

Application for a Street Trading Consent

Information for Applicants

Local Government (Miscellaneous Provisions) Act 1982



Please make sure that you read these notes carefully before you fill in your application.

"Street Trading" means the selling or exposing or offering for sale of any article (including a living thing) in any street (and includes all forecourts, roads, footways and other areas adjacent to streets) or open place on which the public have access without payment. This includes private property on which the public have access without payment.

A Street Trading Consent is not required for the following: -

- ◆ Trading as a pedlar under the authority of a pedlar's certificate granted under the Pedlars Act 1871;
- ◆ Any trade in a market or fair, the right to hold which having been obtained by a grant, enactment or order;
- ◆ Trading as a news vendor;
- ◆ Trading at or adjoining a shop premises as part of the business of the shop; or
- ◆ Offering or selling things as a roundsman;

Wigan Council has determined that all streets within the Borough of Wigan be designated as "Consent Streets for all the purposes of Schedule 4 of Local Government (Miscellaneous Provisions) Act 1982. Street Trading is prohibited within those streets without the consent of Wigan Council.

You are recommended to contact the Council before you incur any costs to discuss your proposed application as there are areas within the Borough where the Council will not normally grant consents to trade. However, each application will be considered on its own merit taking into account the provision of similar outlets, obstruction of the highway, contribution to disorder etc. The Council will not normally grant consents to trade in any Town Centre within the Borough. Copies of Town Centre plans are available from this office on request.

A person who wishes to trade in food must be registered in accordance with the Regulation (EC) 852/2004. The premises used for the storage of food must also be registered. Persons wishing to register may obtain application forms from Wigan Council's Business Compliance Section by telephoning 01942 489330 or their own local Council. Applications for food registration with Wigan Council can also be made online at:

<http://www.wigan.gov.uk/Services/BusinessRegeneration/FoodSafety/FoodPremisesRegistration.htm>

If you wish to employ any person as an assistant in respect of any consent, each assistant must register with the Council. No charge is made for registration but the Council reserves the right to refuse to register any person as an assistant if they consider that person to be unsuitable.

How to make an application:

Online

You can apply and pay online for registration via our website:-

<http://www.wigan.gov.uk/Services/BusinessRegeneration/BusinessTradingLicencesPermits/StreetTrading.htm>

In Person

You can submit your application and make payment by visiting the Life Centre, The Wiend, Wigan, WN1 1NH. Please be aware that you can only make payments at this centre by credit / debit card.

All applications must be completed in full and any alterations must be crossed out and initialled. Any application which has alterations covered by correction fluid will be rejected. Application forms, which are incomplete, will be rejected and returned to the applicant. This will delay the application.

All applicants and assistants are required to supply a passport size photograph of themselves taken without headgear (except where headgear is worn as part of a religious belief). A person who has known you for not less than two years and is not a member of your family must endorse the photographs on the rear. The Endorsement shall be as follows:

"I (insert name and address) certify that this photograph is a true likeness of (insert name of applicant) then sign and date.

Where you wish to trade from a site which is privately owned you must provide written evidence with your application that you have the permission of the site owner to trade on that site. However, even though consent to trade is granted it does not give permission to use a particular site and it is your responsibility to make sure that you have all the permissions required to trade from the site lawfully.

Where the application is for a static unit notices giving details of the application must be displayed at the location. These notices will be sent to you once the application has been accepted by this office. The notices need to be displayed at the location for a period of 28 consecutive days, from the date the application is accepted to allow members of the public to lodge objections if they wish.

As the Council has to consult with various bodies in relation to application for consents, it may take up to six weeks for the application to be determined.

You are advised that a copy of all applications and supporting documents including statutory declarations will be forwarded to the Greater Manchester Police for comment. You are further advised that the Chief Constable may, where he considers it appropriate, provide the Council with details of any Criminal Convictions recorded against you. Copies of your application will also be sent to the following:-

- The Council's Property Division;
- The Council's Business Compliance Section;
- The Council's Environmental Protection Section; and
- The Council's Traffic Group

For details of current fees please contact the Licensing Section on 01942 404627

Please Note! The information provided within this document is given without prejudice and applicants are advised to seek their own legal advice before submitting an application.