

Sarah Vippond

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TSR- 117594

Thai-pan
Pitch 7
George Street
Luton

15 March 2013

Dear Thai-pan

RE: STREET TRADING CONSENT

Enclosed please find your Street Trading Consent plus a copy of Standard Conditions and Guidance Notes applying to the consent.

Please be aware of vehicle restrictions after 10.00a.m. in George Street. If access is required to the designated trading pitch by vehicle, it is necessary to comply with the relevant Traffic Regulation Orders in force in the appropriate street. **Currently, access to the Pedestrian Zone in George Street is available before 10.00 a.m. and after 6.00 p.m. only.** Vehicles entering George Street during these periods should not remain within the Pedestrian Zone for any longer than is necessary for the delivery of the barrow/stall or goods required in connection with the Consent. **During the period 10.00 a.m. to 6.00 p.m., there is to be no vehicle movement.**

Please note your consent **MUST BE PROMINENTLY DISPLAYED** on your stall.

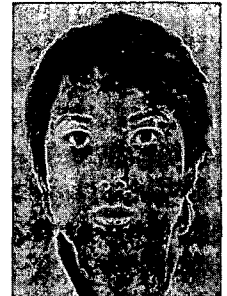
Yours sincerely

Sarah Vippond
Licensing Officer

**LUTON BOROUGH COUNCIL
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

Luton Borough Council hereby grant your consent to trade solely in the articles, and in the manner and at the place and for the period and during the hours specified below.

APPLICANT	Mrs Rachadaporn Spencer
ADDRESS	33 Cranleigh Gardens Luton LU3 1LS
STALL NAME	Thai-pan
LOCATION	Pitch 7 George Street Luton (South Side) on the footway area outside No.51 (The Old Cinema) Or as varied by the Council under condition 20 of this Consent
DATE OF EXPIRY	31st December 2012



Periods for which and times between which you may trade.	Times	10.00 to 19.00
	Days	Monday to Saturday
	From	1st January 2012
	To	31st December 2012

Article(s) for which consent has been given **Take Away Food (rice and noodles)**

Description and dimensions of stall. **7' x 12' White Unit with Green Writing**

This consent is granted under, and is subject to the provisions of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, and the conditions attached hereto.

This consent is personal to you and may not be transferred to any other person. Another person(s) may be employed to assist you in trading, but must be approved by the Council (See Condition 9).

Failure to comply with the conditions attached to this Street Trading Consent may result in the Consent being revoked.

The Council reserve the right to revoke this Street Trading Consent at any time whether or not a breach has occurred.

Signed _____
Licensing Service Manager

Date 15 March 2013

LUTON BOROUGH COUNCIL

GUIDANCE NOTES FOR PERSONS APPLYING FOR OR RENEWING STREET TRADING CONSENT

1. Generally speaking, all 'street trading' on the public highway is an offence under Section 148 of the Highways Act 1980. However, since 2nd October 1989 consent to trade within certain designated areas and streets in the Town Centre can be obtained from the Council.

The streets and areas within the Borough of Luton that have been designated 'consent' streets are:-

- Bridge Street
 - Bute Street between George Street and the Arndale Centre
 - Chapel Street between George Street and Stuart Street
 - Cheapside between George Street and the Arndale Centre
 - George street
 - George Street West
 - Gordon Street
 - King Street to the Ring Road
 - Library Road
 - Manchester Street
 - Park Street between George Street and Park Square
 - St George's Square including the area between St George's Theatre and the Strathmore Thistle Hotel
 - Silver Street
 - Upper George street
 - Wellington Street to the Ring Road
 - Williamson Street between George Street and the Arndale Centre
 - Ramps to the entrance of the Arndale Centre
2. An application for street trading consent (including renewal) must be made on the Council's application form and submitted to Environmental & Consumer Services, Town Hall, Luton, LU1 2BQ. A separate application form must be completed for each stall, van, barrow, cart, etc.
 3. Applications must be accompanied by two passport type colour photographs of the applicant (proprietor) and three colour photographs of any stall, van, barrow, cart or other vehicle from which the applicant wishes to trade. Renewal applications must be accompanied by two colour passport type photographs of the applicant (proprietor) and one colour photograph (taken within the past twelve month period) of the stall, van, barrow, cart or other vehicle on the Pitch from which they are trading.
 4. The application must clearly state the pitch or pitches from which you wish to trade. Please refer to the current list of vacant pitches in the

enclosed information. Applications for pitches already occupied will not be considered.

5. The following scale of fees are payable for grant or renewal of street trading 'consent':

TRADING PERIOD	FEES
Minimum period of trade 0-3 months	£ 860.00 (Food) £ 860.00 (non-food)
Minimum period of trade 4-6 months (Food) Minimum period of trade 4-6 months (Non-food)	£ 1,400.00 £ 1,130.00
Per annum (Food) Per annum (Non-Food)	£ 2,700.00 £ 2,200.00
Occasional Theme Markets, per stall per day	£ 28.00

Please note: No fee should be sent with an application for consent or renewal of consent. 4 Quarterly Invoices will be sent out for payment of the fee.

6. Applications will be considered using the criteria set out in paragraph 7. If your application is successful you will be advised of the fee. A consent certificate will only be issued when the fee has been received. No trade will be permitted until written consent has been issued. Incomplete applications will be returned with details on what further information or amendments are required. Any application, which fail to meet the criteria set out in paragraph 7 below or receive adverse comments from consultee organisations will be referred to the Licensing Panel for a decision.
7. The criteria against which all applications will be assessed are as follows:
- Are goods to be sold from a stall, cart or barrow or other non-motorised vehicle?
 - Is the stall in good condition?
 - Does the stall add 'colour' and character to the town centre?
 - Is the design of the stall in sympathy with the pitch location e.g. it should not completely obscure a shop front or give rise to potential distress to surrounding businesses or the public using the street?
 - Will the goods sold be complementary to existing trade, as opposed to being in direct competition with an existing Consent

holder?

- f) Do the products to be sold lend themselves to creating an attractive display in the street?
 - g) Does the applicant have a clean record in terms of previous street trading conduct in Luton?
 - h) Does the applicant have a clean record in complying with health & safety and environmental protection legislation, and if relevant, food safety legislation?
 - i) **Food trade only:** Is the applicant's food business registered under food safety legislation?
 - j) **Food trade only:** Is the applicant prohibited from running a food business?
8. All consents expire on 31st December each year.
9. The Council will not permit trading unless the Consent holder has a current insurance policy against Public Liability and Third Party risks. The minimum insurance cover shall be £2,000,000, and must cover your vehicle, van, stall, barrow and any additional equipment under your control.
10. No consent will be issued until the Public Liability Insurance Policy is produced to the satisfaction of the Street Trading Administrator.
11. An authorised officer of the Council will inspect any stall, van, barrow, cart or other vehicle from which it is intended to trade.
12. All applications will be considered individually on their merits but the Council has agreed to limit the number of food traders allowed to operate as part of the consent scheme to eight. This is to ensure the scheme continues to allow a variety of goods to be sold in the consent area. As a guide the Council will encourage street trading in items such as:
- (a) **Hot and cold take-away food, for example**
 - Foods from around the world;
 - Ice cream, jacket potatoes
 - Pancakes, Roasted Chestnuts and Candy Floss
 - Fruit and Vegetables

(subject to a maximum of 8 consents)
 - (b) **Arts and crafts stalls, for example,**
 - Hand made jewellery,

- Wooden or other crafted objects,
- Paintings or arts in other media,
- Handmade soaps, candles,
- Engraved items, stained glass,
- Hand made toys and puzzles, etc.
- Flowers
- Wrapping Paper

Applications to sell these items will be considered provided consent to sell the same items has not already been given to another trader.

Applications will be encouraged provided they are always sold from a stall, cart, barrow or other non-motorised vehicle that is in sympathy with the surroundings, adds colour and character to the town center and complies with all relevant Food Safety, Health & Safety and Environmental Protection legislation.

13. The following trades are seen as falling outside the Street Trading scheme and would not therefore be permitted;
 - Fresh meat, fish and poultry
 - Live birds and animals
 - Clothing and textiles
 - Second hand electrical goods
14. In any designated consent street, street trading will normally be restricted to between the hours of 8.00 a.m. to 7.00 p.m. on Mondays to Saturdays inclusive. Written requests to trade on Sundays will be considered by the Street Trading Administrator.
15. Where a street trading consent is granted the Council will normally impose the Street Trading Consent Conditions attached hereto.
16. Further information may be obtained from the Environmental & Consumer Services, Luton Borough Council, Town Hall, Luton, Beds, LU1 2BQ. Tel: (01582) 546179, email: environmentalhealth@luton.gov.uk
Details also on website www.luton.gov.uk

LUTON BOROUGH COUNCIL
STREET TRADING CONSENT CONDITIONS

- 1 Trading shall not take place in such a manner as to cause obstruction of the street, or a danger, or annoyance or nuisance to persons whether using the street or not. Traders must ensure that a clear thoroughfare of 4m minimum width is maintained in George Street at all times in order to allow unimpeded passage for Emergency Services vehicles traveling at reasonable speed.
- 2 If access is required to the designated trading pitch by vehicle, it is necessary to comply with the relevant Traffic Regulation Orders in force in the appropriate street. Currently, access to the Pedestrian Zones in George Street is available before 10.00 a.m. and after 6.00 p.m. only. Vehicles entering George Street during these periods should not remain within the Pedestrian Zone for any longer than is necessary for the delivery of the barrow/stall or goods required in connection with the Consent.
3. Trading shall be restricted to the specific location within the Consent Street, which may be varied temporarily by the Street Trading Lettings Administrator.
4. Trading shall take place only from the approved stall, and no alteration or addition shall be made to the stall without the prior written consent of the Street Trading Administrator.
5. The Consent holders shall only sell articles approved by the Council.
6. Trading shall be restricted to the times approved by the Council. If the Consent holder wishes to be absent from their pitch for a continuous period of 6 weeks or longer, they must inform the Street Trading Administrator in writing. Save for exceptional circumstances, unauthorised absences of 6 or more weeks will result in the permission to trade being revoked. Note the Council has absolute discretion to revoke Consents in these circumstances.
7. In appropriate cases, as determined by the Street Trading Administrator, the consent holder shall provide suitable receptacles for litter and arrange for the disposal of litter arising from trading activities. In the event a litter container is provided a notice shall be displayed at the stall requesting customers to deposit litter in it. Please note: it is unlawful to put trade or commercial waste in litter bins. They are strictly for general litter and refuse. Your business must have a trade waste collection agreement with the local authority, the council's contractor or a private contractor authorised to handle waste. Contact your local authority in the first instance to discuss your requirement on 01582 546860.
8. Any Consent holder shall ensure that his/her pitch and surrounding area is left clean and free from the deposits at the end of each day's trading.
9. The Consent holder shall, whilst trading, conspicuously display his/her Street

Trading Consent Certificate, or a copy thereof in a prominent position on the stall from which he/she is trading.

10. A copy of the Street Trading Consent Certificate shall not be acceptable unless it bears a clear, full-face photograph of the consent holder, taken in the last 12 months. Note, photographs showing sunglasses or head coverings (unless worn on religious grounds) are not acceptable. The reverse side of photographs must be signed by the Consent holder to verify their authenticity.
11. At all times the Consent holder is trading, he/she must have on his person the Street Trading Consent which he/she shall produce on demand by an authorised officer of Luton Borough Council, or a uniformed police officer.
12. If a Consent holder or any person trading on behalf of a Consent holder is requested to remove his stall or relocate temporarily by the Head of Environmental and Consumer Services (or his/her representative), or a uniformed Police Officer, or a uniformed Officer of the Bedfordshire & Luton Fire & Rescue Service, the request shall immediately be complied with.
13. All Consent holders shall have a current insurance policy against Public Liability and Third Party Risks. The minimum insurance cover shall be £2,000,000 and shall cover the operator's vehicle, van, stall, barrow and any additional equipment under his control.
14. Any application, which has been granted by the Council, will not be issued until an insurance policy as above is produced to the satisfaction of the Head of Environment & Consumer Services (or his/her representative).
15. Adequate precautions shall be taken by the Consent holder to prevent the risk of an outbreak of fire at his/her stall or vehicle in use in connection with the stall. Where a power source, or heating appliance is present, e.g. bottled gas, then suitable fire extinguishers shall be provided. In addition a fire blanket shall be provided at any stall where hot food is sold.
16. At all times the Consent holder shall comply with all Statutory Instruments and Bylaws currently in force. Particular attention should be paid to the Health and Safety at Work etc. Act 1974, the Food Safety (General Food Hygiene) Regulations, 1995, The Shops Act, 1994 and The Food Safety Act 1990.

17. Electric generators will be permitted provided they are silent-running, do not leak fuel or lubricants onto the highway and do not present a tripping hazard. They must not be refilled with fuel or lubricants on site. The generator should be placed on a suitable material so as to protect the highway from any damage from spillage of fuel or lubricants. If spillage should occur, the consent holder will be liable for the cost of cleaning the highway. Any item of equipment which, in the opinion of an authorised officer of the Council, constitutes a noise or other nuisance shall, with immediate effect, be turned off and not used again on the stall. The Council may revoke the use of a generator of any description on giving 7 days written notice.
18. The Consent holder will not assign, transfer, under-let or part with the possession or occupation of any part or parts of the approved pitch, or share the possession or occupation or permit any other person, company or firm to share the possession or occupation of the whole of the approved pitch or any part or parts thereof whether as licensee or otherwise.
19. A Street Trading Consent will not be granted to a person under the age of 17 and no person employed by a Consent holder to assist with trading shall be under the age of 16.
20. The Council may give no less than 14 days written notice at any time to change the location of your pitch or require you to trade from a different pitch on certain days of the week or on specified dates.

