

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
APPLICATION FOR A STREET TRADING CONSENT

1. APPLICANT DETAILS	
Full Name:	
Current Residential Address:	
Telephone Number:	
Mobile Number (optional):	
Email: (optional)	
Date of Birth: (DD/MM/YYYY)	
National Insurance Number:	
Do you have any unspent convictions? If yes please state details:	Yes/No
Have you previously had any Street Trading Consent revoked or surrendered? If yes please state details:	Yes/No

2. TRADING DETAILS	
Trading Name: (if applicable)	
Address of the precise location of where you wish to Trade: (Please include names of streets)	
Do you have permission from the owner of the land where you wish to trade? If yes please ensure that you submit a copy of the written permission	Yes/No
Please provide contact details for the owner of the land: (please include name, address and telephone number)	
Please provide details of the articles which you wish to sell:	
Please provide a description of the stall, vehicle and equipment you wish to use: (size, trailer, gas and electrical appliances, generators, etc)	
Full address of location where the stall or container will be stored when not in use:	

3. TYPE OF CONSENT BEING APPLIED FOR	
Please state which type of street trading consent you wish to apply for: (please note that first time applications for Annual & Daily Street Trading Consents will take a maximum of 60 days to be determined)	Annual Street Trading Consent <input type="checkbox"/>
	Daily Street Trading Consent <input type="checkbox"/>
	Block Street Trading Consent <input type="checkbox"/>
Are there any other consent holders in the vicinity? If yes please give further details:	Yes/No

4. TRADING DATES AND TIMES	DAY	TIMES From/To
Please give details of days and times in which you wish to trade:	Monday:	
	Tuesday:	
	Wednesday:	
	Thursday:	
	Friday:	
	Saturday:	
	Sunday:	

Trading after 11pm up to 5 AM will require an additional premises licence issued by the Licensing department. Information available at www.wiltshire.gov.uk or from the Licensing department.

5. Administration Fee	
10% Administration fee (See attached notes for fees payable)	£ The full payment is required within 21 days of written acceptance from Wiltshire Council. The Street Trading Consent will not be issued until fee has been paid in full.

6. ADDITIONAL DOCUMENTATION

To apply for a Street Trading Consent you **MUST** submit the following documents to support your application:

- 10% of the full fee to cover administration costs.
- Copy of Ordnance survey map of at least 1:1250 scale, clearly showing the proposed site position by marking the site boundary line with a red line. Available online including from www.planningportal.gov.uk/planning/applications/plans (Google or bing style maps are not acceptable.)
- Written permission from the land owner (if applicable, private land)
- Proof of Food Registration (if applicable) Information available at www.wiltshire.gov.uk
- Late Night licence if trading after 11pm

7. DECLARATION

The Local Government (Miscellaneous Provisions) Act 1982 offences are as follows:

‘A person who engages in street trading in a consent street without being authorised to do so, or being authorised by a consent, trades in that street

(i) from a van, cart, barrow or other vehicle, or

(ii) from a portable stall,

without first having been granted permission to do so contravenes a condition imposed shall be guilty of an offence.

It shall be a defence for a person charged with such an offence to prove that he took all reasonable precautions and exercised due diligence to avoid commission of the offence.

Any person who in connection with an application for a consent makes a false statement which he knows to be false in any material respect, or which he does not have reason to believe to be true, shall be guilty of an offence.

I declare that I have read and understood the Standard Conditions and any additional conditions which may apply. I believe that all of the above particulars are correct to the best of my knowledge.

I understand that the administration fee I pay is non refundable and if the application I submit is incomplete or rejected for any reason my administration fee will be lost and I will be required to restart the application process.

Applicant Signature:

Print Name: Date:.....

GENERAL

Where an application has been approved the following also will be required prior to the issue of Street Trading Consent:

- **An original copy of a certificate of insurance covering the street trading activity for third party and public liability risks up to £5 million**
A Basic Disclosure certificate from Disclosure Scotland issued within the last 3 months.
- **This can be obtained from Disclosure Scotland, PO Box 250, Glasgow, G51 1YU. Telephone: 0870 609 6006, Website:www.disclosurescotland.co.uk. A Basic Disclosure is the lowest level of disclosure and checks the Police National Computer (PNC) for details of all current criminal convictions (convictions considered unspent under the Rehabilitation of Offenders Act 1974**
- **Copies of gas, electric safety certificates. Periodic inspection reports BS7671.**

The Street Trading Consent will specify the location, times and days for which it is valid and the type of goods to be sold. Consent Holders must follow the terms of their Street Trading Consent. Failure to do so may result in the Street Trading Consent being revoked or not renewed, or in a prosecution.

The granting of a Street Trading Consent does not in any circumstances exempt the Consent Holder from the need to obtain any other licence or permission that may be required or from obligation to comply with all other general or local legislation. There may be additional costs involved in obtaining these additional licences or complying with other legal requirements.

It is the obligation of the Consent Holder to familiarise themselves and their employees with this legislation. The council may revoke a Street Trading Consent for any failure to comply with any other general or local legislation.

A Consent Holder shall not assign, underlet or part with his interest or possession of a Street Trading Consent, but it may be surrendered to the council at any time.

The council reserves the right to revoke a Street Trading Consent at any time without compensation, although some fees will be reimbursed.

Please send completed applications to:

Environment Services
Wiltshire Council
Kennet House
Devizes
Wiltshire
SN10 2ET

Jackie Beves – North area 01380 826346
Lisa McKee – Central area 01380 826339
Tracey Morris – South area 01225 713280

streettrading@wiltshire.gov.uk

Street Trading Fees

Town traders

Type of Street Trading Consent	Full Fee	10% Admin Fee
Annual Street Trading Consent – all days of the year, including all bank holidays.	£ 4133.00	£413.30
Daily Street Trading Consent- All days of the week including bank holidays where these fall on the days included in the consent.	£ 52.00 per day	£5.20 per day
Block Street Trading Consent	£ 281.00 per day	£28.10 Per day

All other traders

Type of Street Trading Consent	Full Fee	10% Admin Fee
Annual Street Trading Consent – all days of the year, including all bank holidays.	£2206.1500	£220.61
Daily Street Trading Consent- all week days including bank holidays	£23.95 per day	£2.40 per day
Block Street Trading Consent	£281.00	£28.10 per day

Fees can be paid by cheque, debit or credit card:

- By telephone on 0300 456 0100
- In person to the Environment Service at County hall, Trowbridge (Call for appointment)

APPLICATION CHECKLIST

- Signed Street trading Application Form
- Administration Fee, (Cheque's made payable to Wiltshire Council)
- Copy of a map, site position by marked by red line
- Permission from the land owner (if applicable)
- Food Registration (if you are selling food)
- Late night licence if you want to trade after 11pm

DATA SUBJECTS' INFORMATION – Markets, Street Trading and Street Collection Service

To be provided to the data subject at the time of obtaining personal data from them

1. Data Controller

Wiltshire Council is registered as a data controller with the Information Commissioner's Office. Full details of the registration are available at [ICO register of data controllers](#).

2. Data Controller Contact Details

We can be contacted by [phone, in person, or in writing](#)

3. Data Protection Officer

Our DPO may be contacted as above or online at dataprotection@wiltshire.gov.uk

4. Purpose of processing

The Market Service will process your personal information for the following purposes:

- maintaining our own accounts and records
- promoting the services we provide
- marketing our local tourism
- managing our property
- providing leisure and cultural services
- carrying out surveys
- administering the assessment and collection of taxes and other revenue including benefits and grants
- licensing and regulatory activities
- local fraud initiatives
- crime prevention and prosecution offenders including the use of CCTV
- corporate administration and all activities we are required to carry out as a data controller and public authority
- undertaking research
- the provision of all commercial services including the administration and enforcement of parking regulations and restrictions
- internal financial support and corporate functions
- managing archived records for historical and research reasons
- data matching under local and national fraud initiatives

5. Legal basis for processing

Our processing shall be lawful because at least one of the following will apply:

- (a) the data subject has given consent to the Council for processing of their personal data for one or more specific purposes;
- (b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- (c) processing is necessary for compliance with a legal obligation to which the Council is subject;
- (d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- (e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council;
- (f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

If your special category data is processed, in addition to one of the above, processing will be necessary because at least one of the following shall also apply:

- (a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes,
- (b) to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
- (c) processing relates to personal data which are manifestly made public by the data subject;
- (d) for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- (e) processing is necessary for reasons of substantial public interest,
- (f) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes

6. Recipients or categories of recipients

Where necessary and lawful, or when required by legal obligation, we may share information with:

- debt collection and tracing agencies
- service providers
- local and central government
- ombudsman and regulatory authorities
- courts and tribunals
- police forces
- housing associations and landlords

- voluntary and charitable organisations
- other police forces, non-home office police forces
- regulatory bodies
- courts, prisons
- customs and excise
- international law enforcement agencies and bodies
- partner agencies, approved organisations and individuals working with the police,
- licensing authorities
- service providers
- law enforcement and prosecuting authorities
- legal representatives, defence solicitors
- police complaints authority
- the disclosure and barring service

7. Retention Period

Wiltshire Council will process your personal data for the above purposes for no longer than necessary. Retention periods have been determined for different categories of information. The information processed for the above purposes will be kept for Seven (7) years from the date of the last recording about you.

8. Your rights

Your rights are set out in Articles 13 to 22 of the [General Data Protection Regulation 2016](#) and include:

- The right to access your personal information, to request rectification or erasure of certain personal information and to object to processing in certain circumstances.
- The right to withdraw any consent you may have given to process your personal information.
- The right to complain to the [Information Commissioner](#) if you feel we are processing your personal information unlawfully.
- The right to restrict processing activity in certain circumstances.
- The right to object to certain types of processing activity

9. Contracts

The information you are giving us is a statutory or contractual requirement; or a requirement necessary to enter into a contract.

You are obliged to provide this information.

Failure to provide us with the information may result in your application not being processed.

10. Automated Decision Making

Wiltshire Council does not use automated decision making in respect to your personal information. We will provide you with an explanation of the decision-making criteria and significance or likely consequences of such data processing.