

Street Trading

Frequently Asked Questions

Q I have been invited to trade at an organised event such as a market in a street, do I need street trading consent?

A It depends if members of the public have access to the event without payment. A free entry event will always require street trading consent. If people pay to enter the event no consent is required. If it's a free entry event, do not assume the organisers have permission please check with them and the licensing section. An example is a travelling fair, if payment is needed to enter then no consent is required, if no payment to enter then consent is required.

Q I only attend functions such as weddings, do I need consent?

A If you are hired and paid in advance to provide your services without asking for payment from the customers then No. If you are selling your service to the public then Yes, i.e. if you attend and sell food individually to a customer for a fee then you will require 'consent'.

Q I only trade at events, but not on a street, do I need 'consent'?

A Yes, if you trade within RCT and it is not a prearranged RCT event for which you have been officially invited.

Q How do I apply for street trading consent on private land?

A For private land you will need to provide written permission from the land owner with the initial application form. The land owner may charge you a separate fee to rent the pitch.

Q If I am already paying a landlord a fee for using their land why have I got to pay?

A You are acting as a street trader, the same conditions apply to those who pay for land or not. Any fee between you and the land owner is totally separate and between the two parties.

Q I want to trade in a lay-by are there any set/approved pitch available in RCT?

A RCT do not hold a list of available trading locations, each application is treated on it's own merits however for safety reasons, a lay-by with a clear separation from the highway is more favourable so customers are not stood on the roadside. Please read the policy for restrictions on some streets.

Q Do I need 'consent' if I only attend craft and food markets?

A Any market recognised / arranged by the Council. Recognised markets include farmers, craft, and seasonal markets are exempt. Anything outside of this requires 'consent'.

Q Do I need 'consent' if asked to attend sporting events?

A Yes.

Q The majority of my work is outside RCT, but I occasionally work within RCT, do I need 'consent'?

A You will require 'consent' for any work you conduct within RCT.

Q I want to apply to sell hot food late at night from my burger van, do I need any other permission?

A Yes if you intend to sell hot food or drink from 11pm to 5am you will also require a premises licence under the Licensing Act 2003 with the Street Trading Consent. Both application fees will apply.

Q Do I need consent to trade from my own private garden which the public do not normally have access to?

If trading takes place entirely from your garden you will not need consent. However, if you trade over your boundary, for example a fence, and people queue/are served on land which the public can normally access you will need consent.

Q Do I need consent to trade from a private car park or private land that the public can normally access?

Yes you will need a consent.

Q I am a sole trader and want to trade in several locations. Do I need separate street trading consents for each location?

If you have one mobile vehicle/stall and trading takes place at different locations during the week i.e all day at venue A on Monday, all day at venue B on Tuesday then you can trade on the one consent, but must provide details of each location and days/times you will be present at each location.

If you have several mobile vehicles/stalls you will need a street trading consent for each vehicle/stall.

Each location you plan to trade from will be considered whether permissible. Each location granted will be noted on your consent.

Q I am a mobile trader (typically ice cream van). Do I need a street trading consent?

Yes, you will need a mobile consent for each mobile vehicle/stall.

Q I am an ice cream or meat seller etc who moves from one location, but remains at each location for more than one hour, what licence do I need?

A You will need a consent, noting each location with date and time you plan to remain there. If you only stop for less than 1 hour you will require a mobile consent.

Q If my application is refused or my consent is revoked, what happens next?

A Refer the local policy which states:-

15. Refusal of Applications and Revocations

Where the licensing department refuses an application or revokes consent the applicant/consent holder will be informed in writing of the reasons, allowing the applicant/consent holder an opportunity to make representations within 7 days of receiving the notice.

Whilst there is no right of appeal representations will be considered by the Licensing Committee.

Q Can I trade in a Council owned car park?

A Only with permission from the Council. This will be considered within your application.

Q Do I need a consent if positioned on an industrial estate?

A Yes, as the public has access to this.

Q What if I serve hot food/drinks and located in a pub car park but I don't take payment but the pub does.

A You will require street trading consent because you are providing goods for sale, and the public have access to this.

Q Can I sell goods whether food or merchandise at parks?

A You'll require a street trading consent, but only with the permission of the landowner, such as RCT council parks.

Q Can I trade in a pre-arranged market?

A The organiser of the event will need to apply for a street trading consent, containing details of all the various stalls and traders that will be part of the event and include all required supporting documentation.

Q Do I need planning consent as well as the street trading consent?

A If you plan to trade from a specific location you may need planning consent, this is separate to the street trading consent. You are advised to contact planning department at the earliest opportunity to check.

Q Do I need a consent to trade within a council organised/agreed event?

A If you are part of the event then no, if you are not officially included in the event yes.

Q Do I have to pay if I only work one day a week?

A Yes, if you are trading you will need a consent, it doesn't matter if you trade 1 day or 7 days, the requirement is the same.

Q Can I get a 3 month consent initially, then renew for 3, 6, 12 months afterwards?

A Yes, once you receive your 'consent' you can renew for whatever period you wish. Each application however will be considered on it's own merits.

Q Must I pay the full fee on application?

A Yes, no application will be considered without payment.

Q Do those traders from outside RCT who have food ratings with other councils have to apply?

A Yes, the same conditions apply to all who trade within RCT.

Q If I get 'consent', who do I contact when there is problems with other vendors parking next to me?

A Telephone t01443 245001 or email licensing.section@rctcbc.gov.uk If there is any public disorder or aggressive behaviour contact the police.

Please see the policy for further details, this can be viewed at <https://www.rctcbc.gov.uk/EN/Business/LicencesandPermits/Streettradinglicences/RelatedDocuments/Streettradingpolicy2024.pdf>