



# Street trading in Dacorum – advice for applicants

If you wish to sell goods in the street or in other places to which the public have free access, you may need street trading consent from the Council. These notes are intended to give an overview of the main controls covering street trading in the Borough of Dacorum, help you to identify a suitable pitch and comply with the food hygiene regulations.

Applications for street trading consents can be made through our website, at [www.dacorum.gov.uk/licensing](http://www.dacorum.gov.uk/licensing). Our current fees can also be viewed online.

## What is street trading?

Street trading is regulated by part 3 of the Local Government (Miscellaneous Provisions) Act 1982, which was first adopted in Dacorum in 1983. The Act defines street trading as selling, exposing for sale or offering for sale any article, in any road, footway, beach or other area to which the public have access without payment. There are certain qualified exemptions within the Act, allowing lawful trading by pedlars, markets, news vendors, roundsmen, and licensed street collections, without the need for a street trading licence or consent.

Local councils can designate streets where street trading requires permission, either as 'licence streets' (where street trading requires a street trading licence) or 'consent streets' (where street trading requires a street trading consent). Streets can also be designated as 'prohibited streets', where all street trading is banned.

Dacorum has designated its streets as follows:

| Prohibited streets   | Consent streets  | Licence streets |
|--|--|-----------------|
| The A4251 through Kings Langley, Apsley, Boxmoor, Berkhamsted and Northchurch<br><br>(except on Berkhamsted High Street and Gossoms End between Swing Gate Lane and Billet Lane) | All other streets and public areas<br><br>(except roads and land formerly belonging to the British Railways Board (railway station forecourts and access roads)) | None            |
| The A41 around Tring   |  |                 |
| Leighton Buzzard Road through Hemel Hempstead, Piccotts End, Water End and Gaddesden   |  |                 |
| Redbourn Road in Hemel Hempstead   |  |                 |
| Breakspear Way / St Albans Road, in Hemel Hempstead  |  |                 |
| Link Road in Hemel Hempstead   |  |                 |

Although not expressly designated, the A41 is subject to a clearway order along its full length through Dacorum, and as such street trading will not be permitted there.

## Finding a suitable pitch

The Council does not maintain a list of possible street trading pitches – you will need to identify a suitable pitch location yourself before making an application.

The checklist at the back of these notes lists a number of matters to consider when looking for a pitch. Our discretion when we consider street trading applications is wide-ranging and we may refuse an application on almost any relevant objection. Generally, we will not grant a street trading licence/consent if we have any concerns about obstruction of the highway, or the public safety or public nuisance implications of allowing street trading in a particular location. We may also refuse applications if nearby businesses sell similar products, or if we have received complaints about the trader/location.

Applications have previously been refused on safety/nuisance grounds, or traders have reported that pitches attract insufficient trade to be financially viable, in the following locations:

### **Hemel Hempstead**

Boundary Way (Hemel Gateway)  
Eastman Way  
Finway Road  
High Street (Old Town)  
Marlowes (non-pedestrianised area)  
Maxted Road  
Maylands Avenue  
Milton Dene  
Pennine Way  
Shenley Road  
Wood Lane

Shop areas such as Rossgate, Stoneycroft, Bellgate, Grovehill, Chaulden, Leverstock Green, Bennetts End, Highfield, The Queen's Square, The Denes and other council-owned areas

### **Apsley**

Frogmore Road  
Kents Avenue  
Riversend Road

### **Berkhamsted**

High Street  
Northbridge Road

### **Bovingdon**

High Street

### **Kings Langley**

High Street

### **Tring**

High Street  
Silk Mill Way

### **Other areas**

A5 London Road, Flamstead/Markyate  
Blackbird Moor, Boxmoor  
Hicks Road, Markyate  
Northchurch Common (National Trust land)

Street traders must adhere to any applicable parking restrictions, including single or double-yellow lines or parking permit requirements. Holding a street trading licence/consent does not convey any exemption from road traffic laws and regulations.

If your proposed location is privately-owned, you will firstly need to obtain permission from the landowner to trade there, before applying for a street trading licence/consent.

In particular, trading on Council-managed land, such as Gadebridge Park or Chipperfield Common, will require a commercial contract with the Council – please contact our Estates department.

## Applying for street trading consent

Once you have identified a suitable pitch, you will need to make an application for street trading consent. Applications can be made through our website, at [www.dacorum.gov.uk/licensing](http://www.dacorum.gov.uk/licensing)

When we receive your application, we will consult with several bodies, including the police, planning, highways authority, environmental health officers, local town/parish councils, and anti-social behaviour officers, as appropriate to your application. We will also visit the location of your proposed pitch(es) to confirm its suitability. It will take several weeks to complete our consultations and checks, during which time we will update you on progress.

If any concerns or objections arise, we will let you know. In such cases, your application will be referred to the Council's Licensing Committee, to be determined at a hearing.

If your application is granted, a consent document will be issued giving you permission to trade in your proposed location(s). Consents will be subject to various conditions which you must abide by, such as:

- Restrictions on the type(s) of goods that may be sold
- Restrictions of the day(s) and times during which you can trade (N.B. consents will usually limit trading to between the hours of 8am and 11pm only)
- Restrictions on the location(s) in which you can trade
- Requirements to provide waste receptacles, and clean up any litter/mess left by your staff or customers
- Requirements relating to the safety of your vehicle/stall, etc, and any equipment used
- Requirements relating to food safety and hygiene (caterers only)
- A requirement to remove the vehicle, stall, etc, when not in use
- Prohibition on employing any child of legal school age

Trading in a restricted street without a street trading licence/consent, or in breach of conditions attached to a licence/consent, is a criminal offence, and may result in legal action against you. Additionally, consents may be revoked or varied by the Council at any time, particularly if there has been any misconduct by the trader, or substantiated complaints against them.

## Consent duration

Street trading consents will generally be issued for a period of one year, but may be revoked earlier if any issues arise.

To continue trading, a renewal application must be made before the previous consent expires. Renewal applications will follow the same process as initial applications, and may be refused if any issues have arisen in the previous year, or if the location has undergone material changes.

New traders, or traders testing out a new location, may alternatively apply for a one-month trial consent. The application process for trial consents is the same as for a full consent – however the application fee is lower. Only one trial consent for a trader/location will be issued – if you wish to continue trading after the month has expired, you must make a new application for a full consent.

## Other requirements

### Food business registration

If you intend to prepare or sell food or drinks, you must be registered as a food business with the council for the area in which your business is based.

- For businesses based in Dacorum, please visit [www.dacorum.gov.uk/foodsafety](http://www.dacorum.gov.uk/foodsafety) for details.
- For businesses based elsewhere, please contact your local council's Environmental Health department for more information.

As a requirement of registration, your business will be inspected periodically by environmental health officers, to ensure that you are maintaining suitable food safety and hygiene practices.

### Markets

You may wish to trade as part of one of Dacorum's town centre markets. Your street trading consent will not cover this – instead you will need to make a booking with the appropriate market manager:

- For Hemel Hempstead markets, visit [www.saundersmarkets.co.uk/Markets.html](http://www.saundersmarkets.co.uk/Markets.html)
- For Berkhamsted markets, visit [www.berkhamstedtownhall.co.uk/markets.html](http://www.berkhamstedtownhall.co.uk/markets.html)
- For Tring markets, visit [www.tring.gov.uk/markets.html](http://www.tring.gov.uk/markets.html)

A number of other markets take place around Dacorum from time to time, details of which can be found via internet search engines.

### Alcohol & late night refreshment

To sell any alcohol, you will need to hold additional licences from the Council – a personal licence for the individual overseeing such sales, and a premises licence for each pitch you wish to trade from.

You will also need a premises licence to sell any hot food or hot drinks between 11pm and 5am.

For further details, please visit [www.dacorum.gov.uk/licensing](http://www.dacorum.gov.uk/licensing), and follow the links for 'alcohol and entertainment licensing'.

## Contact details

For further information about street trading consents in Dacorum:

- Visit our website, at [www.dacorum.gov.uk/licensing](http://www.dacorum.gov.uk/licensing)
- Email us, at [licensing@dacorum.gov.uk](mailto:licensing@dacorum.gov.uk)
- Phone us during office hours, on 01442 228000 (ask for Licensing at the prompt)

## Street trading pitch checklist

| Trading location  | ✓ / ✗ |
|---|-------|
| The location is not situated on a 'prohibited street'   |       |
| The pitch is not already being used by a street trader  |       |
| Is the pitch large enough to accommodate your vehicle, stall, etc?  |       |
| Will your vehicle, stall, etc, cause any obstruction to the public highway?   |       |
| Are there any parking restrictions (e.g. double yellow lines, limited parking times, road junctions or close to pedestrian crossings) where you want to trade from? |       |
| Would the position of your vehicle, stall, etc, compromise road safety?   |       |
| Would your vehicle, stall, etc, cause any obstruction to nearby properties?   |       |
| Do any nearby businesses sell similar products?   |       |
| Is there the potential for you to cause noise or odour nuisance problems to adjacent properties?  |       |
| Are parking areas available for customers to stop if buying your products?  |       |
| Are there toilet facilities close by for you to use?  |       |

| General safety   | ✓ / ✗ |
|--|-------|
| Is there adequate lighting on the trailer?   |       |
| Do you have appropriate first aid equipment?   |       |
| Do you have fire fighting equipment such as a fire blanket and extinguisher?   |       |
| Do you have an electrical safety certificate?  |       |
| Do you have any liquified petroleum gas (LPG) cylinders on the trailer and gas safety certificates?<br>If YES is where it is stored well ventilated? |       |
| Have you compiled a fire safety risk assessment for your vehicle, stall, etc?  |       |
| Have you compiled a general safety risk assessment for your vehicle, stall, etc?   |       |
| Are your products purchased from reputable suppliers, safe to use, and, if applicable carry CE safety markings?                                      |       |
| Are any of your products subject to age restrictions – if so, do you have measures in place to prevent underage sales?                               |       |

| Food safety (catering traders only)   | ✓ / ✗ |
|---|-------|
| Are you registered with the local authority for the area where you run your food business from?     |       |
| Have you and/or your staff received food hygiene training?  |       |
| Do you have a documented food safety management system? (e.g. Safer Food Better Business)           |       |
| Are you a member of a relevant professional body (e.g. the Nationwide Catering Association)?        |       |
| Do you have provision for the storage of food and other waste available on the vehicle, stall, etc? |       |
| Does your water come initially from a mains water supply?   |       |
| Do you clean the bulk water container regularly?  |       |
| Do you store raw and ready to eat food separately?  |       |
| Do you monitor temperatures of your fridge and freezer units (also during transit)?                 |       |
| Do you keep records of the cold temperatures taken?   |       |
| Do you take temperatures of cooked food and hot food on display?                                    |       |
| Do you keep records of the hot temperatures (cooking and display) taken?                            |       |
| Is there hot water available on the vehicle, stall, etc?  |       |
| Do you have a separate hand wash basin?   |       |
| Is there a supply soap and hand drying facilities at the hand wash basin?                           |       |
| Do you have separate colour coded preparation boards?   |       |
| Is food protected from contamination when on display?   |       |
| Do you have a sanitiser, if so what sort?   |       |
| Do you clean the vehicle, stall, etc, daily?  |       |
| Do you check for pests daily?   |       |
| Do you wear clean protective clothing?  |       |