \_ National Identity Card, or
- \_ United Kingdom residence permit.

**If applicants are unable to produce the above documentation, *TWO* alternative sets of documentation can be produced as substitutes as follows:**

#### First Alternative

An official document showing the applicant's National Insurance number, *PLUS* one of the following:

- \_ A full birth certificate from the United Kingdom, Channel Islands, Isle of Man or Ireland; or
- \_ A letter from the Home Office; or
- \_ An Immigration Status document endorsed by the Home Office.

Only original documentation is acceptable.

#### Second Alternative

A Work Permit, *PLUS* one of the following:

- \_ An endorsed passport; or
- \_ A letter from the Home Office.

Only original documentation is acceptable.

Proof of National Insurance Number

An official document showing the applicant's National Insurance number will be accepted as proof of

National Insurance number. NI cards will only be accepted accompanied by an official document.

#### 2. Proof of Public Liability Insurance:

The following documents will be accepted as proof of insurance:

- \_ An insurance certificate confirming a minimum of £5,000,000 third party liability insurance cover.
- \_ Traders who employ assistants must also provide an insurance certificate confirming a minimum of £10,000,000 employer's liability insurance cover.

#### 3. Proof of Address:

One of the following documents will be accepted as proof of address, where the address is the same as the address shown on the proof of National Insurance document:

- \_ A utility bill (gas, electricity or land-line telephone) dated within three months of the date that the documents are submitted. Mobile phone bills will not be accepted.
- \_ A bank or building society account statement dated within three months of the date that the documents are submitted.

#### 4. **Bank Details:**

If you are applying for a permanent licence, your credit history will be checked and you may be required to pay your invoices via direct debit as a condition of granting the licence. You will be asked to complete a direct debit authorisation form with your bank details and to provide proof of your account details in the form of a bank or building society account statement dated within three months of the date that the authorisation is completed.

#### B. **About You:**

About the licence you are applying for:

##### **Title, Date of Birth, Name & Addresses**

\_ The title, date of birth and name on the form should be exactly the same as the details shown on the document that you have submitted as proof of ID.

\_ Market trader licences are issued to individuals; the address given in this part of the form should be the address where the applicant lives and it must be the same address shown on the documents submitted as proof of address.

\_ You must provide at least two contact details in the boxes provided (land-line telephone number, mobile phone number or email address) in addition to your postal address.

\_ If you have set up a trading company, or if you are trading on behalf of a company, you also need to complete the company name and company address in the appropriate boxes. If this does not apply to you, please write "Not applicable" or "N/a" in the appropriate boxes.

\_ If you have registered your company with Companies House, please complete the company registration number in the box provided. If you have not registered your company, please write "Not applicable" or "N/a" in the Registered Company Number box.

\_ If you have registered your company with HM Revenue & Customs (HMRC), please complete the VAT registration number in the box provided. If you have not registered your company for VAT, please write "Not applicable" or "N/a" in the VAT Registration Number box.

##### **Work Permits**

\_ Tick the appropriate box (Yes, or No) to indicate whether or not you are required to hold a work permit to work in the UK.

\_ Tick the appropriate box (Yes, or No) to indicate whether or not you actually have a work permit to work in the UK.

If you are required to hold a Work Permit to work in the UK you will be asked to produce the Work Permit, *PLUS* one of the following:

\_ An endorsed passport; or

\_ A letter from the Home Office.

Only original documentation is acceptable.

#### C. **Special Assistance:**

\_ Please let us know whether or not you have a disability for which you need special assistance to work in the market.

\_ If you require special assistance to work in the market due to a disability, please write a brief description (e.g. "Wheelchair access") in the box provided; you will be asked for further details during your interview if you are offered the grant of a licence.

\_ Please note that it is Lambeth's policy to promote equality and to meet the needs of all groups in the community. This information will only be used for the purpose of providing assistance if you are offered the grant of a licence.

#### **D. Market Street and Pitch Number**

You need to choose your desired location from the pitches which are advertised as available on the Council website. We only accept applications for pitches which are already designated, and which are advertised as being currently vacant.

\_ If you are applying for a temporary registration, you can only choose to register to trade in Brixton Market, which includes Electric Avenue, Popes Road and Brixton Station Road. You should tick all three boxes and leave the pitch number blank as you will be considered for the available vacant pitches on the days when you apply for a daily licence.

\_ Charities, and non-profit organisations are eligible to apply to trade at a reduced rate – more information is available from the Markets team at the Council.

\_ 'Event or specialist site' only applies when this form is being completed by a Visiting Market Operator or Community Interest Company in relation to a separate contract.

#### **E. Type of Licence**

\_ Indicate whether you are applying for a new licence or applying to renew an existing licence. Please note that if you are applying for a renewal the details of the licence on the application must be the same as the details on your existing licence – this includes commodities, location and trading days/ hours.

\_ A street trading licence is for a specific location. It is a continuing licence that needs to be renewed. A licence holder who has been allocated a pitch is required to trade on every licensed trading day.

\_ Applications for permanent licences are only accepted in response to advertised vacancies.

\_ A temporary (casual) registration is not for a fixed a location. A temporary (casual) registration is for a maximum of one year. A registered temporary trader is not required to trade on every trading day and must apply for a temporary, daily licence on the day that the trader wishes to trade. Please tick the temporary 'casual' licence box if you are applying for this type of licence.

\_ An assistant is someone employed to help a permanent licence holder or a temporary trader. A license holder may register up to two assistants. Only the named licence holder and their registered assistants are permitted to trade.

\_ To register an assistant outside of the new application or renewal process, the main applicant will need to complete the full application form and the assistant will need to complete one of the pages headed "Additional Information for Assistants" and submit all of their information and supporting documentation. The applicable fee for Licence or Registration Variation will be charged (please see Fees & Charges for current prices).

\_ 'Event/specialist' only applies when this form is being completed by a Visiting Market Operator or Community Interest Company in relation to a separate agreement.

\_ If you are a registered temporary (casual) trader applying for a new licence, please state the length of time that you have been registered as a temporary (casual) trader in the box provided. If this does not apply to you please write "Not applicable" or "N/a".

#### **F. Commodities**

\_ Please refer to the separate 'Commodities' document, available on the Council's website, and attached as an Appendix to this document

\_ There are twenty-eight different commodity categories, each with a reference number and a heading; please choose *one* category for your licence or registration. (e.g. 1 – Clothing).

\_ There are different commodities listed in each Category, each with a reference letter and description. You must choose from the commodities listed under the category that you have chosen. Please list up to two commodities that you wish to have on your licence on your application form.

\_ If the goods that you wish to sell are not listed within the document you should choose “Other” within the Category that best describes your commodity. All commodities must be from the same category and you must write a specific description of the type goods if you have chosen “Other” as the commodity.

\_ Write the Category reference number and Commodity reference letter in the box provided, next to the commodity description.

\_ Please note that there are also commodity pitch rules in operation that determine how close a trader may have a pitch in relation to another trader selling the same goods. An application may be turned down on the grounds that there is not enough space in the market, because the commodity applied for is already over-represented. Goods that are ‘over-represented’ include fruit and vegetables on Brixton Market.

\_ Temporary (Casual) traders will not be registered to sell Raw/Uncooked Meat or Fish, Fruit, Vegetables, Deli Food or Prepared/Cooked Food of any kind

#### **G. Storage of Stalls and Goods**

\_ You must tell us the full postal address of the place where you store your goods when you are not trading. Stalls and goods must not be stored on street trading pitches when the stall is not trading. Your application may be refused if you do not provide satisfactory proof that you have a separate place for storage.

#### **H. Food Hygiene**

\_ If you are applying to sell Raw/Uncooked Meat or Fish, Fruit, Vegetables, Deli Food or Prepared/Cooked Food of any kind, you and each of your assistants will be required to have a valid Food Hygiene Certificate at the appropriate level.

a) Level 2 standard for the licence of raw or uncooked meat or fish, deli food, prepared or cooked food and beverages.

b) Level 1 standard for the sale of unpackaged fruit or vegetables.

Please tick the correct box to indicate whether you and your assistants have a valid Food Hygiene Certificate.

\_ If you are applying to sell Raw/Uncooked Meat or Fish, Fruit, Vegetables, Deli Food or Prepared/Cooked Food of any kind, you must also register as a Food Business with Lambeth’s Food Safety Team. Food Safety Team – Tel: 020 7926 6110 or Email: [foodsafety@lambeth.gov.uk](mailto:foodsafety@lambeth.gov.uk)

Please tick the correct box to indicate whether or not you have registered as a food business.

\_ If you prepare food at an address outside of Lambeth you will also be required to register as a Food Business in the borough where you prepare food for sale.

\_ Food Safety teams carry out inspections of registered Food Businesses to make sure that they comply with the required food hygiene standards and food safety regulations. Please tick the appropriate boxes to tell us whether you have had an inspection and where the inspection was carried out.

## **I. Safety of Equipment**

\_ Electricity at Work Regulations require regular and recorded inspection of all electrical supply systems and equipment in all work situations. Inspection and certification of all electric consuming equipment, including fridges should be logged to ensure and record that at the time of testing they were operating safely and efficiently. Lambeth licence conditions require all traders using electric consuming equipment to provide a copy of the Periodic Inspection Report for an Electrical Installation at each grant or renewal of a licence or registration.

\_ Gas Safety (Installation and Use) Regulations require regular and recorded inspection for testing the soundness of all gas consuming equipment. Inspection and certification of all gas consuming equipment should be logged to ensure and record that at the time of testing they were operating safely and efficiently. Lambeth licence conditions require all traders using of all gas consuming equipment to provide a copy of the Gas Safety Record at each grant or renewal of a licence or registration.

## **J. Previous Trading and Other Information**

### ***Licences from other Councils***

\_ You need to complete the details of any previous street trading licences that you have held. This information may be used to obtain a reference with regard to your trading history.

## **K. Assistants and Succession**

\_ An assistant is someone employed to help a permanent licence holder or a temporary trader. A permanent licence holder may register up to two assistants. A registered temporary trader may register a maximum of two assistants. An assistant does not have to be a relative, but they do have to meet the registration requirements. A trader must not use an assistant who has not been granted registration. Complete the required information for each assistant, and ensure that you submit all of their documentation.

\_ If you are given a permanent licence, you have the right to name a relative whom you would want to take over your licence in the event of retirement, ill-health or death. The London Local Authorities Act 1990 – Part III specifies the relationships recognised for this purpose as: wife, husband, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, granddaughter, stepson, stepdaughter, brother, sister, half-brother or half-sister. These relationships will also be recognised through illegitimacy or adoption, but proof of relationship would be required when an application is made to take over a licence.

## **L. Criminal Records, Financial History & Benefit Status**

\_ You are required to tell us if you have ever been convicted of a criminal offence. A past criminal conviction does not mean that you will not be given a licence. The circumstances and nature of the offence may require additional conditions or restrictions to be placed on the licence.

\_ You need to tell us if you have ever been declared bankrupt or if you have ever had a debt relief order. Your financial history does not mean that you will not be given a licence. A poor credit history may result in restriction to a temporary licence or the requirement to pay fees via direct debit.

\_ You need to tell us if you are in receipt of any state benefit. Receipt of state benefit does not mean that you will not be given a licence. If you are in receipt of a benefit paid to people who are not working (e.g. Universal Credit) you will need to inform the Department for Works and Pensions if you are granted a licence or registration and intend to start working.

\_ Please note that the Council will not disclose information to any unauthorised person or body but where appropriate will use such information in carrying out its various functions and services. The council may also use this data in connection with the prevention or detection of fraud or other crime. When required to do so we will provide information to HM Revenue & Customs (HMRC) and we are required to provide information to the Audit Commission in relation to data matching as part of the National Fraud Initiative.

\_ All applicants must sign the declaration at the bottom of the application form. Please note that this declaration may be produced as evidence if information given in the application form is found to be untrue and the applicant is prosecuted.

**M. Equalities information**

You do not have to complete the ethnicity, gender and disability information section of the application form if you do not want to. This information is used to inform the planning and delivery of our services.

## APPENDIX 2: Markets and Street Trading: Commodities Rules

**This document sets out what goods are permitted to be sold by licensed street traders in the London Borough of Lambeth. When a street trading licence is granted by the Council, only the goods listed on the current licence may be displayed, offered for sale, or sold.**

**It is recommended that applicants read through this document carefully before submitting a street trading licence application to the Council.**

1. A trader can be licensed to display, offer for sale or sell up to two compatible or complementary commodities within a category as set out in the table at 14. below. The permitted commodities will be listed on the trader's licence<sup>2</sup>. Only the licenced commodities must be displayed or offered for sale.
2. The following items are not permitted to be sold:
  - Any goods prohibited under the London Local Authorities Act 1990 (as amended); the Food Safety Act 1990; the Consumer Rights Act 2015, or any other legislation;
  - Fireworks, explosives, ammunition or firearms
  - Imitation firearms including where these are sold as toys
  - Live animals
  - Medical goods or medicine
  - Any goods claiming to 'cure' illness or medical conditions
  - Second hand electrical goods
  - Items promoting hate
  - Counterfeit or pirated goods, or goods which breach intellectual property
  - Tobacco or nicotine products or smoking paraphernalia
  - Alcohol or goods containing alcohol
  - Goods which may generate or promote unacceptable levels of noise, odours, other nuisances, safety concerns or criminal behaviour.
3. Banned commodities will be set out in the standard street trading licence conditions, and will not be permitted on the market at any time.
4. The licensed commodities must be specified, both on the trader's licence and on the Pitch Trading Plate. The Pitch Trading Plate must be displayed on the stall at all times as a condition of the licence. Any goods sold, displayed for sale or offered for sale must reflect the trading licence/pitch trading plate.
5. Commodities are traded under the four pitch rule (with the exception of visiting specialist markets). The four pitch rule requires that there is separation of a minimum of four clear pitches in either direction between traders selling the same commodities.

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<sup>2</sup> Please note that existing traders may have previously been permitted to have up to three compatible or complementary commodities listed on their licence.

6. In a limited range of circumstances it may be unsuitable for different types of stalls to be close together – for example a hot food stand next to a clothing stall, and this will be taken into consideration when determining the allocation of pitches.
7. Existing permanent traders may retain their current commodities (where these were agreed prior to the 2016 regulations), but should a request for commodity variation be made, they will need to comply with the Commodity Rules within this document.
8. These commodity regulations are applied during consideration of all new licence applications, requests for pitch transfers, requests for commodity variation, and also when allocating pitches for temporary daily (casual) street trading licences.
9. Commodities rules apply to permanent licence holders and temporary traders.
10. Seasonal event commodities (e.g. Christmas trees, Christmas decorations, Halloween costumes etc) will not be one of the commodities on the regular licence, but can be added for a period of 6 weeks on grant of a temporary commodity variation, within the appropriate licence category. These licences will be decided on an individual basis by the Council's Market and Street Trading Manager. These licences will be time limited and temporary and awarded at the Market and Street Trading Manager's discretion.
11. Where an application is received for the grant of a street trading licence for a location in front of or adjacent to a shop where articles, things or services mentioned in the application are already sold or provided at the shop, the application will be refused, unless the application is made by the owner or the occupier of the premises comprising the shop.
12. Existing licence holders will be given priority in commodity allocation, even when this may exceed the balance.
13. An additional rule took effect from July 2008 that a maximum of two of the same commodity would be licensed per market street.

#### 14. Permitted commodities

Traders may be licensed for **up to a maximum of two** commodities from **one** category in the following table.

Category		Commodity banding	
1	<b>Clothing</b> Note: Commodity combinations including groups that mix male and female; or adults' and children's clothing may be subject to restrictions <b>A combination of 1A and 1B is not permitted.</b>	<b>A</b>	Women's fashion including ethnic-specific clothing (excluding jeans)
		<b>B</b>	Men's fashion including ethnic-specific clothing (excluding jeans)
		<b>C</b>	Children's clothing for girls including ethnic-specific clothing
		<b>D</b>	Children's clothing for boys including ethnic-specific clothing
		<b>E</b>	Babywear including ethnic-specific clothing
		<b>F</b>	Women's/girl's sportswear
		<b>G</b>	Men's/boy's sportswear
		<b>H</b>	Men's/boy's jeans

Category		Commodity banding	
		<b>I</b>	Women's/girl's jeans
		<b>J</b>	Women's coats/jackets
		<b>K</b>	Men's coats/jackets
		<b>L</b>	Children's coats/jackets
		<b>M</b>	Adults' hats/gloves/scarves/ties/belts
		<b>N</b>	Children's hats/gloves/scarves/Ties/belts
		<b>O</b>	Other – this must be a <u>specific category</u> different from the above and must list the specific items
<b>2</b>	<b>Underwear/Nightwear</b> Note: Commodity combinations including groups that mix male & female or adults' and children's may be subject to restrictions <b>A combination of 2A and 2B is not permitted.</b>	<b>A</b>	Women's/girl's underwear (bras, knickers, lingerie and thermals)
		<b>B</b>	Men's/boy's underwear (vests, pants and thermals)
		<b>C</b>	Women's/girl's nightwear
		<b>D</b>	Men's nightwear
		<b>E</b>	Women's/girl's dressing gowns/bathrobes
		<b>F</b>	Men's dressing gowns/bathrobes
		<b>G</b>	Hosiery: socks/tights/stockings/knee highs etc.
		<b>H</b>	Other – this must be a <u>specific category</u> different from the above and list the specific items
<b>3</b>	<b>Footwear</b> Note: Commodity combinations including groups that mix male & female, or adults' and children's may be subject to restrictions. <b>A combination of 3a &amp; 3c is not permitted.</b>	<b>A</b>	Women's shoes/sandals/mules/boots
		<b>B</b>	Women's slippers (indoor)
		<b>C</b>	Men's shoes/boots
		<b>D</b>	Men's slippers (indoor)
		<b>E</b>	Trainers/sports shoes (Female)
		<b>F</b>	Trainers/sports shoes (Male)
		<b>G</b>	Children's shoes
		<b>H</b>	Women's matching shoe/handbag sets
		<b>I</b>	Shoe repairs
		<b>J</b>	Accessories (in-soles/heel grips/shoe horns/protector/laces/polish etc.)
		<b>K</b>	Other – this must be a <u>specific category</u> different from the above and list the specific items
<b>4.</b>	<b>Food</b> <b>Temporary trading (casual) licences are not permitted for commodities C, D, H and I.</b>	<b>A</b>	Pre-packed groceries (including ethnic-specific)
		<b>B</b>	Raw/ Uncooked meat or fish
		<b>C</b>	Fruit (including ethnic-specific and organic)
		<b>D</b>	Vegetables (including ethnic-specific and organic)

Category		Commodity banding	
		<b>E</b>	Dried fruit & pulses (peas, beans, seeds, nuts, raisins, dates etc.)
		<b>F</b>	Pre-packed confectionery
		<b>G</b>	Pre-packed cheese & dairy products & eggs
		<b>H</b>	Deli Food (unpacked cheese, olives, unpacked cold cooked/cured meat and fish, natural health foods, dips and salads)
		<b>I</b>	Prepared/Cooked Food (including ethnic-specific)
		<b>J</b>	Take-away food, health foods, organic foods, cold food, sandwiches, cakes, bread & bakery goods, ice cream, hot and cold non-alcoholic drinks)
		<b>K</b>	Beverages (cold, non-alcoholic, drinks, pre-packed in cans, cartons or bottles)
		<b>L</b>	Other (must be specified and not cooked or prepared)
<b>5.</b>	<b>Flowers</b>	<b>A</b>	Cut flowers and plants
		<b>B</b>	Uncut flowers and plants
		<b>C</b>	Artificial flowers
		<b>D</b>	Plant pots/bulbs/seeds/food
		<b>E</b>	Seasonal: e.g. Christmas trees/ Holly/ Mistletoe/ Christmas decorations/ Hallowe'en decorations and costumes
		<b>F</b>	Other – this must be a specific category different from the above and list the specific items
<b>6.</b>	<b>Household goods</b>	<b>A</b>	Cleaning products (kitchen/bathroom/multi surface, bleach, disinfectant, air-freshener, washing-up liquid, dishwasher tablets, polishes etc)
		<b>B</b>	Laundry products (washing powder/liquids/tablets, fabric softener, dryer sheets etc)
		<b>C</b>	Cleaning utensils (Brooms, dustpan, mops, buckets, scrubbing brushes, chamois, sponges, cloths, tea-towels etc)
		<b>D</b>	Storage and access (crates, boxes, chests, steps etc), light bulbs, plugs, multi-sockets, fuses
		<b>E</b>	Ornaments, vases, pictures, clocks etc
		<b>F</b>	Toiletries (toothpaste, soap, deodorant, hair remover, body lotion, shower gels, bath oils etc)
		<b>G</b>	Hair care (shampoo, conditioner, hair-dye, hair spray, perm/straightening products, hair mousse/grease/lotion/oil etc)
		<b>H</b>	Other – this must be a specific category different from the above and must list the specific items
<b>7.</b>	<b>Soft Furnishings</b>	<b>A</b>	Bedding (sheets, duvet covers, pillow cases, throws, mattress/pillow protectors, etc.)
		<b>B</b>	Towels, bath mats and shower curtains

Category		Commodity banding	
		<b>C</b>	Curtains and net curtains
		<b>D</b>	Blinds
		<b>E</b>	Duvets, pillows, cushions and cushion covers
		<b>F</b>	Carpets, mats and rugs
		<b>G</b>	Tablecloths, furniture protectors, chair covers etc.
		<b>H</b>	Other – this must be a specific category different from the above and must list the specific items
<b>8.</b>	<b>Kitchen/Dining</b>	<b>A</b>	Tableware (crockery, oven-to-table ware, cutlery, table mats, coasters, etc.)
		<b>B</b>	Glassware (glasses, decanters, ashtrays, fruit bowls, etc.)
		<b>C</b>	Kitchenware (roasting dishes, pots, pans, casserole dishes, scales, etc.)
		<b>D</b>	Other (must be specified & not electrical)
<b>9.</b>	<b>Toiletries &amp; Cosmetics</b>	<b>A</b>	Skin care (make-up remover, facial wash, toner, moisturiser, shaving cream, etc.)
		<b>B</b>	Hair care (shampoo, conditioner, hair dye, hair spray, perm/straightening products, hair mousse/grease/lotion/oil etc.), wigs, hair pieces etc.
		<b>C</b>	Make-up (including nail polish & remover)
		<b>D</b>	Perfume/cologne/aftershave/eau de toilette
		<b>E</b>	Other – this must be a specific category different from the above and list the specific items
<b>10.</b>	<b>Electrical</b>	<b>A</b>	Audio equipment and accessories (e.g. radios, stereo equipment, iPods/MP3 etc. including associated aerials, batteries, adaptors etc.)
		<b>B</b>	Visual equipment and accessories (e.g. TVs, DVDs, Video Player/Recorders, including associated aerials, batteries, adaptors etc.)
		<b>C</b>	Computer hardware and accessories
		<b>D</b>	Household electrical equipment (not second hand)
		<b>E</b>	Landline telephones and accessories
		<b>F</b>	Electrical repairs
		<b>G</b>	Other – this must be a specific category different from the above and must list the specific items
<b>11.</b>	<b>Mobile Phones</b>	<b>A</b>	Mobile phones
		<b>B</b>	Mobile phone accessories
		<b>C</b>	Phone cards
		<b>D</b>	Mobile phone repairs

Category		Commodity banding	
		<b>E</b>	Other – this must be a specific category different from the above and list the specific items
<b>12.</b>	<b>Jewellery &amp; Accessories</b>	<b>A</b>	Costume jewellery (including ethnic jewellery)
		<b>B</b>	Jewellery (including gold, silver and other precious metals and gems)
		<b>C</b>	Hair accessories/ head scarves etc.
		<b>D</b>	Watches, watch accessories, watch repairs
		<b>E</b>	Sunglasses and reading glasses (including cases and neck bands)
		<b>F</b>	Clocks, clock accessories and repairs
		<b>G</b>	Other
<b>13.</b>	<b>Travel Accessories</b>	<b>A</b>	Luggage (including suitcases, travel bags, holdalls and vanity cases)
		<b>B</b>	Sports bags
		<b>C</b>	Handbags
		<b>D</b>	Wallets, purses, passport covers etc.
		<b>E</b>	Umbrellas, walking sticks
		<b>F</b>	Belts
		<b>G</b>	Other (must be specified)
<b>14.</b>	<b>Stationery</b>	<b>A</b>	Office Supplies (Paper, pens, files, etc.)
		<b>B</b>	Invitations, Greeting Cards, Wrapping Paper and Gift bags/boxes
		<b>C</b>	Festive Decorations and party bags
		<b>D</b>	Newspapers, Periodicals and Magazines
		<b>E</b>	Books
		<b>F</b>	Other (must be specified)
<b>15.</b>	<b>Toys</b>	<b>A</b>	Toys (including early years, educational, and associated batteries)
		<b>B</b>	Board games
		<b>C</b>	Games (does not include games consoles or cartridges or board games)
		<b>D</b>	Other (must be specified)
<b>16.</b>	<b>Souvenirs</b>	<b>A</b>	Pop memorabilia (includes flags, banners, plaques, cups and other novelty items)
		<b>B</b>	London/UK Memorabilia (includes flags, banners, plaques, cups & other novelty items)
		<b>C</b>	Ethnic specific memorabilia (includes flags, banners, plaques, cups & other novelty items)

Category		Commodity banding	
		<b>D</b>	Sports Memorabilia (includes flags, banners, plaques, cups and other novelty items)
		<b>E</b>	Other (must be specified)
<b>17.</b>	<b>Audio-visual entertainment</b>	<b>A</b>	Pre-recorded Audio Material (e.g. CDs) including ethnic specific)
		<b>B</b>	Pre-recorded visual material (DVDs & videos including ethnic specific)
		<b>C</b>	Children's pre-recorded visual material (DVDs & videos including ethnic specific)
		<b>D</b>	Games consoles (Play Station, X-Box, Nintendo DS, PSP, etc.); Games cartridges (For Play Station, X-Box, Nintendo DS, PSP, etc.)
		<b>E</b>	Musical Instruments (including acoustic and electric)
		<b>F</b>	Other (must be specified)
<b>18.</b>	<b>Textiles</b>	<b>A</b>	Fabric/lace
		<b>B</b>	Haberdashery (fastenings/ facing/ instant hem etc.)
		<b>C</b>	Yarn/ wool/ thread/ bobbins
		<b>D</b>	Knitting/ crochet/ sewing needles
		<b>E</b>	Other (must be specified)
<b>19.</b>	<b>Tools DIY and Gardening</b>	<b>A</b>	DIY (E.g. Drill, saw, plane, screwdrivers, etc.)
		<b>B</b>	Gardening (E.g. Spade, fork, hoe, rake, hose, etc.)
<b>20.</b>	<b>Bicycles</b>	<b>A</b>	Bicycles
		<b>B</b>	Scooters (non-electric)/Skateboards
		<b>C</b>	Rollerskates
		<b>D</b>	Cycle & Car Accessories
		<b>E</b>	Other (must be specified)
<b>21.</b>	<b>Furniture &amp; Antiques</b>	<b>A</b>	Antique furniture
		<b>B</b>	Antiques (other)
		<b>C</b>	Bedroom furniture
		<b>D</b>	Bathroom furniture
		<b>E</b>	Kitchen furniture
		<b>F</b>	Lounge furniture
		<b>G</b>	Other (must be specified)
<b>22.</b>	<b>Baby Equipment</b>	<b>A</b>	Cots
		<b>B</b>	Prams/Pushchairs

Category		Commodity banding	
		<b>C</b>	Highchairs/Bouncers
		<b>D</b>	Car Seats/Boosters
		<b>E</b>	Changing Bags/Carry cots, Slings etc.
		<b>F</b>	Safety Equipment
		<b>G</b>	Nursery Furniture
		<b>H</b>	Other (must be specified)
23.	Photographic Equipment & Associated Services	<b>A</b>	Cameras
		<b>B</b>	Digital Cameras
		<b>C</b>	Camcorders
		<b>D</b>	Photo-printers (stand alone)
		<b>E</b>	Peripherals & accessories (e.g. lenses, tripods, light meters, flash lights, film, photo paper etc.)
		<b>F</b>	Other (must be specified)
24.	Sports Equipment (Excluding Clothing, Trainers and Bags)	<b>A</b>	Body building/fitness
		<b>B</b>	Football/Cricket/Rugby
		<b>C</b>	Netball/Hockey
		<b>D</b>	Tennis/Badminton/Squash
		<b>E</b>	Track & Field
		<b>F</b>	Golf
		<b>G</b>	Other (must be specified)
25.	Pet Supplies and Equipment	<b>A</b>	Baskets/Cages/Hutches/Aquarium etc.
		<b>B</b>	Scratching poles/Pet Toys/Pet Accessories
		<b>C</b>	Grooming & Care (Feeding bowls, brushes, shampoo, vitamins, tick & flea treatments, etc.)
		<b>D</b>	Pet food
		<b>E</b>	Other (must be specified)
26.	Second Hand Goods (not electrical)	<b>A</b>	Clothing
		<b>B</b>	Audio (Vinyl, CDs, Cassette tapes, etc.)
		<b>C</b>	Visual (DVDs, Videos, etc.)
		<b>D</b>	Books
		<b>E</b>	Collectibles (coins, stamps, comics, porcelain dolls etc.)
		<b>F</b>	Bric-a-brac

Category		Commodity banding	
		<b>G</b>	Other (must be specified)
<b>27.</b>	<b>Arts &amp; Crafts (original/handmade goods)</b>	<b>A</b>	Art (paintings/sculpture/pottery etc.)
		<b>B</b>	Topiary
		<b>C</b>	Keepsakes
		<b>D</b>	Commemorative items
		<b>E</b>	Face painting
		<b>F</b>	Other (must be specified)
<b>28.</b>	<b>Miscellaneous</b>	<b>A</b>	Other not already listed in any category above (must be specified)

15. Any request for a commodity which is not listed above will be categorised under 'other' and will be clearly stipulated on the licence. If the council feel that the commodity you wish to trade in does not suit the market needs or is too vague in its description, it may not be considered.

