



LONDON BOROUGH OF LAMBETH
STREET TRADING (LICENSING)

REGULATIONS MADE BY THE LAMBETH BOROUGH COUNCIL PURSUANT TO SECTION 27(3) OF THE LONDON LOCAL AUTHORITIES ACT 1990 PRESCRIBING STANDARD CONDITIONS APPLICABLE TO STREET TRADING LICENCES.

- Definitions
1. In the Regulations unless the context otherwise requires the following expressions shall have the following meanings:
 - (i) “street trading” shall have the meaning ascribed in Section 21(1) of the London Local Authorities Act 1990.
 - (ii) “The Council” means the Lambeth Borough Council.
 - (iii) “Licensed Street Trader” means any person who is licensed for street trading under Part III of the London Local Authorities Act 1990.
 - (iv) “Advertisement” means any word, letter, model, sign, placard, board, notices, whether illuminated or not, and employed wholly or partly for the purposes of, advertisement, hoarding or similar structure or any balloon used, or adapted for use for the display of advertisements, and references to the display of advertisement shall be construed accordingly.
 - (v) “Assistant” means a person employed by the acting under the directions of a trader to assist him/her about the business of the stall.
 - (vi) “Awning” means a sheet of canvas or other material, used as a protection against the weather, which projects as an extension of the roof beyond the structure of the stall.
 - (vii) “Goods” means any goods, wares or merchandise supplied or offered for supply at a stall.
 - (viii) “Offer for Supply” – a person exposing goods for supply or having in his or her possession for supply on the licensed pitch, shall be deemed to offer these goods for supply. Supply includes the sale goods.
 - (ix) “Licensed Street Trading Pitch” means a pitch in any street authorised as a place at which street trading may be engaged in by a street trader, and includes any temporary alternative place approved by the Council or a duly authorised officer of the Council.
 - (x) “Pitch Limits” means the authorised ground markings defining the area within which a street trading stall is to be contained.
 - (xi) “Refuse” includes any waste material.
 - (xii) “Stall means any structure used by a trader for the display of goods, or in connection with his or her business, and which occupies a licensed street trading pitch; and includes all goods offered or to be offered for sale and any additional structure or equipment used as part of the stall or business. On

“isolated miscellaneous pitches” this also includes all rubbish created as a result of the business.

(xiii) “Premises” means any shop, house or block of flats immediately behind the licensed pitch.

(xiv) “Trader” means a person in whose name a current licence is held authorising street trading from a licensed street trading pitch.

- General 2. The grant of a street trading licence shall not be deemed to give any approval or consent which may be needed under any By-Law, enactment or regulation other than Part III of the London Local Authorities Act 1990.
3. The marginal notes inserted in these Regulations are inserted for the purposes of convenience only and shall not in any way affect the meaning or construction thereof.
4. (a) These conditions may be dispensed with or modified by the Council in any individual case by means of a licence variation in accordance with the statutory requirements.
- (b) Where in these conditions there is reference to the consent or agreement of the Council such consent or agreement may be given on such terms and conditions and subject to such restrictions as may be so specified.
- (c) If a trader wishes any of the terms of a licence to be varied or the Council’s agreement under these rules applications must be made in writing to the Council in accordance with the statutory requirements.
- Position 5. The trader shall trade only from the position which is indicated on the licence.
6. The trading area shall not exceed the dimensions specified on the licence and any pitch limits marked on the ground or otherwise identified on the licence during trading hours, except during immediate re-stocking. No goods, boxes, containers, displays, waste or any other article shall be placed outside the perimeter or within the immediate vicinity of the pitch limits except during immediate re-stocking, and shall not at any time cover or obstruct any fire hydrant or public utilities access point.
- Conditions 7. Only those goods or services supplied or offered for supply as specified on the licence may be supplied or offered for supply, on the licensed street trading pitch.
- Days & Times 8. Trading may only take place on the days and during the times specified on the licence.
- Nature and Type of Receptacle 9. Only those receptacles approved by the Council or duly authorised officer of the Council shall be used by the trader.
- Conduct 10. Traders and any assistants employed by them shall ensure that the public and other traders are treated fairly and with courtesy regardless of race, colour, creed, ethnic or national origin, disabilities age, sex or sexual orientation.
11. Traders shall ensure that their staff are competent, courteous and helpful. Traders shall conduct their undertaking in such a way as to ensure so far as is reasonably practicable that no person is exposed to risks to their health and safety.
- Display Of Pitch Card/Licence Plates etc 12. Traders shall at all times display a pitch card/plate supplied by the Council indicating the licensed pitch number of the stall. This pitch card/plate shall during trading hours, be kept prominently and permanently exhibited on the stall together with the name of the trader.

13. A licensed street trader shall cause all refuse arising from the business carried on to be placed in suitable covered containers provided by the licensee (unless suitable containers are provided by the Council), as soon as practicable.
14. Refuse containers shall be emptied whenever necessary into any vehicle container or compactor provided by the Council for that purpose.

Food
Safety
Hygiene

15. The Trader shall comply with the provisions of the Food Safety Act 1990 and must be registered as a food business with the Council's Environmental Health Division except if only trading on less than 5 days in any consecutive 5 weeks.

Safety of
Equipment

16. No heat producing equipment (e.g. braziers) shall be used without the express permission of the Council and any such equipment shall be so placed within the Trading area as to offer maximum safety to the public. The position of such equipment in relation to other goods or materials shall be agreed with the Council's officers.

Fabrics or other sheet material used in the construction of the stalls, roof coverings, drapes or awnings shall be rendered flame retardant and maintained in that condition to the satisfaction of the London Fire Brigade.

17. Liquefied Petroleum Gas shall not be used without the express permission of the Council and any equipment using this gas shall have only flexible and approved armoured hoses complying with the relevant British Standard Specification or equivalent connected by jubilee clips or equally effective device.
18. Machinery with moving parts shall not be operated without the express permission of the Council and every part of such machinery which is a foreseeable cause of injury shall be effectively covered or fenced when in motion.
19. Catering stalls or vehicles in which cooking is carried out shall be equipped with a dry powder type fire extinguisher, fire blankets, and a Carbon dioxide type fire extinguisher to the satisfaction of the Council. A carbon dioxide type fire extinguisher shall be provided near to any electrical installation to the satisfaction of the Council.

Services
Amenities
Electrical

Safety

20. The only connection between stalls on the footway and other stalls or premises shall be for the purposes of electric lighting or other agreed services; and any such electrical other connections shall be readily detachable and the detailed arrangements agreed with the Council.
21. All electric power supplies shall have the appropriate consent from the Council before seeking installation from the LEB
22. All electrical cables or flexes that are suspended over the public footway or carriageway shall be adequately supported and have a minimum clearance of 3.5m from the footway surface, and 5.8m from the surface of the carriageway.
23. No mobile generator shall be used without the express permission of the Council. Where permission is granted generators shall be so positioned that:
 - (a) they do not present a danger to the public.
 - (b) they do present a fire or similar risk to the stall or goods displayed thereon.
 - (c) they are effectively fenced whilst in motion.
 - (d) they do not cause any noise or fume nuisance.
 - (e) any flammable fuel is stored away from the stall in a London Fire Brigade approved container of not more than five litres capacity.

24. (a) All electrical wiring and components shall comply with IEE 16th Edition Wiring Regulations and subsequent editions.
- (b) LEB Specifications or other requirements shall be adhered.
- (c) Electrical power shall only be used for the purpose of lighting, the operation of electrical scales/tills, the testing of electrical goods, the sale of records and tapes or any other purpose expressly authorised by the Council in writing.
- (d) No electrical appliance shall be connected to the supply by either single or multiple outlets unless:-
- (i) The supply required for all appliances has been assessed and does not exceed the ratings for the system including all electrical wiring and fittings, and
- (ii) the appliance is separated from the supply outlet by a fuse of suitable ratings.
- (e) Electrical equipment, lighting etc connected to the supply shall not exceed a total rating of 1 kilowatt.
- (f) All electrical wiring shall be of suitable type and sufficient construction to withstand physical damage and the effects of weather without giving rise to danger.
- (g) Notwithstanding the above, traders shall take all steps necessary to comply with requirements laid down for employers in the Electricity at Work Regulations 1989 whether or not there are any employees connected with the business.
25. The testing of electrical goods shall be made in a safe manner.
26. Notwithstanding the above, where electrical supply is provided by the Council, no other means of supply shall be used unless the Council has given its written consent.
27. The distance above ground level of any part of any roof, awning, or supports of the stall shall (unless a dispensation has been granted by the Council) be at least 2.6m (8ft 6inches). The maximum projection over the footway of any roof, awning or other projection shall be 900m (3 feet) unless the Council determines that a shorter distance should apply.

Limits Of Displays etc 28. All goods, containers or other articles shall be contained within the licensed pitch area and height and shall not project beyond.

Removal 29. Stalls shall be easily and immediately removable.

30. Traders or their assistants shall remove the stall and goods for so long as may be necessary in the event of an emergency or in exercise of the Council's powers and duties, if reasonably required to do so by a police officer or a duly authorised officer of the Council.
31. Stalls and goods shall be removed from the public highway within one and half hours of the time prescribed on the licence for the end of trading on that day.

Traders' Vehicles 32. A licensed trader shall not leave his or her vehicle in the street in which s/he trades, apart from in approved parking spaces such as meter bays except for the purpose of loading and unloading goods. Such loading and unloading shall be carried out without delay and the vehicle removed immediately upon completion.

Damage 33. Traders must not intentionally permit stalls or accessories to cause damage to the carriageway or footway.

Assistance to Council Officers 34. Traders and their assistants shall be courteous to and give every assistance to Council officers in carrying out their duties.

Storage 35. Traders shall notify the Council in writing of any changes of address or addresses at which the stall and perishable goods are stored. Such notice shall be given within 7 days of the change.

Change Of Assistant 36. Traders shall, if required, supply to the Council/a duly authorised officer of the Council in writing, the name and residential address of any assistant which they employ on the stall, and details of any change of assistant or assistants or any other relevant information regarding assistants.

Commencement Times

37. Traders shall commence trading, their stalls being in position and all goods contained within the pitch area and all vehicles removed by 10.00am. Absence or lateness shall be notified to the Council or its representative by 8:30am. If the licensed trader is not present by 8.30am **and** has not notified the Council or its representative that the pitch will be used, the Council may at its discretion re-let the pitch for that day.

38. In the case of sickness, accident, holiday or any other reason a licence holder is unable to occupy his or her pitch, the licence holder shall on the first day of absence notify the Council specifying the reason(s) and the length of absence, where possible.

Radios

Etc 39. (i) Traders shall not use or permit to be used on the licensed area or within the immediate vicinity any radio, cassettes player or other equipment or apparatus to produce music or other sound.
(ii) The above shall not apply where the use etc relates to goods being sold or services being offered from the licensed area. For example, the sale of records, cassette tapes. The music or other sound however must be kept at a reasonable volume, as shall be determined by the Council.

Insurance 40. Traders shall take out third party insurance cover with minimum liability of £5,000,000 or such other sum as determined by the Council from time to time.