WORTHING BOROUGH
COUNCIL



DRAFT STATEMENT OF STREET TRADING LICENSING POLICY

Local Government (Miscellaneous Provisions) Act 1982

October 2026

Draft 6

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WORTHING BOROUGH COUNCIL

STATEMENT OF STREET TRADING POLICY

The Borough of Worthing is situated in the County of West Sussex which contains seven local councils in total; Worthing is a compact urban seaside borough. It is one of the largest towns in terms of population in West Sussex with over 110,000 residing in an area of 3300 hectares.

Worthing Borough Council is committed to working collaboratively with businesses, community groups and partners to support the local economy, create employment opportunities, bring public spaces to life, and promote charitable and community activities.

The council seeks to strengthen relationships with local business groups, including the Worthing & Adur Chamber of Commerce and the Worthing Town Centre BID. Alongside the Council's Commercial Activity Team, these partnerships aim to reduce unnecessary barriers to business, support regeneration initiatives, identify opportunities for economic growth, and encourage greater community involvement in local decision-making.

1. Introduction

This policy statement sets out how Worthing Borough Council will administer and enforce street trading regulations within the borough and sets out the policies the Licensing Authority will generally apply to promote its Licensing Objectives when making decisions on applications made under the Act.

1.1 Street trading is defined as selling, or exposing or offering for sale, of any article (including living things and vehicles) in a street. Street trading is controlled under provisions of the Local Government (Miscellaneous Provisions) Act 1982 Schedule 4 (the act). Recognising the positive contribution that street trading can make to local economic growth, tourism and the activation of public spaces, Worthing Borough Council in 1988, adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 in several areas in the borough and has extended these controls to other areas since in response to relevant complaints or identified issues.

1.2 Worthing Borough Council permits street trading in large areas of the borough, and most residential streets are not regulated by the act so much of the borough of Worthing remains unregulated as far as street trading is concerned. In these areas, if a trader complies with his or her general legal requirements, they are free to trade in these unregulated streets. The only obvious obligation the trader has trading in an unregulated area is to ensure they meet their general legal obligations and that their stall, van or trailer is legally & safely parked and is not causing an obstruction either itself or through its customers.

However, the council has prohibited street trading in areas that have experienced issues with street trading in the past and has designated some other areas as consent areas where a consent permit, issued by the Council, is required to trade.

1.3 Worthing Borough Council (The Council) is the Licensing Authority under the Local Government (Miscellaneous Provisions) Act 1982 (the Act) responsible for the administration and enforcement of the Act within the borough of Worthing. This includes, among other duties, the granting of street trading permissions and enforcement of the legislation. These

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duties have been delegated to the Council's Licensing & Control Committee and the Council's Licensing Unit, part of Environmental Health & Licensing.

1.4 This statement has been prepared in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1982. The statement sets out the policies Worthing Borough Council will generally apply to promote its licensing objectives when making decisions on applications for street trading permissions made under the Act.

1.5 The purpose of this policy is to provide a single set of basic rules which will be used to inform the various decision-making processes for street trading. The application of this policy will be consistent with the Council's relevant statutory duties including the need for Planning permission, where relevant. Planning permission is however entirely a matter for the planning authority and should be seen as separate from the licensing process.

2. Why do we have street trading?

2.1 Street trading is an important part of creating vibrant, active and welcoming public spaces. It supports local enterprise, encourages entrepreneurship and contributes to a thriving visitor economy by offering a diverse mix of food, retail, leisure, wellness and community experiences. From parks and gardens to beaches, promenades and town centres, well-managed street trading enhances the character of Worthing, creates destinations that people want to visit, and helps bring public spaces to life throughout the year.

2.2 Street and market trading provides opportunities for entrepreneurs, independent businesses and established operators to invest in the local economy, grow their customer base and deliver high-quality goods, services and experiences. It supports new businesses taking their first steps, enables traders to develop and expand into permanent premises, and provides existing businesses with opportunities to diversify and extend their reach through street trading. In doing so, it encourages innovation, supports employment and business growth, and contributes to vibrant public spaces that strengthen the identity and attractiveness of Worthing throughout the year.

2.3 Street trading offers a diverse and vibrant range of goods, food and experiences, including multicultural street food, locally roasted coffee, artisan bakes, ice cream, fresh produce, handmade crafts, water sports, beach saunas, wellness activities and a variety of other retail and leisure services for residents, workers and visitors alike.

2.4 Successful street markets can offer more than another attraction: they can become destinations in their own right, drawing visitors from a wide catchment. Markets of this type positively reinforce the economic strength of the areas in which they are located, increasing footfall and drawing in custom for conventional shop-based retailers, bars, cafes, restaurants and other local businesses.

3. Policy Aims & Licensing Objectives

3.1 This policy is drawn up under the regulatory framework of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. The primary aims are to promote economic vitality, ensure public safety, protect residents and existing businesses, and maintain local character.

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3.2 In accordance with Section 17 of the Crime and Disorder Act 1998 the Council is under a duty to exercise its licensing functions with due regard to the likely effect on, and the need to do all it reasonably can to prevent crime & disorder in its areas. The possible crime & disorder implications are clearly relevant factors in the consideration of all street trading consent applications.

3.3 In giving "due regard" to these possible implications, officers and members, when considering a street trading application, renewal or review, will consider and weigh up all the information available and any representations made, particularly those from the Police.

3.4 The Act does not define objectives, but Worthing Borough Council considers the following as the main objectives that must be addressed when considering any consent application:

- Public Safety
- Promotion of Economic Vibrancy
- Prevention of Crime & Disorder
- Prevention of Public Nuisance
- Protection of children & vulnerable persons

3.4 In view of the wide discretion the Council has under the legislation to control Street Trading, this statement sets out how its powers will be delivered and the aims and purpose it has in using its powers. In administering the Street Trading controls the Council aims to:

- promote the above licensing objectives
- recognise the contribution of regulated businesses to the wellbeing of the local economy;
- enhance the reputation and economic diversity of the area;
- balance the rights and needs of the residential and business communities;
- protect public safety and promote risk reduction;
- protect the permanent business community from unfair and unlawful competition;
- protect and, where possible, enhance the amenity and character of the Borough and local communities within it;
- promote sustainability and reduce adverse environmental impacts of trading in streets;
- promote and protect public health
- promote equality and balance everyone's rights;
- ensure coherence with Council policies;
- ensure coherence with relevant legislation; and
- promote fairness, transparency and consistency.

3.5 Applications for street trading consents will be considered on individual merit but are only likely to be granted where the proposed activity will add colour and interest to the local environment.

Prohibited & Controlled Goods

3.6 Applications for street trading consents that include the sale of the following articles and goods will not be considered and existing consent holders found to be selling such goods will face enforcement action. In addition, the holders of market consents will not be permitted to include stalls offering the following goods:

- Weapons and Offensive Items: Knives, bladed articles (under the Offensive Weapons Act 2019), firearms, replica firearms, knuckle dusters, and nunchucks.
- Counterfeit and Stolen Goods: Fake designer clothing, pirated media, copycat electronics, and suspected stolen property.

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- Unsafe or Untested Products: Children's toys that fail UK safety standards, unverified electrical goods, second-hand car seats, and unsafe cosmetics.
- Homemade Children's Toys: It is illegal to sell homemade children's toys anywhere in Britain that have not passed UK Safety Standards
- Explosives and Hazardous Materials: Fireworks, pyrotechnics, petroleum, gas cylinders (LPG), dangerous chemicals, and corrosive substances.
- Live Animals: Pets and livestock cannot be sold, given away, or exhibited at standard street markets.
- Restricted Animal Products: Real fur items and products derived from endangered species.
- Sex Articles: Adult-themed materials restricted under the Local Government (Miscellaneous Provisions) Act 1982.
- Motor vehicles: second hand motor trading in controlled streets
- Medicines and Drugs: Unapproved pharmaceuticals, general-sale medicines outside of proper licensing, and novel psychoactive substances ("legal highs")

3.7 There are other types of trading that are age-restricted and controlled that the council would require specific licences and controls in place before considering an application:

- Alcohol: Strict licensing requirements under Licensing Act 2003 with Premises Licences or Temporary Event Notices (TENs) needed to have been granted and in place. It is a criminal offence to sell alcohol without.
- Lottery Tickets: Strict licensing requirements under Gambling Act 2005. It is a criminal offence to sell unauthorized lottery tickets or provide gambling setups.
- Tobacco and Vapes: Disposable single-use vapes are illegal across England. General tobacco, e-cigarettes, and nicotine products face strict licensing and age restrictions (prohibited to under-18s) and WSCC Trading Standards strictly monitor such trading.
- Food vendors: Must be registered with the Environmental Health Team and have a food rating of 4* or above.

4. Street Trading in Worthing

4.1 Street trading means selling, exposing or offering for sale any article or the supplying of or offering to supply any service in a street. The term 'street' includes any road, footway, the beach, seafront or other open area to which the public have access without payment.

4.2 This street trading policy includes all hot and cold food vendors (including ice cream vendors) and all vendors of non-food products who trade on static pitches from any vehicle (including bicycles and/or motorbikes), stall, barrow, trailer, basket, bag, box, vessel, easel, board or tray or any other thing (whether specifically constructed or adapted for such use) used as a container for or the display of any article. The policy also covers the selling of vehicles and other seasonal items (such as Christmas trees).

4.2 The areas of the borough where street trading controls have been adopted under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 are divided into two types of designated area:

- Prohibited streets - where for no street trading of any type is permitted
- Consent streets - where no trading can take place without the formal permission of the Council.

A full list of the prohibited and consent streets is included in Appendix 1.

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5. Exemptions from the need to obtain a Consent

5.1 Statutory Exemptions - The following activities are exempt from the requirement to obtain a Street Trading Consent, subject to compliance with the relevant legislation:

- Trading carried out by persons operating under a valid Pedlar's Certificate.
- Deliveries made in the ordinary course of business, such as milk or grocery deliveries to households.
- The sale of newspapers in accordance with the relevant provisions of the Local Government (Miscellaneous Provisions) Act 1982.

5.2 The following activities will not normally require a Street Trading Consent:

- Community, charitable and fundraising events where any surplus income is wholly reinvested for community benefit, subject to any other permissions required by the Council.
- Occasional private sales by householders on land adjoining their property, provided the activity is not conducted as a business.
- Trading undertaken as part of the normal operation of an existing business from, or immediately adjoining, its premises.
- Car boot sales, markets and similar activities organised, authorised or managed by the Council.
- Trading authorised under a separate Council permission, licence or agreement, including Seasonal Concession Licences and Pavement Licences.
- Activities authorised under other legislation, including petrol filling stations, charitable street collections, permissions granted under the Highways Act 1980, and advertising A-Boards licensed by the Highway Authority.

6. Concessions

6.1 Worthing Borough Council seeks to encourage small local businesses and startups by allowing them to trade from Council owned land. Seasonal concessions to trade are awarded to local businesses following approval by the Concessions Working Group Panel, which includes relevant officers of the councils from a number of different services, including Place and Economy, Parks and Foreshore, Engineers, and the Property Team.

6.2 All seasonal concession licences are subject to a formal application process twice a year, although some pitches may be available at other times subject to availability. Applications will be considered in line with any of the Council's regeneration policies, including any which specifically outline projects along the seafront and in public parks.

More information about the strategies for both Councils can be found on the A&W website at: www.adur-worthing.gov.uk/regeneration/strategies .Concessions applications will be considered in line with internal and external events. The overall aim is to identify, develop and maximise additional commercial opportunities, including the enhancement of existing facilities, services and attractions. The provision of new facilities will be encouraged to promote and enhance the character of the seafront, promenade areas and parks.

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6.3 Pitches available for concession licences are marketed at the start of each year, with applications invited for submission in early February. Recent licence holders and those who have requested to receive marketing updates about concessions will be emailed the relevant details. This is also displayed on the Councils' website once it is available, together with a link to the online application system. Additional marketing via social media, local organisations and press advertising may be considered to increase awareness of licence availability when necessary. All applications are initially assessed by the Commercial Activity Officer within the Place and Economy Team prior to being referred to the Concessions Working Group Panel for consideration. The Council, at its discretion, may accept and award applications throughout the year for any vacant pitches.

6.4 A street trading consent permit is not normally required when trading under a concession, though the Council's Commercial Activity Team & the Licensing Team will be able to advise on individual requirements.

6.5 Concession areas in Worthing include:

- Worthing promenade from George V Avenue in West Worthing along to Windsor Lawns in East Worthing and
- The beaches, parks and gardens within the borough.

Seasonal concession licences are available by application through the Council's portal on our website.

6.6 Concessions are managed by the Council's Commercial Activity Team and information can be found at: at: https://www.adur-worthing.gov.uk/land-and-property/seasonal-concessions/
The Seasonal Concessions policy can be found at:
https://www.adur-worthing.gov.uk/land-and-property/seasonal-concessions/#concessions-policy

7. Fee Structure

7.1 Worthing Borough Council's Licensing & Control Committee, having been delegated authority under the Council's Constitution, may set fees and review the fee structure annually in relation to their areas of responsibility, in consultation with other appropriate Council Officers and Committees. Any proposed amendments to street trading fees will be subject to authority & public consultation in accordance with the act.

7.2 The Council will require payment of a fee on the grant of a new street trading consent. The fee will primarily reflect the type of area in which trading will take place, the length of time for which a licence may be granted and the costs to the Council for administration and compliance. The fees are set on a cost recovery basis and will be reviewed annually. Consents may be applied for and granted:

- Annually
- Quarterly
- Weekly
- Daily

7.3 Applications to renew an existing street trading consent must be made at least 28 days prior to the lapse of the current consent permit and the fee paid on application. Renewal applications that are subsequently refused, for whatever reason, will have this fee refunded minus an administration fee set out in the Council's fees & charges documents published on the Council's website.

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8. Consultation

8.1 Before adopting and publishing a Street Trading Policy Statement, the Council has identified a number of consultees to be consulted including Sussex Police, Adur & Worthing Safer Communities Partnership, the Environmental Protection Team, West Sussex County Council Highways Agency, West Sussex County Council Trading Standards Service, Worthing BID, the Council's Neighbourhood and Commercial Activity Teams, current consent holders and bodies representing local businesses and residents in the Borough.

8.2 The Council apportions proper weight to the views expressed by all the persons/bodies consulted before its Policy Statement will take effect.

Designating new Areas

8.3 Before any new streets are designated as 'prohibited' or 'consent', or changes made to their designation is authorised, the Council will consult and seek written observations from relevant parties listed above and any others that it appears to the Council are likely to be affected by the authorisation, ward councillors and officers, and/or from other parties as directed by the Council's Licensing & Control Committee.

8.4 The Council will also advertise the proposals as stipulated in the act and consider any responses received. Any objection from consultees will be assessed against the criteria in 10 below and may be referred to the Licensing & Control Committee for determination.

Changes to Conditions

8.5 Any proposed change to standard conditions (see section 15) will be consulted with appropriate parties where relevant.

Applications

8.6 Sussex Police, WSCC Highways Agency and Worthing BID have been identified as 'responsible authorities' with regard to street trading applications. The Authorised Officer is empowered to consult any other parties he/she deems relevant including Ward Councillors.

9. Site Assessment

9.1 The Council has identified over the years suitable sites for street trading that are largely in areas where commercial activity is already taking place or problems have dictated controls are required. Other areas within the borough may be considered if there is evidence or strength of local opinion that they should be included.

9.2 In determining whether to consider other areas to allow street trading, the Council will have regard to:

- the benefit that controlled trading would bring to the public
- any effect on road safety, either arising from the siting of the pitch or from customers visiting or leaving;
- any loss of amenity caused by noise, traffic or smell;
- existing Traffic Orders e.g. waiting restrictions;
- any potential obstruction of pedestrian or vehicular access;

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- any obstruction to the safe passage of pedestrians;
- the safe access and egress of customers and staff from the pitch and immediate vicinity (including adequacy of lighting);
- disabled access.

10. Established Street Trading Areas & Nature of Goods

Worthing Town Centre

10.1 Applications for street trading consents within the town centre can only be considered in respect of:

- Bath Place
- Montague Place including Montague Gardens
- Montague Street
- South Street Square
- South Street
- Portland Road (South of Shelley Road)

which are currently the only designated “consent” streets in the town centre.

10.2 Applications for consent permits in Montague Street, Bath Place, Portland Road and South Street will normally only be considered for organised street markets & for trading as part of a council approved public event. The use of Bath Place for such will normally be limited to a maximum of one market a month.

10.3 Applications for street trading consent permits in South Street Square will normally only be considered for organised street markets and for trading as part of a council approved public event or for short-term daily or weekly consent permits for individual businesses. Priority in this relatively small area being given to events organised by Worthing BID and other organisations means the granting of longer-term consent permits is deemed too disruptive.

10.4 Applications for a full 1-year street trading consent permit are normally only considered for Montague Gardens (formerly Montague Place). Historically, up to three street trading pitches have been available within this area. However, due to changes in the layout and use of the public realm, the Council has undertaken a review of the available trading space and is currently limiting the number of authorised pitches.

The Council is not currently accepting applications for additional street trading consents within this area. Existing consent holders may apply for renewal, subject to meeting the Council's current criteria and licensing requirements. The availability of additional pitches will be reviewed periodically as part of the Council's ongoing management of public spaces and street trading opportunities.

10.5 Applications for street trading consents within the town centre will be assessed on their individual merits and are only likely to be approved where they make a positive contribution to the character, vitality and attractiveness of the area. Consents will not normally be granted where the proposed activity would adversely affect the character or operation of the town centre, create excessive obstruction, litter or other adverse impacts, or result in unnecessary competition with existing businesses. The Council will favour proposals that complement and enhance the existing town centre offer and may, where appropriate, approve applications on a

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trial basis. Trading from mobile vans, trailers or similar vehicles will not normally be permitted within the town centre.

10.6 Authorised Street Trading in Montague Gardens (Place) & Montague Street will not normally be permitted on Market Day (currently held on Wednesdays) and may be suspended on other days when events or markets are planned. Suspension of a permit for such events will not be subject to compensation under any circumstances although the Council may seek an alternative temporary site if possible.

Broadwater Street West

10.7 Applications for street trading consents in Broadwater will only be considered in respect of Broadwater Street West which is currently the only designated "consent" street in the area. Applications for permits in Broadwater Street West will normally only be considered for organised street markets or as part of a Council approved Public Event.

The Coastal Roads at Goring - Marine Crescent & Marine Drive

10.8 Applications for street trading consents for the coastal roads in Worthing will only be considered in respect of Marine Crescent & Marine Drive in Goring. These are the only designated 'consent' streets, under the provisions of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. Brighton Road, Marine Parade and West Parade are designated 'prohibited' streets and permission to trade cannot be granted.

10.9 During the Summer months Marine Crescent & Marine Drive can be extremely busy as they sit adjacent to a very popular section of the beach and a popular green picnic and barbeque area. Controls were adopted in this area because of residents' complaints regarding the volume of traders and the conduct of fast-food caterers and motor traders.

10.10 Applications to trade in this area are considered on individual merit, but consent is only likely to be granted to vendors trading from a stationary van, trailer or other vehicle. Consent permits may be granted to vendors offering ice cream, soft drink, hot beverages (tea & coffee) or if the proposed business is sympathetic to the seaside area and, in exceptional cases, where the proposed activity will add colour and interest to the local environment.

10.11 Consents will not be granted where the proposed trading would have an undesirable effect on the character of the area; create excessive obstruction, create an odour issue, lead to an increase in litter or over-use of the area. Consent permits will not be issued for hot food vending or motor trading.

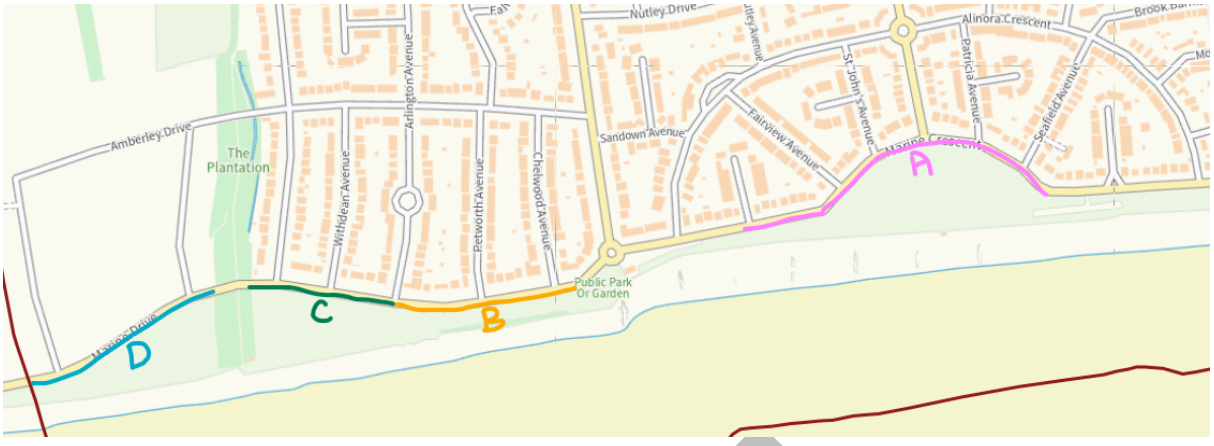
10.12 The number of consent permits issued is limited and currently set at eight (8) permits to avoid oversaturation.

10.13 To avoid traders setting up in close proximity to each other the Marine Crescent & Marine Drive area will be zoned:

- Zone A - Marine Crescent from Alinora Crescent to Banstead Close
- Zone B – Marine Drive from Chelwood Avenue to Arlington Avenue
- Zone C – Marine Drive from Arlington Avenue to Aldsworth Avenue
- Zone D – Marine Drive west of Aldsworth Avenue to the Ferring boundary

A maximum of two one-year consent permits will be issued for trading in each of the zones.

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Prohibited of goods

10.14 A list of the articles and goods that are excluded from street markets, and the council will not consider issuing a street trading consent for to an individual trader can be found at paragraphs 3.6 and 3.7 of this policy

11. Trading Days & Hours

11.1 Street trading hours will be determined on a pitch-by-pitch basis and consideration will be given to the trading hours of shops & businesses in the immediate vicinity and the service being provided to residents and visitors in the area.

11.2 Consent permits will normally not restrict the days of the week on which the trader can operate but may restrict the hours permitted. This will normally be to between the hours of 08.00hrs and 19.00hrs. However, exceptions will be considered if outlined in the initial application.

11.3 A trader granted a 12-month/7 day a week consent will be expected to be present & trading on at least 4 days a week during the summer months (1 May – 30 Sept) dependant on weather conditions. In areas where the number of consents is limited but there is high demand to trade a consent holder will not be permitted to hold a consent and leave it unused to prevent other vendors trading there.

11.4 The days of the week & hours of operation; size, design and appearance of the van, trailer, stall, barrow, or cart etc. used must be agreed & specified on the consent permit by the Licensing Team Leader.

12. The Issuing of Street Trading Consents

Duration, Eligibility and Operation of Consents

12.1 Street Trading Consents will normally be granted for a period of up to twelve months, although shorter-term consents may be issued where appropriate. The Council may impose minimum trading requirements, taking into account the nature of the business, location and seasonality of the activity.

12.2 Street Trading Consents may only be granted to persons aged 17 years or over.

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12.3 Applications for the commercial sale of motor vehicles on the public highway will not be granted.

12.4 Consents are issued to a named individual and are non-transferable. The consent holder must retain overall responsibility for the business and be the principal operator. Any person assisting in the operation of the business must be approved by the Council as an authorised assistant and recorded on the consent.

Identification

12.5 The Council will issue identification badges to consent holders and authorised assistants. These must be worn and clearly displayed whilst trading and remain valid only for the period specified.

Availability of Trading Location

12.6 Consent holders should be aware that the Council, Highway Authority, statutory undertakers and utility providers may need access to trading locations for maintenance, construction, cleansing or other operational purposes including public events. Whilst reasonable notice will be given where practicable, the Council reserves the right to temporarily suspend or relocate trading activities where necessary. No compensation shall be payable where a trading location is unavailable for such reasons.

13. Applications

New Applications

13.1 Applications for a new Street Trading Consent Permit must be made in writing to the Council's Licensing Unit. This can be by post or by email. In all cases the applicant for a street trading consent must provide:

- an application made on the appropriate form (see Appendix 2) and must be completed in full before any application for a street trading consent will be considered. Any incomplete application will be returned;
- fees for consent permits must be paid in full on grant of the application and should be submitted by cheque, Bacs or postal order made payable to Worthing Borough Council;
- any application must be received at least 28 days prior to the first proposed day of trading;
- provide a passport sized photograph of the applicant and any staff that will assist the consent holder
- a recent basic DBS certificate less than 1 month old for the applicant.
- copies of identification documents which demonstrate the applicant's right to work in the UK and photographic identification
- a copy of the operator's third-party public liability insurance to the sum of £5 million
- register the details of any employees or persons who may assist you in your trading
- if selling food or drink
    - a copy of the applicant's food business registration with the relevant Local Authority Environmental Health Team showing the consent permit holder as the registered Food Business Operator.
    - Evidence of a Food Hygiene Rating Score of 4 or 5 (which must be maintained throughout the life of the consent permit).

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- Where trading from a vehicle the vehicles V5C (logbook) and a valid MOT will be required. The logbook will be expected to be in the name of the applicant.

13.2 In accordance with this policy the Authorised Officer will determine applications after consultation with Sussex Police, WSCC Highways Agency, Worthing BID and the A&W Environmental Health Team. In addition, the Authorised Officer may consult local ward councillors and may consult other council officers and any interested parties deemed relevant.

13.3 If more than one application is received for a pitch or zone at one time, and only one consent is available it will be offered to the applicant whose proposal is considered most suitable for the particular pitch and at the discretion of the EH&L Authorised Officer; such applications may be referred to a Licensing & Control Sub-Committee to consider.

Renewals

13.4 All consents will expire on the date specified in the consent. The A&W Licensing Unit will send a reminder to the Consent holder of a 1-year consent at least 2 months prior to the expiry date as a courtesy, but it remains the holder's legal duty to ensure that a renewal of the Consent is applied for on time if he or she wishes to carry on trading in the area. Applications to renew a consent must be submitted at least 28 days before the current consent expires. Failure to apply in accordance with this requirement may result in the renewal being refused.

13.5 There is no automatic right for an existing Consent permit holder to be granted the renewal of a consent. A consent permit may be refused by the council for any reason, for instance:

- The consent holder has failed to comply with the terms of his/her existing consent, may have their new application refused by the Authorised Officer or may have the application referred to the Licensing & Control Committee for determination.
- If changes to the use of the area or local environment are planned that make the site unsuitable.

Refusal to renew or to issue a new Street Trading Consent to an existing consent holder will not be subject to compensation under any circumstances.

13.6 The Authorised Officer's decision to refuse to renew a Consent Permit may be appealed by the holder in writing to a Licensing & Control Sub-Committee to consider. The Sub-Committee's decision in all cases is final.

14. Consideration of an Application

Factors Considered

14.1 The Authorised Officer will consider all applications for consent, or the renewal of a consent permit, on their own individual merit. The council may grant a consent if the application addresses the Licensing Objectives and meets the requirements of this policy.

14.2 When considering the grant of a permit particular attention will be focused on whether:

- the application fits in with the council's policy
- the applicant has met the set criteria for a permit
- the suitability of the applicant to hold the consent
- the application addresses the council's licensing objectives
- any other information.

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14.3 In accordance with the Council's aim to encourage new business ventures by providing a low-cost opportunity to start up a new business, the Council will avoid issuing new consents to individuals (& their associates) that already hold an existing WBC Street Trading Consent or WBC Trading Concession particularly in areas where the number of consents issued is limited. The Council will not issue more than three consent permits to an individual trader to avoid a trader dominating the local market.

14.4 However, the Council recognises and will honour existing consent holders' 'grandfather rights' when renewing existing consents, subject to the holder meeting the terms of this policy. Many of these traders have held consents for many years and some hold multiple street trading consents without issue.

Reasons for Refusal

14.5 The Council may refuse an application for a Street Trading Consent where it considers that the proposed activity:

- Would compromise public safety, highway safety, accessibility, traffic management, public health, child safety or the prevention of crime and disorder.
- Would cause nuisance or have an unacceptable impact on local amenity, including through noise, odour, light, waste, litter, vermin or other environmental impacts.
- Is unsuitable for the proposed location, would detract from the character or appearance of the area, or would adversely affect the street scene.
- Involves the sale of goods, services or activities that are inappropriate, unlawful or contrary to public decency.
- Would result in unacceptable conflict or unnecessary competition with existing businesses or authorised traders, having regard to the Council's place-making and economic development objectives.
- Fails to demonstrate a commercial, operational or community benefit sufficient to justify the use of public space.
- Does not comply with relevant legislation, Council policies, licensing requirements or other necessary permissions, registrations, risk assessments, certifications or approvals.
- Fails to provide and maintain appropriate insurance cover, normally with a minimum indemnity of £5 million.
- Is submitted by an applicant with relevant unspent convictions, outstanding debts to the Council, previous breaches of licence or consent conditions, or a history of non-compliance with regulatory requirements.

14.6 In all cases the Applicant will be notified of and given the reasons for a refusal in writing.

Disputing a decision to Refuse

14.7 If the Applicant is not satisfied with the decision, they may make a written representation within 28 days of notification of the refusal. The application will then be put before a Licensing & Control Sub Committee for further consideration. Once arrangements have been made for the representation to be heard by the Licensing & Control Committee, the applicant will be advised in writing of the date, time and place where the application & his/her representation will be considered. The Sub-Committee will consider the applicant's written representations, and the applicant may be invited to attend the hearing to address the sub-committee.

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14.8 The Local Government (Miscellaneous Provisions) Act 1982 does not allow any legal appeals against the decision of the Council in relation to the refusal of Street Trading Consents. However, an applicant aggrieved by a decision of the Council may seek a Judicial Review of the decision, should it be felt necessary.

Relevance of Convictions and Regulatory Compliance

14.9 The Council will consider each application on its individual merits and will assess any relevant criminal convictions, cautions, enforcement action or regulatory breaches in a fair, proportionate and consistent manner.

14.10 In determining whether an applicant is suitable to hold a Street Trading Consent, the Council may consider the nature, seriousness, relevance and recency of any unspent conviction or other relevant matter, together with any evidence of rehabilitation and the applicant's subsequent conduct.

14.11 Particular regard may be given to offences or conduct involving:

- Violence, threats, harassment or public order.
- Safeguarding, child protection or exploitation.
- Dishonesty, fraud, theft or financial misconduct.
- Drug supply or serious drug-related offending.
- Food safety, consumer protection, licensing or trading standards offences.
- Environmental crime or other offences relevant to the proposed activity.

14.12 The existence of a conviction or other relevant matter will not automatically prevent the grant of a Street Trading Consent. However, where the Council considers that an applicant may present a risk to public safety, safeguarding, consumer protection, the prevention of crime and disorder, or the integrity of the licensing regime, an application may be refused.

14.13 The Council may require applicants to provide evidence of their criminal record status, including a Basic Disclosure certificate or other appropriate documentation, where considered necessary and proportionate to the activity proposed. The Council may also consult relevant agencies and departments when determining an application.

14.14 The holder of a Street Trading Consent is required to inform the Council's Licensing Unit of any arrest or conviction for a criminal offence involving the consent holder or their registered assistants at the earliest opportunity.

15. Conditions attached to Street Trading Consents

Standard Conditions & Specific Conditions

15.1 All Street Trading Consents will be subject to standard conditions designed to promote public safety, prevent nuisance, protect local amenity and support the Council's licensing objectives. (Appendix 3)

15.2 The Council may also impose site-specific or activity-specific conditions where necessary, including conditions relating to trading hours, permitted goods or services, pitch size, location, and operational requirements.

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Non-Transferable and Authorised Operators

15.3 Street Trading Consents are issued to a named individual, remain the property of the Council at all times, and are non-transferable. Consents must not be assigned, sold, leased or shared by the Authorised Operator. They cannot be used by any other person or business. Where a consent holder ceases trading, the consent must be surrendered to the Council.

The Principal Operator Rule

15.4 The named consent holder is responsible for the day-to-day operation of the business and must ensure that only Council-authorised assistants are permitted to work under the consent. Details of any proposed assistants must be submitted to and approved by the Council before they commence work. Consent holders and authorised assistants must comply with any identification requirements specified by the Council.

15.5 The use of unauthorised assistants, sub-letting of a consent, or permitting another person or business to trade under a consent not in their name will be treated as a serious breach and may result in the suspension or revocation of the consent. In such circumstances, the Council may refuse future applications from the parties involved for a period of up to three years.

Liability

15.6 Consent holders shall be responsible for any damage caused to Council land, highways, pavements, verges, street furniture or other public assets arising from their trading activities.

Markets & Special Events

15.7 For street markets, special events and similar activities proposed to take place in a consent area, the Council may issue a single consent permit to the event organiser covering all participating traders. Conditions attached to such consents will be tailored to the nature and requirements of the event. The consent holder will be responsible for ensuring the compliance of the traders with the terms of their consent.

Variations and Cancellations

15.8 If an operator requests to vary any set term within the permit, including the Period or Pitch, an administration fee will be charged to amend the licence paperwork. If a Consent holder surrenders a consent or a consent is revoked, the council shall remit or refund, as they consider appropriate, any fee paid for the grant of the consent minus any reasonable charges. (Appendix 5).

16. Food Safety Requirements

16.1 Any trader selling or supplying food or drink must comply with all relevant food safety and food hygiene legislation, including registration of their food business with the appropriate Local Authority where required.

16.2 Food businesses must operate appropriate food safety management procedures and provide evidence of compliance upon request by the Council.

16.3 Street Trading Consents for the sale of food or drink will normally only be granted to businesses holding a Food Hygiene Rating of 4 (Generally Satisfactory) or above. Consent

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holders must maintain this standard throughout the duration of their consent. A reduction below this rating may result in the suspension, review or revocation of the consent.

16.4 Event and market organisers operating under a Street Trading Consent are responsible for ensuring that all food traders operating under their consent meet the Council's food safety requirements, including maintaining a Food Hygiene Rating of 4 or above.

16.5 Food and drink traders must provide clear allergen information for products offered for sale and comply with all applicable food information and allergen legislation.

17. Use of Generators

17.1 In accordance with the Councils' commitment to address Climate Action and reach Net Zero by 2045, the use of generators to power a mobile business will only be permitted in exceptional circumstances, where no other means of power are available. Alternative means of power, including solar and battery power, should be considered in the first instance.

17.2 If diesel or petrol generators are to be used, the noise from these must not exceed 50dB LAeq at the nearest boundary to noise sensitive premises. A drip tray must be in use at all times, and a spill kit must be kept alongside the generator in view and available for any emergency use. No refuelling should take place on the street, at the beach or on any grass areas.

17.4 A Consent holder whose generator is producing excessive noise or pollution and causing a disturbance may have their Consent permit suspended with immediate effect until such time as the equipment has been replaced or repaired to the satisfaction of the Authorised Officer.

18. Health, Safety and Waste Management

18.1 All stalls, vehicles, trailers, gazebos, canopies, equipment and associated structures used for street trading must be suitable for their intended purpose, professionally presented, maintained in a safe condition and securely installed to withstand normal operating and weather conditions.

18.2 Applicants must submit a suitable risk assessment with their application, covering their trading activities, equipment and operations. Risk assessments must be reviewed regularly and updated where necessary throughout the period of trading.

18.3 Consent holders must comply with all relevant health and safety, fire safety, electrical safety and gas safety legislation, guidance and industry standards applicable to their trading activities. The Council may require evidence of inspection, testing, certification, maintenance or competency at any time.

18.4 Where electrical installations or equipment are used, the Council may require a current Electrical Installation Condition Report (EICR), Portable Appliance Testing (PAT) records, or other appropriate certification to be submitted with the application.

18.5 Where gas appliances or LPG are used, prior approval must be obtained from the Council and a current Gas Safety Certificate, issued by a suitably qualified engineer, must be submitted with the application and maintained throughout the period of trading.

18.6 Appropriate fire-fighting equipment must be provided and maintained, and applicants must submit a suitable fire risk assessment where required by law.

18.7 The Consent holder is responsible for maintaining their trading area in a clean and safe condition and for the removal and lawful disposal of all waste arising from their activities. The

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Council may require evidence of suitable commercial waste disposal arrangements where appropriate.

19. Enforcement, Reviews and Illegal Trading

19.1 The Council will take a proportionate and risk-based approach to enforcement in accordance with its Public Health and Licensing Enforcement Policy. Enforcement action may be taken where a consent holder fails to comply with the requirements of this policy, breaches consent conditions, undermines the licensing objectives, or misuses a Street Trading Consent.

19.2 Where a breach is identified, the Council may take appropriate action, including issuing advice or warnings, suspending a Street Trading Consent, revoking a Street Trading Consent, or referring the matter to the Licensing & Control Sub-Committee for determination.

19.3 Consent holders may request that a decision to suspend or revoke a Street Trading Consent made by an Authorised Officer be reviewed by the Licensing & Control Sub-Committee within 28 days of receiving written notification of the decision.

19.4 Complaints relating to Street Trading Consents will be investigated in accordance with the Council's procedures. Substantiated complaints may be taken into account when considering enforcement action, the review of an existing consent, or any future application submitted by the trader.

19.5 Any person trading without a valid Street Trading Consent, or otherwise operating unlawfully under the provisions of the Local Government (Miscellaneous Provisions) Act 1982, may be subject to enforcement action, including prosecution, fines, seizure of goods or equipment, and any other action available to the Council under the relevant legislation and enforcement policies.

19.6 Decisions relating to the grant, refusal, suspension or revocation of a Street Trading Consent are subject to the provisions of the Local Government (Miscellaneous Provisions) Act 1982. Applicants or consent holders may seek a judicial review of a Council decision where they consider it appropriate to do so.

20. Other relevant legislation

20.1 In addition to the conditions attached to the street trading consent, applicants should be aware that there may be other relevant legislation which may impact on their business whilst they are trading such as:

- Health and Safety;
- Electrical Safety;
- Fire safety;
- Storage of Liquid Petroleum Gas (LPG);
- Food Hygiene;
- Pricing, labelling and copyright;
- Nuisance
- Waste storage and duty of care
- Licensing Act 2003

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21. Enquiries & Complaints

21.1 Enquiries regarding any aspect of street trading or if issues occur regarding the conduct of a street trader, please contact the A&W Licensing Unit through our dedicated complaints /enquiry portal at……
or by email at: licensing.unit@adur-worthing.gov.uk
or by telephone on: 01273 263331.

22. Policy Review

22.1 This policy will be the subject of periodic monitoring and review on a frequency of no more than five years. This policy will inform the detailed conditions attached to every street trading consent and will be applied in a manner which is consistent with the Council's equalities policies. It will apply to all permits, new or old, granted for operation in the borough. All applications and policy changes will be considered on an individual basis in conjunction with the current guidance available from both licensing and environmental health where applicable. The Council holds the discretion to amend this policy and fees charged as they see fit.

Service Director for Operations and Environmental Services

Jan Jonker

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Compiled by: Simon Jones (Licensing Team Leader)

Adur & Worthing Council Environmental Health & Licensing

Worthing Town Hall, Chapel Road, Worthing, BN11 1HA

Useful Contacts:

- The Licensing Unit, Environmental Health & Licensing
  Adur & Worthing Councils
  Worthing Town Hall, Chapel Road
  Worthing
  BN11 1HA
  Email: licensing.unit@adur-worthing.gov.uk
  Tel: 01273 263331

- Sussex Police - Worthing & Adur Licensing Team
  Email: ws_licensing_wor@sussex.pnn.police.uk

- Environmental Protection Group
  Email: environmental.protection@adur-worthing.gov.uk

- Development Control Group
  Planning Services
  Email: planning@adur-worthing.gov.uk

- Place and Economy Team
  Adur & Worthing Councils
  Email: concessions@adur-worthing.gov.uk

- West Sussex Trading Standards Service
  Email: trading.standards@westsussex.gov.uk

- West Sussex Highways Agency
  Email: highways.southern@westsussex.gov.uk

- Worthing Town Centre BID
  Email: info@worthingtowncentre.co.uk

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Appendix One:

List of Prohibited Streets:

Ann Street
Anscombe Road
Ardsheal Road
Bedford Row
Bernard Road
The Boulevard (North of Nelson Road)
Brighton Road
Buckingham Road
Chapel Road
Chatsworth Road
Columbia Drive
Crescent Road
Cross Street
Dominion Road
Findon Road
George V Avenue
Goring Way
Graham Road
Ham Road
High Street
Liverpool Road
Liverpool Terrace
Marine Parade
Marine Place
Mulberry Lane
New Street
Offington Lane
Oxford Road
Portland Road (North of Shelley Road)
Prospect Place
Railway Approach
Rectory Road
Sompting Road
South Farm Road (north of Ardsheal)
South Street, Tarring
The Steyne
Teville Gate
Teville Place
Teville Road
Union Place
Victoria Road
Wallace Avenue
Warwick Street
West Buildings
West Parade

No street trading of any description, including the sale of motor vehicles, is allowed in these streets and the Council under this act has no power to make exceptions.

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List of Consent Streets:

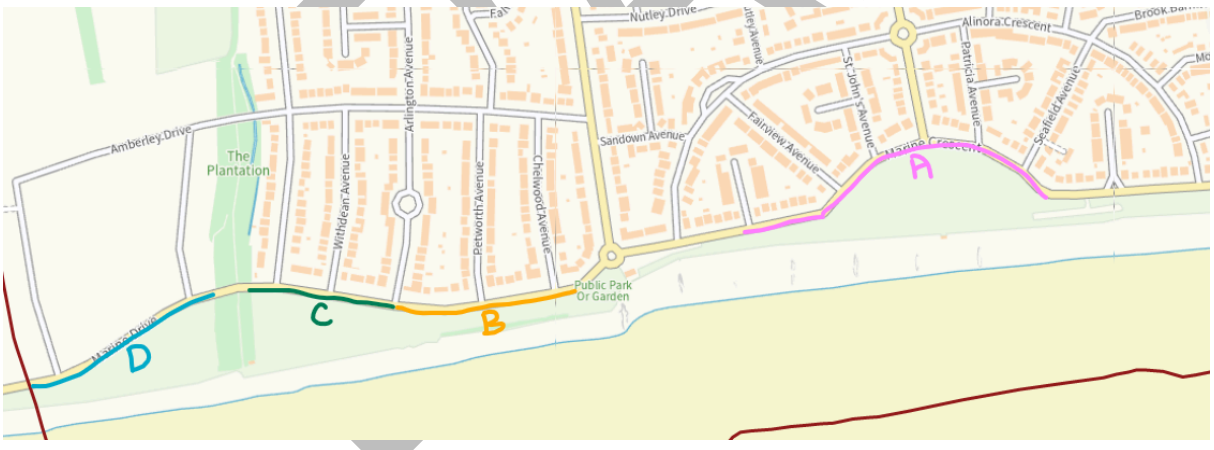
Montague Street
Montague Place
South Street Square

The Council allows street trading in these streets subject to consent but has a strict policy that vendors are not competing with local shops, not selling fast food, not operating from a van or trailer and are adding colour to the town. Fast Food trailers and Ice Cream Vans clearly would not receive a licence to operate in the above consent streets. Plots are strictly limited.

Bath Place
Broadwater Street West
Portland Road (South of Shelley Road)
South Street

In the above streets the Council allows street trading as part of an organised approved market or approved public event.

Marine Crescent
Marine Drive



The Council will consider the issuing of consents to ice cream and coffee & tea vendors trading from vehicles/trailers. Hot Food vans/trailers will not receive a consent to operate in the above consent streets. Plots are strictly limited. To avoid traders setting up in close proximity to each other the Marine Crescent & Marine Drive area will be zoned:

- Zone A - Marine Crescent from Alinora Crescent to Banstead Close
- Zone B – Marine Drive from Chelwood Avenue to Arlington Avenue
- Zone C – Marine Drive from Arlington Avenue to Aldsworth Avenue
- Zone D – Marine Drive west of Aldsworth Avenue to the Ferring boundary

A maximum of two one-year consent permits will be issued for trading in each of the zones.

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Appendix 2
Application Forms

WORTHING BOROUGH COUNCIL

Environmental Health & Licensing - Licensing Unit

Application for a Street Trading Consent for Worthing Town Centre

Local Government (Miscellaneous Provisions) Act 1983 – Schedule 4

IMPORTANT: Please read attached guidance notes before completing the form.

1.	**Name of Applicant in full:**	
	Address:	
	Telephone Number: **Email:**	
2.	**State the precise location at which you wish to trade** **(a sketch plan would be helpful)** **(Note: Street Trading is permitted in Montague Street, Montague Place and South Street Square only.**	
3.	**What articles do you wish to trade in?** **Food Business Establishment registration – Name of local authority, date of last inspection and food hygiene rating achieved.**	
4.	**Give details (including dimensions) of any portable stall or other equipment which you wish to use in connection with your trading (see Guidance Note 2)**	
5.	**What is the duration of the consent for which you are applying?**	**(1 day/1 week/1 year/other) – please specify**
6.	**Which days of the week do you wish the street trading consent to cover?**	
7.	**Between what times would you wish to be authorised to trade?**	

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8.	Please give details of any convictions you have relating to acts of violence or dishonesty :			
	Date of Conviction	**Convicting Court**	**Offence**	**Penalty**

- I have enclosed a basic criminal conviction certificate or a criminal record certificate or the results of a subject access search of the police national computer by the National Identification Service.
- Authorisation to work in the UK & point-based system - To comply with the Immigration, Asylum and Nationality Act 2016 we are required to check your eligibility to live and work in the UK Please confirm that you are able to live and work in the UK and on request provide evidence.

I apply for a street trading consent on the terms set out above and declare that the information given on this application form is, to the best of knowledge and belief, correct.

Signed ……

Dated ……

Notes:

- It is an offence (punishable with a fine of up to £1,000) for a person, in connection with an application for a street trading consent, to make a false statement which he or she knows to be false in any material respect, or which he or she does not believe to be true. It is also an offence to trade at a different place or at different times to those specified in the consent.
- The fee for a day's trading consent or for a week's trading consent is payable on application. The fee for a one-year consent is payable on grant or in quarterly instalments, if more convenient.
- If a 'consent' is granted, the applicant will be required to submit two passport size photographs and proof of £5,000,000 public liability insurance.

Data Protection

It should be noted that Adur & Worthing Councils may make any enquiries considered necessary (e.g. from another Section or Department of the Councils, Department of Social Security, employer, bank or other financial institution), to assess licence applications.

Details regarding licensing applications (whether or not they proceed) will be retained in paper form and/or in a computer record by Adur & Worthing Councils. Applicants should be aware that the Councils will retain the information provided in connection with applications for a period of up to 10 years and such information may be retained as either hard copy or as a computerised record.

Applicants have the right to see certain records held about them on payment of an appropriate fee under the provisions of the Data Protection Act.

Please return form to :

Licensing Unit
Adur & Worthing Councils - Environmental Health & Licensing
Town Hall, Chapel Road Worthing, BN11 1HA
Email: licensing.unit@adur-worthing.gov.uk

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WORTHING BOROUGH COUNCIL

Environmental Health & Licensing - Licensing Unit

Application for a Street Trading Consent for Marine Crescent & Marine Drive, Worthing

Local Government (Miscellaneous Provisions) Act 1983 – Schedule 4

IMPORTANT: ***Please read attached guidance notes before completing the form.***

1.	**Name of Applicant in full**	
	Address (home and where the vehicle is stored if different)	
	Telephone Number incl. mobile: **Email:**	
2.	**Vehicle Details (including registration number, date of registration, vehicle make, and livery)**	
3.	**What articles do you wish to trade in?**	
4.	**Indicate which zone you seek to trade in**	
5.	**Food Business registration in the applicant's name – Details of local authority, date of last inspection and food hygiene rating achieved.**	
6.	**On what date do you wish the consent to begin?**	
7.	**Which days of the week do you wish the street trading consent to cover?**	
8.	**Between what times do you wish to be authorised to trade on each of the days specified in (6.) above?**	

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9.	Please give details of any convictions you have.			
	Date of Conviction	**Convicting Court**	**Offence**	**Penalty**

- I have enclosed a basic criminal conviction certificate or a criminal record certificate or the results of a subject access search of the police national computer by the National Identification Service.
- Authorisation to work in the UK & point-based system - To comply with the Immigration, Asylum and Nationality Act 2016 we are required to check your eligibility to live and work in the UK Please confirm that you are able to live and work in the UK and on request provide evidence.
- I enclose a copy of the vehicles V5 (log book) and valid MOT

I apply for a street trading consent on the terms set out above and declare that the information given on this application form is, to the best of knowledge and belief, correct.

Signed ……

Dated ……..

Notes:

- **It is an offence (punishable with a fine of up to £1,000) for a person, in connection with an application for a street trading consent, to make a false statement which he or she knows to be false in any material respect, or which he or she does not believe to be true. It is also an offence to trade at a different place or at different times to those specified in the consent.**
- **The fee for a new year's trading consent is payable on approval of your application.**
- **The fee for a consent permit renewal is payable on application**
- **If a consent is granted, the applicant will be required to submit two passport size photographs, proof of public liability insurance and payment of the full fee.**

Data Protection

It should be noted that Adur & Worthing Councils may make any enquiries considered necessary (e.g. from another Section or Department of the Councils, Department of Social Security, employer, bank or other financial institution), to assess licence applications.

Details regarding licensing applications (whether or not they proceed) will be retained in paper form and/or in a computer record by Adur & Worthing Councils. Applicants should be aware that the Councils will retain the information provided in connection with applications for a period of up to 10 years and such information may be retained as either hard copy or as a computerised record.

Applicants have the right to see certain records held about them on payment of an appropriate fee under the provisions of the Data Protection Act.

Please return form to :

Adur & Worthing Councils - Environmental Health & Licensing
Town Hall, Chapel Road
Worthing, BN11 1HA
Email: licensing.unit@adur-worthing.gov.uk

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WORTHING BOROUGH COUNCIL

Environmental Health & Licensing - Licensing Unit

Application for a Market or Event Street Trading Consent

Local Government (Miscellaneous Provisions) Act 1983 – Schedule 4

IMPORTANT: Please read attached guidance notes before completing the form.

1.	**Name of Applicant in full:**	
	Address:	
	Telephone Number: **Email Address:**	
2.	**State the precise location at which you wish the market/event to trade (a sketch plan should be included)**	
3.	**What articles will be offered for sale.**	
4.	**Give details (including dimensions) of the portable stalls or other equipment which will be used in connection with your trading (<u>But</u> – see Guidance Note 2 and attached permit conditions)**	
5.	**A list of traders and their Food Business registrations including the names of the inspecting local authority will be required 28 days before the market/event.**	

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6.	**Which date(s) do you wish the consent to cover?**			
7.	**Between what times do you wish to be authorised to trade?**			
8.	**Please give details of any convictions you have relating to acts of violence or dishonesty:**			
	Date of Conviction	**Convicting Court**	**Offence**	**Penalty**

- I have enclosed a basic criminal conviction certificate or a criminal record certificate or the results of a subject access search of the police national computer by the National Identification Service.
- Authorisation to work in the UK & point-based system - To comply with the Immigration, Asylum and Nationality Act 2016 we are required to check your eligibility to live and work in the UK Please confirm that you are able to live and work in the UK and on request provide evidence.

I apply for a street trading consent on the terms set out above and declare that the information given on this application form is, to the best of knowledge and belief, correct.

Signed …… Date……..

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Notes:

- It is an offence (punishable with a fine of up to £1,000) for a person, in connection with an application for a street trading consent, to make a false statement which he or she knows to be false in any material respect, or which he or she does not believe to be true. It is also an offence to trade at a different place or at different times to those specified in the consent.
- It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant or renewal of a personal licence. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine of any amount. It is an offence under section 24B of the Immigration Act 1971 to work illegally.
- The fee for a day's trading consent or for a week's trading consent is payable on application. The fee for a one-year consent is payable on grant or in quarterly instalments, if more convenient.
- If a 'consent' is granted, the applicant will be required to submit two passport size photographs and proof of £10,000,000 public liability insurance.

Data Protection

It should be noted that Adur & Worthing Councils may make any enquiries considered necessary (e.g. from another Section or Department of the Councils, Department of Social Security, employer, bank or other financial institution), to assess licence applications.

Details regarding licensing applications (whether or not they proceed) will be retained in paper form and/or in a computer record by Adur & Worthing Councils. Applicants should be aware that the Councils will retain the information provided in connection with applications for a period of up to 10 years and such information may be retained as either hard copy or as a computerised record.

Adur & Worthing Councils are under a duty to protect the public funds they administer, and to this end may use the information you have provided on this form for the prevention and detection of fraud. The councils may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see www.adur-worthing.gov.uk/about-the-councils/audit/nfi-data-matching

Applicants have the right to see certain records held about them on payment of an appropriate fee under the provisions of the Data Protection Act.

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Appendix 3

Standard Conditions of Trading Consents

The consent is non-transferrable.

The Consent holder shall:

1. maintain day-to-day control of the stall/vehicle. If the holder is not present, a Council-authorised assistant must be in attendance. Breaches to the Principal Operator Rule will lead to immediate revocation.
2. sell, sub-let, assign, or transfer the consent to any other person, including family members, except in exceptional cases (e.g., death or permanent incapacity) subject to Council approval.
3. not trade otherwise than on the days and between the times specified in the consent;
4. not trade otherwise than at the location specified in the consent;
5. not trade in any articles other than those specified in the consent;
6. display his/her council issued ID badge and keep the consent permit so that it can be immediately produced for inspection by an authorised Officer of Worthing Borough Council or Sussex Police;
7. hold public liability insurance cover in the sum of £5,000,000 to cover injuries or loss to members of the public;
8. remove all litter from the site at the end of each period of trading;
9. not cause obstruction in the street or danger to persons using it;
10. not cause any nuisance or annoyance to any person (whether using the street or otherwise).
11. remove the stall, trailer or mobile unit and any accompanying equipment from the site outside of trading hours.
12. If trading from stalls or trailers, park any vehicles (domestic or commercial) legally and away from pedestrian areas.

Appendix 4

Standard Conditions for Market Consents:

The consent is non-transferrable.

The Consent holder shall:

1. Ensure the market or event and the proposed activities will add colour and interest to the local environment.
2. Ensure the proposed trading will be on an occasional basis as part of an organised market or organised public event.
3. Ensure the trading shall take place on the days and between the times specified in the consent.
4. Ensure no trader will utilise petrol or diesel generators or gas heaters without specific authorisation. Only solar or battery power will normally be permitted.
5. The trading shall not take place otherwise than at the location specified in the consent.
6. There will be no trading of any articles other than those specified in the consent;
7. The organiser shall keep the consent so that it can be immediately produced for inspection by an authorised Officer of Worthing Borough Council or Sussex Police.

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8. Hold public liability insurance cover to the sum of £10,000,000 to cover injuries or loss to members of the public;
9. If supplying food & drink the individual traders must hold a current food hygiene standard rating of 4 or above.
10. The consent holder shall ensure removal of all litter from the site at the end of each period of trading;
11. The consent holder shall ensure no trader causes obstruction in the street or danger to persons using it;
12. The consent holder shall ensure no trader causes any nuisance or annoyance to any person (whether using the street or otherwise).
13. The consent holder shall ensure that all required licences are in place, for instance a valid Temporary Event Notice to allow alcohol sales.
14. the consent must not be sold, assigned, or transferred to any other person, including family members, except in exceptional cases (e.g., death or permanent incapacity) subject to Council approval.
15. the consent must not be sub-let. The Consent Holder is prohibited from sub-letting the consent to any other individual or organisation. Violation will lead to immediate revocation.
16. the consent holder must maintain day-to-day control of the market. If the holder is not present, a Council-authorised assistant must be in attendance. Breaches to the Principal Operator Rule will lead to immediate revocation.

Appendix 5

Street Trading Fees

The up-to-date Street Trading Consent Permit Fees can be found on the Councils' published fees & charges document on the A&W website at:

https://www.adur-worthing.gov.uk/media/Media,172770,smxx.pdf

The fee for administration of renewal applications and variations to existing consent permits is set at £55.00 – 2027/28

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