

Licensing Committee Agenda

Tuesday 3 June 2025 at 7.00 pm

145 King Street (Ground Floor), Hammersmith, W6 9XY

You can watch it live on YouTube:

www.youtube.com/hammersmithandfulham

MEMBERSHIP

Administration	Opposition
Councillor Mercy Umeh (Chair) Councillor Asif Siddique Councillor Bora Kwon Councillor Wesley Harcourt Councillor Callum Nimmo Councillor Patrick Walsh Councillor Trey Campbell-Simon Councillor Paul Alexander Councillor Jacolyn Daly	Councillor Jose Afonso Councillor Aliya Afzal-Khan Councillor Dominic Stanton

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Date Issued: 23 May 2025

Licensing Committee Agenda

3 June 2025

<u>Item</u>	<u>Pages</u>
1. APPOINTMENT OF VICE-CHAIR	
2. APOLOGIES FOR ABSENCE	
3. DECLARATIONS OF INTEREST <p>If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.</p> <p>At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.</p> <p>Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.</p> <p>Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Standards Committee.</p>	
4. MINUTES <p>To approve the minutes of the meeting of the Committee held on 30 September 2024 as an accurate record.</p> <p>This item includes an appendix which contains information exempt within the meaning of Schedule 12A to the Local Government Act 1972 and is not for publication. The appendix has been circulated to the Committee members only. Any discussion on the contents of an exempt appendix will require the Committee to pass the proposed resolution at the end of the agenda to exclude members of the public and press from the proceedings for that discussion.</p>	4 - 13

5. **ANNUAL LICENSING COMMITTEE REPORT APRIL 2024 TO MARCH 2025** 14 - 38

This item includes appendices which contain information exempt within the meaning of Schedule 12A to the Local Government Act 1972 and is not for publication. The appendices have been circulated to the Committee members only. Any discussion on the contents of an exempt appendix will require the Committee to pass the proposed resolution at the end of the agenda to exclude members of the public and press from the proceedings for that discussion.

6. **REPORT ON THE DRAFT MARKETS AND STREET TRADING LICENSING POLICY 2025- 2030 AND UPDATED PRESCRIBED STANDARD CONDITIONS FOR STREET TRADING LICENCES** 39 - 112

7. **DISCUSSION OF EXEMPT ELEMENTS**

Local Government Act 1972 – Access To Information Proposed resolution:

Under Section 100A (4) of the Local Government Act 1972, that the public and press be excluded from the meeting during the consideration of the following items of business, on the grounds that they contain the likely disclosure of exempt information, as defined in paragraph 3 of Schedule 12A of the said Act, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information

Agenda Item 4

London Borough of Hammersmith & Fulham



Licensing Committee Minutes

Monday 30 September 2024

PRESENT

Committee members: Councillors Mercy Umeh (Chair), Asif Siddique, Wesley Harcourt, Florian Chevoppe-Verdier, Patrick Walsh and Paul Alexander

Officers:

Adrian Overton, Licensing Team Manager
Lorna McKenna, Licensing Compliance Officer
Neil Milligan, Team Leader, Planning and Economic Development
Emmanuel Amponsah, Solicitor
Charles Francis, Committee Coordinator

1. APPOINTMENT OF VICE CHAIR

Councillor Mercy Umeh proposed Councillor Patrick Walsh. This was seconded by Councillor Paul Alexander and agreed by the Committee.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Genevieve Nwaogbe, Bora Kwon, Aliya Afzal-Khan, Zarar Qayyum, Jose Afonso and Dominic Stanton.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. MINUTES

The OPEN minutes of the meeting held on 12 June 2023 were agreed as an accurate record.

5. ANNUAL LICENSING COMMITTEE REPORT APRIL 2023 TO MARCH 2024

Adrian Overton, Licensing Policy & Enforcement Manager, introduced the members of the Licensing Team to the Committee.

Minutes are subject to confirmation at the next meeting as a correct record of the proceedings and any amendments arising will be recorded in the minutes of that subsequent meeting.

He explained the presentation would cover a range of topics, including: Staffing Update, Licensing Team performance and work activity in 2023/24 and Financial update on income and debt. Further topics included 2023 - 2024 Licensing Sub-Committees and an enforcement update for 2023/24.

Adrian Overton provided an overview of the Licensing Activities which the Department oversaw and then provided details of the new structure and the Licensing Department's move to Planning.

Move to Planning and New Structure

The Committee noted that Licensing had moved from the Environment Department to Planning (under the Economy Department). Adrian Overton explained the rationale for the move, which was to:

- Develop more cohesive strategies for delivering increased economic activity in H&F.
- Allow staff from across the Planning and Licensing disciplines to share practice and align more closely on proposals for new developments.
- Allow the function of licensing to be viewed through an economic lens rather than a purely regulatory one.
- It was noted that the new structure no longer incorporated the Markets Team.

Staffing Update

The following staff changes were noted:

- a) Karen Layug had left her Team Leader position to start a new career abroad. Cristina Perez-Trillo had taken on this role.
- b) Recruitment for a second Licensing Enforcement Officer was currently underway.
- c) Sophia Barrett had started a new role as an Enforcement Officer.
- d) Abdul Ullah was the new Licensing Compliance Assistant. He started in July 2024.

The Team's Performance and the Licensing Act in 2023/24

Lorna McKenna, , Licensing Compliance Officer drew the Committee's attention to some of the key statistics in relation to the work from the previous year. Key points included:

- Overall, in 2023/24, the service dealt with a total of 1474 applications/notifications under the Licensing Act 2003 compared to 1382 in 2022/23. This was an increase of 6% from the previous year.
- New premises licenses and full variations were similar to last year with 75 new applications.
- In 2023/24 the service received 18 applications for provisional statements, compared to 0 in 2022/23. It should be noted that all of these applications were attributed to the redevelopment work at Olympia Exhibition Centre.
- An increase in personal licenses, transfers and minor variations.

- A decrease in DPS variations, change of details.
- In 2023/24 there was an increase of 11% of Temporary Event Notices (TENs) submitted compared to the previous year.

Licensing Sub-Committee Hearings in 2023/24

Lorna McKenna provided an overview on the number of hearings in 2023/24. The following points were noted:

- 7% increase in hearings compared to the previous year, with over 55% of cases granted in full or in part with amendments.
- All the applications bar one was heard under the Licensing Act 2003, with one review and one sexual entertainment venue license being heard.
- These figures do not include applications that the Licensing Team mediate on, which therefore no longer require a hearing.
- 2024/2025 hearings are likely to be higher due to the Olympia Provisionals and Fulham Football Applications which were heard – 27 in total in April and May 2024.

Financial Update on Income and Debt

In terms of the Financial Management for the period, Adrian Overton, Licensing Team Manager explained that The total Income generated from licensing activities during 2023/24 was £363,460 which is an Increase of £42,994 compared to 2022/23 (£320,466).

It was noted that there had been a small increase in the total number of applications received in 2023/24. The application fees under the Licensing Act were set by statute and could not be amended by local authorities.

It was noted that as of 31 March 2024, total overdue licensing debt was £9,885 compared to £16,675 at 31 March 2023, and Licensing Administration Officers had sent over 40% suspension notices in the last 12 months.

Pre-Application Advice Service and Service Improvements

Lorna McKenna provided details of the Pre-Application Advice Service. The following points were noted:

- The pre-application advice service represents excellent value for money.
- It enabled businesses to get professional advice on how to apply for a licence and is low-cost compared to an agent/solicitor.
- In 2023/24 this generated £3,811 in income compared to £2,445 in 2022/23.
- The team offer free pre application advice for small independent businesses.

Adrian Overton outlined the improvements which had been achieved. These included:

Achieved:

1. Introduction of a new Nighttime Strategy.
2. Martyn's Law – development of suggested conditions large licensed premises.
3. Ask for Angela / WAVE / drink spiking advice visits.
4. Successful internal audit in early 2023 (a recommendation included increasing the number of enforcement visits which will be actioned as an additional enforcement officer had recently been recruited).
5. Increased work with partner agencies such as Immigration.
6. Started the migration process to a new case management system (NEC).

Planned:

1. New Gambling Policy – more restrictive and possible introduction of Cumulative Impact.
2. Gambling Visits – Focus on preventative measures for problem gamblers.
3. New Sex Establishment Policy.
4. New Film Rating fees.

Nighttime Strategy

Adrian Overton provided an overview of the Nighttime strategy including its rationale and the steps to boost the local economy which included:

- supporting existing businesses.
- attracting new investment.
- creating a welcoming, vibrant, safe and inclusive post-6pm environment for residents, businesses, workers and visitors.

Progress so far

- Online workshop with the Nighttime Economy Working Group.
- Desk-based research.
- Dedicated night tours with invited local stakeholders.
- Night audits of Hammersmith, Fulham and Shepherd's Bush town centres.

Future Work Streams

- Workshops for each town centre.
- Surveys for residents, visitors, workers and businesses.
- Publishing the final strategy.

A summary of the emerging findings of the Strategy as applied to Fulham, Hammersmith and Shepherd's Bush was also provided.

Gambling Policy -2025 - 2028

1. The proposed changes to the new policy include the following:
 - Production of a new evidence base for the policy (known as a Local Area Profile – LAP). This will provide different layers of information including data on crime and anti-social behaviour, areas of deprivation, and the location of gambling support and addiction centres.

- Introducing the principle of cumulative impact into the policy and identifying a number of locations in the borough which are saturated with gambling premises.
- Suggestion that the terminal hour for AGC and Bingo premises is reduced to 10pm (currently 11pm).
- Suggestion that door supervisors must be used from 10pm onwards in any gambling premises.
- A continuation of the borough's current no casino resolution.

Licensing Enforcement

Adrian Overton provided an overview of the inspection and enforcement activities for the period 2023/24. The following points were noted:

- The number of complaints received by the Enforcement Team – 423
- The number of warning letters issued for the breach of licence – 75
- The number of visits / inspections to a premises including checking for compliance, monitoring and test purchases – 195
- The number of full risk assessments undertaken at a premises – 84
- The number of occurrences where advice has been given by enforcement officers including to businesses and residents – 854
- The number of meetings with businesses, multi-agency meetings and residents' meetings - 114

Questions?

Councillor Paul Alexander recounted various public houses which had been open in Fulham in the past and asked officers what could be done to encourage more pubs to open. He also noted that many premises had later hours on their licences, but they appeared reluctant to use them. And asked if there was any particular reason for that. In response, Adrian Overton confirmed that the Nighttime Strategy would encourage other operators to come to the borough. Providing those venues with footfall information and explaining how busy the borough is when they close may well show that it would be economically viable to remain open for longer. Adrian Overton explained that Hammersmith and Fulham's Licensing Policy was one of the most business friendly that he was aware of, and the borough was one of the only London Borough's that did not have cumulative impact zones. He also highlighted the free pre-application advice for smaller businesses that was available, and the Authority was trying to encourage those types of venues as much as it could.

Asking a supplementary question, Councillor Paul Alexander noted that over the past few years there had been a significant increase in the number of applications for storage units (for the off sales of alcohol) and a number of residents had complained about this type of application. He explained that their business models were often unclear, as well as how they intended to operate, and he asked if Licensing had done any research on this area. In response, Adrian Overton confirmed there had been a significant increase in this type of activity since Covid (the delivery of alcohol to customers) and it was a lawful process. However, he

appreciated how this could be disruptive to residents especially if deliveries were taking place at unsociable hours. Adrian explained that if storage units were located in residential areas, then they would be looked at very closely and conditions could be added to a licence such as the use of electric vehicles. Moving forwards, Adrian confirmed there was an opportunity to look at these types of application in tandem with Planning to further assess if a premises could operate in a specific way.

Councillor Asif Siddique thanked the Licensing Team for its hard work. He noted that there were a number of vacant shops and pubs on King Street and businesses were complaining. He asked if there was any business engagement or policy that could be introduced to stimulate the high street. Adrian Overton explained that Licensing Team could help to a limited extent when the premises was licensed, but many of these shop units might not require a licence to conduct their activities. Adrian Overton reiterated that free pre-application advice was available to all independent businesses. He explained that if a business stimulus letter was sent out to all premises, there was a danger this might create a proliferation of businesses that would request an off-sales licence which might lead to issues. Councillor Asif Siddique noted that the Licensing Team worked closely with Economy colleagues and were proactive in helping new businesses with any licensing requests.

Councillor Asif Siddique asked if HMO licences were within the Team's remit, as the HMO licensing fee was considered high by landlords. In response, Adrian confirmed this area was covered by the Housing Department and not Licensing.

Councillor Florian Chevoppe-Verdier highlighted some of points which had been made in the officer presentation – 200 fewer complaints, more advice and less enforcement activity and fewer complaint warning letters. He welcomed the proactive attitude the Service had taken towards businesses and hoped this would continue into next year.

In relation to debt management, Councillor Florian Chevoppe-Verdier welcomed the decrease. He asked if this was everyday debt or legacy debt from previous years. In broad terms, Adrian Overton confirmed it was legacy debt, where there was premises that was no longer operating and had accumulated debt and then it was a case of the new licence holder taking on this debt to revive the Licence. Adrian Overton confirmed that the Licensing Team could not revoke a licence if a premises had not paid the fee, and all it could do was suspend the licence. He confirmed that the Enforcement Team spoke to businesses on a regular basis which was why debt was at a relatively low level for nearly one thousand licensed premises in the borough.

Councillor Chevoppe-Verdier asked how much funding the Council invested and how much it recuperated, when there had been a fraud, or legacy debt. As there was only £9000 of debt outstanding, he mooted this might be as successful as the Council could be. He asked what steps came next in debt recovery. In response, Adrian Overton explained that the Council could appoint a Debt Recovery Agency, but the Licensing Service was mindful of how businesses were currently struggling, so the view had been taken that this was a relatively small amount of money and

moving forwards, the Licensing Team aimed to assist businesses as much as possible in the future.

Councillor Chevoppe-Verdier asked for details to be provided on the seven Audit Committee recommendations, as well as recent expenditure figures for 2022/23 as he wished to establish whether the cost per licencing application had increased or decreased in cost. He also commented there had been a significant increase in the number of supplementary agendas published after the main agenda and asked what could be done in relation to this. In response, Adrian Overton explained what the Licensing Act 2003 permitted and despite working with applicants and objectors, there was only a limited amount that could be done. Lorna Mckenna, Licensing and Compliance Officer explained that the Notice of hearing issued by Licensing did request additional information to be submitted to the Authority at least 48 hours ahead of the meeting. It was noted that Licensing were being more proactive.

In answer to the expenditure question, Adrian Overton confirmed it was £869,000 for 2022/23 and £540,000 for 2023/24. There was far less expenditure due to reduced external legal costs (in relation to defending a review application).

Councillor Patrick Walsh asked officers to clarify the wording that was currently used for the submission of late information. He suggested that stronger wording was used in the Notice of Hearing along the lines of *it is strongly encouraged by the Committee that all representations be submitted a minimum of 48 hours ahead of the committee meeting* to underline that this was counter-productive and should be strongly discouraged as much as possible. In response, Adrian Overton agreed that Licensing, in consultation with Legal colleagues could look at making the language used in the Notice of Hearing more robust.

Action – That Licensing and Legal Services agree a form of robust wording in relation to the submission of late supplementary information (to be used in the Notice of Hearing).

In relation to recruitment, Councillor Patrick Walsh noted that at present there was only one Enforcement Officer. He asked what the ramifications were in relation to the personal safety for those officers conducting site visits on their own. In response, Adrian Overton confirmed that as part of a risk assessment, officers would not be permitted to undertake a premises visit alone in the evening. If evening visits were necessary, then Licensing officers would be accompanied by either a Law Enforcement Officer or a Police officer. Adrian Overton confirmed that Licensing officers did not wear body armour or body cameras as this was seen as unnecessary. When officers conducted visits, this was in plain clothes and it was usual procedure to ask the Manager / DPS of a premises to talk outside. It was noted that it was mandatory for Enforcement officers to inform their manager of what premises they were visiting and what time they anticipated returning to the office, as well as carrying charged mobile telephones with them.

Adrian Overton also confirmed there was a Council database which would alert the Licensing Service if another Council Department had visited a premises and officers had either been threatened or intimidated. As such, officers would be aware that these premises required Police accompaniment.

Returning to the issue of legacy debt, Councillor Patrick Walsh asked if this remained in perpetuity or if there was a point at which this was written off as bad debt. In response, Adrian Overton confirmed that debts of over four years or more were assessed on a case-by-case basis. Options to recover the debt were always considered, and in those cases where this was not possible or practicable, it was written off as bad debt. Councillor Patrick Walsh asked if there was a duty of candour from sellers to prospective businesses if a premises had legacy debt or whether this would be discovered by a new business after they had acquired a premises. Adrian Overton confirmed that was dependent on the Lawyer that had dealt with the transaction and whether or not they had done due diligence. It was noted that a premises could apply for a new licence or might wish to settle a debt, as that respective licence included certain licensable hours that made it commercially more attractive to a purchaser.

Cllr Patrick Walsh asked now may of those licences with the £9,000 debt pool had been issued with a new licence. From memory, Adrian Overton could not recall many instances where this had happened.

Action – That Adrian Overton provide the Committee with further information on the number of premises with Licensing debt which held two licences.

Councillor Asif Siddique asked what steps could be taken to improve the process of applying for either a new licence or a renewal and make it more user friendly. And whether there was best practice at other Local Authorities that Hammersmith and Fulham could emulate. In response, Adrian Overton provided details of the current application process and assured the Committee that the Licensing Service was proactive in providing application assistance at every step of the process. Councillor Asif Siddique thanked the Licensing Team for their hard work.

Councillor Wesley Harcourt noted the 11% increase in Temporary Event Notices (TENs) and asked if this related to the European Football Championships and Olympic Games or whether it was due to a lack of late-night licences. In response, Adrian Overton explained that in his view, where premises traditionally opened on a Friday and Saturday night, they were now seeing events which were advertised online and they were seeing an increase in patrons on a particular occasion, so then the licence holders needed their TEN. It was noted that bars and pubs were not busy simply because it was Friday or Saturday and TENs were driven by specific events, particularly sporting events.

Councillor Wesley Harcourt echoed his colleagues concerns about multiple supplementary agendas and asked if there could perhaps be a single pack in future. In relation to Gaming Centres and non-proliferation, Councillor Wesley Harcourt asked what work was being done with the Planning Department on this issue. In response, Adrian Overton confirmed that Licensing were working in tandem with Planning on this issue. Neil Milligan, Team Leader, Planning and Economic Development, noted the links between Licensing and Planning in relation to the Nighttime Strategy and the greater understanding about how town centres were operating. He confirmed this information would be fed into the Strategy and Planning policies in the future. Neil Milligan confirmed that in many cases, the Council was dealing with historic planning applications, and it was noted

that a considerable amount of gambling had now gone online. He confirmed that the issue of empty premises and what this meant for the borough was being looked at under a number of prisms including: cultural, industrial and planning policies. However, there was no quick fix, and this was an area which would be fed into policies over the next 5 to 10 years.

Councillor Wesley Harcourt noted these timescales but underlined it was important given the Hammersmith and Fulham Plan was being developed and reviewed, that the proliferation of Gaming Centres and Betting Shops was included in this work. With regards to extending and developing the Nighttime Economy, Councillor Wesley Harcourt asked how this could be achieved without causing issues for local residents and what joined up work was being done across Council Departments to try and resolve this tension. In response, Adrian Overton confirmed that colleagues across the Council were aware of the issues and work was being done on a case-by-case basis to look at the suitability and provisions made to a premises under each individual licence. Adrian underlined corporate communication was vital and a webpage would become live soon which would have links to a survey and explain that rationale behind the Nighttime Strategy (and business operating during later hours).

In relation to the Nighttime Economy, the Chair, Councillor Mercy Umeh, asked how Hammersmith and Fulham compared to other London Boroughs. Adrian Overton confirmed that Westminster was an attractive option and Hammersmith and Fulham's consultants were looking at the reasons why visitors to the borough might attend a show in Hammersmith and then make an additional trip into Westminster. And also for ways of keeping visitors within Hammersmith and Fulham. He explained that a number of London Boroughs were in the process of developing their Nighttime Economy Strategies and Wandsworth had recently completed theirs.

In relation to the Nighttime Economy, Councillor Mercy Umeh asked if officers had spoken to a variety of stakeholders to establish what businesses wanted to see included within the Strategy. In response, Adrian Overton explained that he had presented the initial findings of the strategy to the Enterprise Board, and Hammersmith and Fulham's consultants had been in contact with individual business as well as key stakeholders across the borough. The Committee noted the ongoing work to support the development of the Nighttime Economy.

The Committee agreed the recommendation as set out in the report.

RESOLVED –

1. That the Committee note the contents of the report and provide any comments, suggestions or recommendations for the team.

6. DISCUSSION OF EXEMPT ELEMENTS

The sub-committee agreed, under Section 100A (4) of the Local Government Act 1972, that the public and press be excluded from the meeting during the consideration of the following items of business, on the grounds that they contain the likely disclosure of exempt information, as defined in paragraph 3 of Schedule

12A of the said Act, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

Meeting started: 6:30 pm

Meeting ended: 7:17 pm

Chairman

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Agenda Item 5

London Borough of Hammersmith & Fulham

Report to: Licensing Committee

Date: 3rd June 2025

Subject: Annual Licensing Committee Report April 2024 to March 2025

Report author: Adrian Overton (Licensing Team Manager)

Responsible Director: Bram Kainth, Executive Director for Place

Summary

This report provides a summary of the work and performance of the licensing service for the period between 1st April 2024 and 31st March 2025 and includes the following:

- a) Staffing, team performance and work activity in 2024/25.
- b) A financial summary of the team's income and debt.
- c) An update on the team's enforcement activity in 2024/25.
- d) An update on the status of the current licensing policies in effect.
- e) An overview of the team's priorities over the next 12 months.
- f) Details of 2024 - 2025 licensing sub committees (*in Appendix 1 attached to this report*)
- g) Details of complex cases (*in Appendix 2 attached to this report*).

Exempt: Appendix 2 is not for publication on the basis that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) as set out in paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended).

Recommendations

1. That members of the Licensing Committee note the contents of this report and provide any comments, suggestions or recommendations for the team.

Wards Affected: All.

Our Values	Summary of how this report aligns to the H&F Values
Building shared prosperity	The policies and strategies outlined in this report seek to welcome and encourage responsible licensing operators to the borough. This will hopefully bring new business investment, new employment opportunities and more visitors to enjoy their leisure time.
Creating a compassionate council	The service is compassionate to the needs of businesses and residents. The enforcement work of officers in the team now has a strong focus on ensuring that venues are supportive of women and vulnerable individuals when using the night-time economy.
Doing things with local residents, not to them	The report details the work of the licensing service which includes a reactive response to complaints from residents. Additionally, the team works very closely with residents in relation to licensing applications and we also regularly attend resident's meetings
Being ruthlessly financially efficient	This report includes a finance management section, this outlines the way the service is generating income and ruthlessly managing any debt whilst also having an ethical approach to debt.
Taking pride in H&F	We strive to be the best licensing authority in London and this report details the excellent work undertaken by the team to achieve this goal.
Rising to the challenge of the climate and ecological emergency	The majority of officers within the team are capable of working from home when appropriate. This has improved efficiency and reduced the amount of time officers spend travelling around the borough on visits, meetings, and licensing hearings. The team also regularly meet and collaborate in person. This way of working has many positive attributes, whilst still ensuring face to face contact when appropriate..

Financial Impact

For 2024/25 the total net spend for the Licencing Unit was £281,348 (£619,223 expenditure less £337,875 income). The service ended the year with a net overspend of £4,747 compared to budget (1.7% of total net budget).

The main cause of overspend was an income underachievement from licensing activities, although income achieved was more than that generated in 2022/23 (£337,875 in 2024/25 compared to £320,000 in 2022/23). Income for 2023/24 was unusually high (£363,000) due to a higher than usual number of applications relating to one major site.

In 2024/25 there were also a number of premises surrendering licences and some premises closing completely. This has also had a negative impact on income for the year. This will continue to be closely monitored and reported in 2025/26.

Implications provided by: Trina Tali-Zekaj, Principal Accountant (Planning & Property), 21st May 2025.

Reviewed by: Kellie Gooch, Head of Finance (Place), 22 May 2024

Legal Implications

The Council, as Licensing Authority, is required by law to comply with its statutory duties in accordance with the following legislations and determine applications in accordance with the Council's Statement of Licensing Policy published by the Council and any Guidance issued by the Secretary of State:

Licensing Act 2003

Gambling Act 2005

Local Government Miscellaneous Provisions Act 1982

Local Government Act 1972

The Policing and Crime Act 2017

The Licensing Committee is constituted as Licensing Committee under s6 of the Licensing Act 2003 in respect of licensing and as an ordinary committee under s101 of the Local Government Act 1972 in respect of its licensing, regulatory and registration functions. It should comprise of not less than 10 and not more than 15 councillors.

The Licensing Sub-Committee appointed by the Licensing Committee to discharges the Council's licensing functions.

The Authority has power under The Gambling Act 2005 to regulate gambling locally under a framework of "aim to permit", while the Commission appointed under the 2005 Act regulate gambling on a national level and focus on operator's licence.

The Commission works in partnership with licensing authorities to regulate gambling.

The Licensing Service produce this Annual Report to the Licensing Committee to evidence how it is discharging its licensing functions and seek feedback on the licensing policies such as the revised Statement of Licensing Policy, the approval of which is reserved to Full Council in accordance with Article 4 of the Council's Constitution.

An applicant making an application under the Licensing Act 2003 or Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982, and any other party who has made a representation, is entitled to appeal a decision of the Licensing Sub-Committee provided they apply to the Magistrates' Court within 21 days of the full licensing decision being issued. Such an appeal takes the form of a complete rehearing of the case, where new witnesses can be called. A Magistrate's Court has the power to grant or dismiss the appeal or to remit the case back to the Licensing Sub-Committee for reconsideration.

Under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982, the holder of a SEV is further permitted to appeal to the Crown Court within 21 days of a Magistrates' decision.

Part 3 of the Constitution grants delegated authority to the Executive Director of Place to exercise all licensing functions and other matters an officer is empowered to discharge under the Licensing Act 2003 and the Gambling Act 2005 or any related regulations.

Implications verified by Mrinalini Rajaratnam, Chief Solicitor (Planning, Property, Licensing and Highways) 22nd May 2025

Background Papers Used in Preparing This Report

None

DETAILED ANALYSIS

Introduction

1. The Licensing Service covers a wide range of statutory licensing, registration and enforcement functions in the London Borough of Hammersmith & Fulham. These functions cover premises which sell and supply alcohol or provide regulated entertainment or late-night refreshment. The service also issues licences for gambling premises, gaming machines and lotteries, sex establishments and sexual entertainment venues, film classification and scrap metal dealers.
2. The service manages its own finances which includes invoicing businesses, taking payments, chasing and enforcing non-payment of annual fees for all licensed premises.
3. The Licensing Service works in partnership with others including responsible authorities, blue light emergency services, government departments, residents and businesses to promote the licensing objectives, improve public health, reduce crime and disorder and promote a safe, vibrant and enjoyable nighttime economy in the Borough whilst ensuring that it is fulfilling its functions efficiently.

Licensing Team Staffing Structure

4. The Planning and Economic Development Service, which the Licensing Team has been part of since May 2023, is now part of the wider Place directorate.

Team performance, work activity and key achievements in 2024/25

Licensing Act 2003

5. The Authority has a statutory duty to carry out its function with a view to promoting the four licensing objectives, whilst also having regard to its Statement of Licensing Policy

which actively encourages new investment in borough, and the Section 182 guidance issued by the Secretary of State. The four licensing objectives set out in the Licensing Act 2003 are outlined below:

- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm
6. The work of the Licensing Team involves developing and implementing policy, issuing licences, inspections, enforcement, finance management, preparing reports for licensing sub-committee and service improvement.
7. The authority currently has 1,141 licensed premises (this includes alcohol, gambling, sex establishments and scrap metal premises) and has granted 4,190 authorisations for personal licence holders under the Licensing Act 2003. Tables 1 – 9 below illustrate the Licensing Authority's performance during 2024/25 across all areas of work. Data from 2023/24 has been included for comparison purposes.

Licensing Applications

Table 1 below details the types of applications/notifications processed by the team:

Table 1: Licence/authorisation type	No. of applications received	
	2023/24	2024/25
New premises licence/ certificate applications	75	69
Provisional statements	18	12
New personal licence applications	177	126
Premises licence/ certificate full variation applications	31	22
Premises licence/ certificate minor variation applications	46	27
Designated premises supervisor (DPS) variations applications	194	172
Transfers of premises licences applications	84	62
Notification of change of name and/or address, lost licence, DPS removals, interested party notification and condition extensions	160	140
Temporary event notices (TENs), Late temporary event notices.	689	639
Total number of applications processed by the team	1474	1269

8. Overall, in 2024/25, the service dealt with a total of 1,269 applications/notifications under the Licensing Act 2003, compared to 1,474 in 2023/24. This is a decrease of 14%.

9. In 2024/25 there were less Temporary Event Notices (TENs) submitted - 639 in 2024/25 compared to 689 in 2023/24. This represents a relatively small percentage drop of 7%.

Gambling Act 2005

10. The Authority has a statutory duty to carry out functions with a view to promoting the licensing objectives under this legislation. These are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way; and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
11. The team issues premises licences for the following; bingo halls, betting shops, adult gaming centres, family entertainment centres and track betting. In addition, the team processes notifications for small society lotteries and gaming machine permits.

Reduction in Gambling Premises

Table 2 below details the current number and type of gambling premises in the borough. It also outlines the number of new applications received in 2024/25.

Table 2: Types of gambling premises	Total		New Applications
	2023/24	2024/25	2024/25
Adult Gaming Centres	3	3	1
Betting Shops/ Track Betting	24	20	1
Bingo	3	4	1
Total	30	27	3

12. The data in table 2 shows that when compared to 2023/24 the number of Adult Gaming Centres has remained static, whilst the number of Betting Shops / Track Betting premises has reduced. There has been a slight increase in the number of Bingo premises in the borough. In addition to the above there are currently 121 active permits and small society lottery authorisations in effect.

Licensing Sub Committee Hearings

13. Where a representation is made to an application which is not subsequently withdrawn, a sub-committee needs to be arranged to reach a decision. A sub-committee is also needed in all circumstances when a review application is made to either alter the terms and conditions of a licence, or to revoke the licence in place.
14. In 2024/25 a total of 39 licensing sub-committee hearings were arranged, this is a slight decrease of 15% compared to 46 for 2023/24. A breakdown of the hearings for 23/24 and 24/25 is provided below.

15. The majority of the hearings which took place were held to consider applications made under the Licensing Act 2003. One hearing has been arranged to consider the renewal of a Sexual Entertainment Venue (SEV) premises under the Local Government Miscellaneous Provisions Act 1982. A full list of details of the licensing sub-committee hearings organised can be seen at Appendix 1.
16. Table 3 below illustrates the total number of sub committees.

Table 3: Total number of Licensing Sub Committee hearings organised	2023/24	2024/25
New Premises Licence	30	30
Variation of a Premises Licence	14	5
New Personal Licence	0	0
Review Applications	1	3
Renewal of SEV licence	1	1
Total	46	39

17. As outlined in table three above, the service has seen an increase in the number of review applications, from 1 in 2023/24 to 3 in 2024/35. Two of these applications were made by the Police Licensing Team, and the other was made by the Licensing Authority.
18. A summary of the decisions made by the licensing sub-committee can be seen in Table 4 below:

Table 4: Licensing Sub Committee outcomes new, variations and renewals	2023/24	2024/25
Granted/Agreed	17	28
Agreed in part	11	5
Refused	7	3
Disposed / Adjourned*	11	2
Total	46	39

19. Table 4 includes the number of cases where a sub-committee hearing was convened but was disposed/ adjourned. The licensing service dealt with numerous other cases which received representations, and a significant amount of time was spent resolving them prior to the last date for representations, therefore these cases did not need to be heard by the sub-committee.

Appeals

20. Appeals against the decision of the Licensing Sub-Committee can be brought by a number of parties involved in the application and licensing process, for example, this might be the applicant; responsible authorities and other persons who have objected; or a licence holder in the case of reviews.

21. This area of work can take up a considerable amount of time and it is therefore important that the service monitors this work in light of the decisions made and the facts of each case. There can also be substantial financial implications for appeals in terms of legal fees when defending decisions of the Council.
22. There were 2 appeals lodged against the decisions of the licensing sub-committee in 2024/25, the same figure as 2023/24. Both of these appeals were withdrawn before a preliminary hearing was held, and as such both sides agreed to bear their own costs.

Financial Summary

23. Financial management is a very important part of the team's work. The licensing team generates income from a number of sources including application fees, annual fees, pre-application advice and costs awarded following appeals or legal action. In addition to managing and overseeing all financial transactions, reconciliation of payments is crucial in allowing officers to suspend premises licences for non-payment of fees, and to take enforcement action where necessary.

Income 2024/2025

24. Table 5 below outlines the income received by the service for the period 2024/25:

Table 5: Income generated	2023/24	2024/25
Annual fees	£278,779	£266,314
Application fees	£80,870	£69,332
Pre-Application advice fees	£3,811	£2,229
Total Income	£363,460	£337,875

25. The application fees under the Licensing Act 2003 are set by statute and cannot be amended by local authorities. Table 5 above shows that the licensing team's income from application fees decreased by 14% in 2024/25. Income from pre-application advice fees also decreased by 41%. However, it should be noted that officers regularly offer advice and guidance to help small businesses make valid applications outside of the pre application process.

Pre-application advice

26. Since 2015 the Licensing Team has offered a pre-application advice service for small, medium, large licence applications and extra-large events. Table 6 below illustrates the number of requests where Licensing Officers have provided pre-application advice. In 2024/25 this generated £2229 in income.

Table 6: Licensing Pre-Application Advice	2023/24	2024/25
Small	1	1
Medium	2	1
Large	5	2
Extra-large events	1	0
Total	9	4

27. The pre-application advice service still represents excellent value for money. It enables businesses to seek professional advice on how to apply for a licence at a substantially reduced cost to that of a licensing agent/solicitor.
28. The team is looking at creative ways of further promoting our pre-application advice service, with a particular aim to support and encourage local businesses. For example, in an effort to try and support new businesses starting out in the borough the team offers free pre application advice.

Debt Management

29. Debt management is a priority for the service. In 2024/25 the total overdue debt increased by 30%. On the 31st March 2025 the total overdue debt was £20,895, compared to £16,000 as of 31st March 2024. The team continuously monitors debt, and takes a stepped approach to recover fees.
30. Despite the team's best efforts there are some fees which remain unpaid. In accordance with the Licensing Act 2003 if a licence holder fails to pay their annual fee a suspension letter is issued. If a payment is still not received the licence is at risk of being suspended. Importantly, officers provide advice and arrange payment plans and direct debits where needed in order to help those struggling to pay. The team will continue to build an alliance of support, working with local businesses to help them.
31. In 2024/25 there were 133 suspension notices issued by the team and consequently 31 licences are currently suspended.

Table 7: Suspensions of premises licences	Licences Suspended
2023/24	234
2024/25	133

Enforcement Activity

32. The enforcement team investigates a wide range of complaints from numerous sources, such as residents, councillors, businesses, internal departments or external authorities and government departments.

33. Additionally, officers are actively involved in working with the police following violent incidents or disorder in or in the immediate vicinity of a licensed premises. This partnership working has been highly effective in tackling crime and disorder in and around licensed premises. This collaborative approach to enforcement is well highlighted in a fortnightly Licensing Action Group meeting (LAG) which all responsible authorities, as outlined below, are invited to attend:

- Licensing Authority
- Police Licensing Team
- Local Fire and Rescue Authority
- Health and Safety Team
- Environmental Health Team
- Planning Authority
- Safeguarding
- Trading Standards
- Home Office Immigration Enforcement

34. Table 8 below details the enforcement action taken during the 2024/25 period:

Table 8: Inspection and Enforcement	Output	Total 2024/25
Complaints received	Number of complaints received by the enforcement team	246
Warning letters issued	Number of warning letters issued for breaches of licence	56
Licensing visits/ inspections	Number of visits/ inspections to a premises including checking for compliance, monitoring and test purchases	158
Risk Assessments	Number of full risk assessments undertaken at a premises	212
Number of meetings	Number of meetings with businesses, multi-agency meetings, and residents meetings.	51

35. Table 8 above illustrates that during 2024/25 the team received 246 complaints. It also shows that 56 warning letters were issued. Our preference is to enforce through advice and mutual agreement where possible, and the team actively works with businesses and individuals to advise and assist so we can obtain compliance where possible. Formal enforcement action is only taken as a last resort, or where there have been very serious non-compliance issues, such as the sale of alcohol to a child.

36. The team have been involved with a number of high profile and complex enforcement cases over the last year. These have been outlined in detail in Appendix 2.

Licensing Review

37. An overall review of the licensing service is being progressed to ensure it works in conjunction with our other emerging initiatives to increase the attraction and vibrancy of our town centres in particular. This includes helping to facilitate initiatives such as our emerging nighttime economy strategy so we can be even more pro-active and supportive to local businesses. The review includes some of the following key objectives:
- Review of the current Statement of Licensing Policy (as outlined in paragraph 48 of this report), to include later proposed hours for some businesses located in town centres and mixed residential areas.
 - Review of our website advice and guidance so it is as encouraging and supportive as possible and promotes our approach to the nighttime economy.
 - Develop 'red-carpet' one stop shop approach to help introduce businesses to all relevant Council services.
 - Benchmarking; continue engagement with other business friendly boroughs to share best practice.
 - The Licencing Action Group; review existing practices to ensure the new business friendly approach is embedded.
 - Pre application advice; improved promotion of our pre application advice service via our website, interactions with businesses, and any other correspondence with existing licence holders.
 - Data analysis; determine reasons for refusal or partial grants of licences.
 - Enforcement service; ensure there is robust and resourced approach to support new licensing culture.
 - Pro-active; invite planning applications to extend hours in appropriate cases.
 - Assist in finalising and publishing our Nighttime Strategy.
38. The team continue to work on a new NEC case management system, ensuring it is fit for purpose and that data integrity is maintained upon migration of application and licence data held on the department's current licensing database (Uniform).
39. The team continues to ensure that we maximise the use of our financial systems to aid in the invoicing of fees and receipting of payments. We also continue to promote the direct debit service to licence holders.

40. We are continuing a review of the information published on our website to ensure it is kept up to date.
41. We have reviewed our procedures when publishing representations to applications on our website. We have taken external legal advice on this matter, and personal details and other sensitive information is redacted/ removed.

Policy Update

42. A summary of all the policies relating to the Licensing Service can be found on the following webpage. <https://www.lbhf.gov.uk/business/licensing/licensing-policy>

Review of the Statement of Licensing Policy

43. The Licensing Act 2003 (“The 2003 Act”) requires every Council to have a ‘Statement of Licensing Policy’ (“SLP”) which will include information outlined in the Secretary of State’s Statutory Guidance to Licensing Authorities in England and Wales, as amended from time to time.
44. The Council’s SLP provides advice and guidance to the Licensing Authority when exercising its statutory functions as a Licensing Authority under the 2003 Act. The SLP is an essential tool to assist Responsible Authorities (mainly Regulators) and the Licensing Committee during the decision-making process to ensure that the decisions reached are sound, and robust enough to withstand an Appeal or judicial challenge. It also provides guidance to both applicants, objectors and professional advisers, and provides key information for any magistrates’ court appeals against licensing decisions.
45. The 2003 Act also requires that the Council’s SLP be reviewed via public consultation, formally adopted, and published every five years. The latest version of our new SLP was published in July 2022 and the next 5-year review would normally be just before July 2027, however, we are bringing this review forward. A link to the current policy can be found on the Council’s website as follows:

https://www.lbhf.gov.uk/sites/default/files/section_attachments/lbhf-statement-of-licensing-policy-2022-2027-150722.pdf

46. The most recent changes to the policy which were implemented in July 2022 include:
 - Three new themes outlining the strategic aims of the policy.
 - A clear commitment to supporting more late licences in non-residential areas.
 - Separate section on the safety of women and vulnerable individuals in licensed settings.
 - A removal of the cumulative impact areas previously in place in Fulham and Shepherds Bush.
47. As part of the current review of our licensing service, key areas of action are still being developed and finalised but they are likely to include the following:
 - An overall review of the policy to ensure its alignment with Upstream London and the Nighttime Economy Strategy objectives.

- Review of terminal hours – reviewing the terminal hours for licensed premises, especially in town centre areas and other mixed use areas.

48. This review is in its early stages but we are aiming to start a consultation in the near future and approve a new policy at a Full Council meeting in October 2025 as outlined below:

Proposed timeline for new Licensing Policy	
TBC	6-week consultation
TBC	SLT
TBC	Annual Licensing Committee
15 th September 2025	Political Cabinet
13 th October 2025	Cabinet
22 nd October 2025	Full Council

Statement of Gambling Policy

49. The Gambling Act 2005 became effective in 2007 and Hammersmith & Fulham published its Statement of Gambling Policy (SGP) in January of that year. Section 349 of the Act 2005 requires all licensing authorities to prepare and publish an SGP that they propose to apply in exercising their functions under the Act during each three-year period to which the gambling policy applies.
50. In April 2024 we started a review of our SGP to take a more restrictive approach to applications for new premises or extensions to existing ones. We were aware of concerns from Councillors, residents and responsible authorities that gambling premises were often located in areas deprivation, vulnerability, and also crime and disorder. It was also clear that gambling premises were often in close proximity to each other, with clustering of these types of premises being evident on King Street, North End Road and parts of Shepherd's Bush.
51. We adopted our new Gambling Policy in January 2025. The evidence base underpinning our more restrictive approach was rooted in the use of a new Local Area Profile – LAP (essentially the evidence base of any SGP) which contained information on the following points:
- Location and density of gambling premises,
 - Areas of high deprivation and vulnerability in the borough,
 - Crime and ASB hot spots,
 - Crime analysis in gambling premises,
 - Drugs and alcohol – information on residents attending A&E for an alcohol or drug related condition.
 - Data on the locations of schools, health centres and children's centres.
52. The first draft of the LAP was produced in July 2024, and a number of amendments were made to it up until a final version was produced in September 2024. The LAP

showed that there was a clustering of gambling premises in areas of overlapping deprivation, vulnerability, crime and ASB. The BI team independently provided their own commentary on the data which stated: *'Most licensed gambling premises are in areas of higher crime and ASB'*

53. The final amendments to the LAP identified 5 new gambling vulnerability zones, and 3 cumulative impact areas using information on the location of gambling premises. Within these new policy areas we proposed that there should be a presumption to refuse any new gambling applications.
54. A proposal was also made to reduce the terminal hour for Adult Gaming Centres to 10pm (previously 11pm). Any premises wishing to operate after this time would be asked to provide a robust risk assessment, and also commit to employing more than one member of staff after 10pm. A requirement to employ door supervisors at any premises where alcohol is sold, or which operates beyond 11pm, was also strengthened by reducing the time to 10pm.
55. It was suggested that the borough's 'no casino' was maintained, but that the wording should be altered slightly to make it clear that this decision will be reviewed every three years, and that it can be withdrawn at any time.
56. Other changes were also proposed to reflect the latest version of the Gambling Commission's Guidance document and the Commission's Codes of Practice. We also simplified some of the wording to make it clearer, removed some specific references to extracts from the Guidance, updated dates and links to various websites and updated contact details.
57. A five-week consultation on these proposals began on the 21 October 2024 and closed on the 24 November 2024. 14 survey responses were received in the consultation period. 57% of respondents were in agreement with our proposal to refuse any new licences for adult gaming centres, betting shops or bingo premises in gambling vulnerability zones. Additionally, 43% of respondents thought that the proposed policy did not go far enough to promote the protection of children and vulnerable people gambling objective.
58. The Police also made comments during the consultation period and explained that they were supportive of the proposal to introduce Gambling Vulnerability Zones / Cumulative impact areas in the borough. They were also in favour of the suggestion to reduce the terminal hour for Adult Gaming Centres, explaining that there was a concern with the association of these premises with ASB and crime in the Shepherd's Bush and North End Road areas in particular
59. 7 separate responses were received from solicitors / individuals representing the gambling industry. All of these respondents explained that they felt the current proposal to refuse any AGC, Bingo or Betting Shop premises within a Cumulative Impact Area or Gambling Vulnerability Zone was unlawful. Two of the seven written responses also raised concerns with a proposal to reduce the terminal hour for AGC and Bingo premises to 22:00 (from 23:00).

60. Separate external legal advice was sought on all of the written responses made during the consultation period. As a result of this advice a decision was made to alter the wording of Section 6.9 of the policy as outlined below:

Consultation Version:

6.9 Within Gambling Vulnerability Zones and the three Cumulative Impact Areas, there is a policy presumption to refuse any new gambling applications for AGC, Betting Shops or Bingo premises.

Revised Version:

*6.9 Within Gambling Vulnerability Zones and the three Cumulative Impact Areas there is a policy presumption to refuse any new gambling applications for AGC, Betting Shops or Bingo premises, **except in exceptional circumstances.***

61. The new policy was approved at Full Council meeting on the 22nd January 2025. In March 2025 a judicial review of the policy was applied for by two gambling trade bodies: The Bingo Association and the BACTA (the amusement and gaming association). As a result of this challenge, we have now appointed a leading licensing barrister to represent the Council. We have submitted the Council's summary grounds of resistance/defence to the judicial review challenge and are awaiting the decision of the Court on whether this matter should proceed to a full hearing or the claim be dismissed. We should hear from the Court within a couple of months. If permission is granted to proceed to a full hearing it will take a several months before the matter is determined by the Courts.

Sex Establishment Policy

62. The Council's Sex Establishment Policy was introduced in 2011 further to the Council adopting an amendment to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 which reclassified these venues. The current policy focuses on the locality of such establishments and their potential for being the cause of crime and disorder and anti-social behaviour.
63. Whilst there is no legal requirement to renew our policy, it is our intention to review the policy in 2025/26 with colleagues from the community safety team who specialise in sexual exploitation. We want to ensure that the policy is particularly focused on the welfare of any individuals involved in the sex industry, as well as protecting residents who live in close proximity to such venues.

Enforcement Policy

64. When carrying out enforcement duties within the borough licensing officers must have due regard to the Regulators' Code, which places a number of obligations on local authorities. A link to the Regulators Code can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/913510/14-705-regulators-code.pdf

65. These obligations include taking a consistent approach to enforcement and being proportionate in response to any licensing breaches. To achieve this, we have adopted an enforcement policy which sets out our general approach to enforcement. A link to the current enforcement policy can be found on this page.

<https://www.lbhf.gov.uk/business/licensing/licensing-policy>

Priorities for the next 12 months (in addition to the Council's Statutory duties under the Licensing Act 2003, Gambling Act and other licensing legislation)

66. The key priorities for the Licensing Team in 2023/24, while promoting the four licensing objectives are as follows:
- a. To carry out an overall review of the licensing service to ensure it has a business-friendly focus.
 - b. To review the Council's Statement of Licensing Policy (SLP) to improve its alignment with Upstream London and the Nighttime Economy Strategy objectives, and to introduce new proposed hours.
 - c. To revise our Gambling Local Area Profile (LAP) by adding additional public health data.
 - d. To finalise the introduction of a new Nighttime Strategy for the borough which focuses on our three town centres.
 - e. Encourage well-managed late licences in non-residential areas by promoting and advertising our pre application service so that restaurants and cafes can benefit a vibrant nighttime economy.
 - f. Carry out inspections to all licensed scrap metal dealers in the borough to check that they are operating in accordance with the terms and conditions of their licences.
 - g. To work with community safety colleagues to review our sex establishment policy so it specifically considers the welfare of the vulnerable individuals who are involved in the industry. The new policy will also make it clear that any hearings can be held virtually.
 - h. To undertake licensing inspections at all medium and large entertainment venues in the borough, in line with the forthcoming Martyn's Law legislation (this legislation was drafted in the wake of the Manchester Arena terrorist attack in 2017, and seeks to ensure that public safety requirements are always met at licensed premises). These visits will ensure that counter terrorism (CT) awareness training has been offered to all staff, and that venue specific CT measures are in place for every venue in advance of this legislation being implemented.
 - i. To arrange and implement an online test purchase operation with the Council's Trading Standards team and Police cadets. This operation will focus on

businesses which have had allegations of underage sales previously, and any businesses who have recently started operating an alcohol delivery service.

- j. Respond to public complaints, councillor complaints and other requests for service and investigate within service standards.
- k. Inspect all high-risk premises and ensure that all licensed and gambling premises operating in the Borough are operating in accordance with their licence and the respective Licensing Policy.
- l. Ensure that the licensing team operates in a manner that is financially efficient by the invoicing of annual fees and maintaining a systems to identify non-payment of fees, and taking the appropriate enforcement action whilst being sensitive to the circumstances of local businesses.
- m. Working in partnership with other responsible authorities and key stakeholders to promote the four licensing objectives through a number of ways including the Licensing Action Group (LAG).
- n. Promote the 'Ask for Angela' scheme and making it more visible, as an initiative to protect women and other vulnerable persons using licensed premises in H&F.
- o. To continue to promote the pre-application advice service to assist businesses and increase income. To also carry out a benchmarking exercise to ensure the service is optimising revenue streams.
- p. To continue to improve our online application service for businesses and to reduce paper within the service.
- q. To conduct multi agency inspections with partners, i.e. Police, Gambling Commission, Security Industry Authority (SIA), H.M Customs and Revenue, UK Border Agency, Trading Standards, and Environmental Health, in relation to:
 - Late night inspections;
 - Underage alcohol sales;
 - Licence conditions check;
 - Sales of illegal alcohol;
 - Employment of illegal workers; and
 - Gambling premises inspections.
- r. Work in conjunction with the Council's waste service to promote the reduction of single use *plastic* in licensed premises, targeting the three football clubs and any large events held within the Borough – Polo, boat race etc.
- s. Partnership working with the Police and other agencies such as Barnardos to carry out further Child Sexual Exploitation (CSE) visits at licensed premises.
- t. Reduce the number of incomplete licences issued and continuous service improvement work on the licensing database.

- u. To work with the digital services team and other business departments to ensure the new NEC Assure system is fit for purpose and that data integrity is maintained upon migration to a new case management system.
- v. To review our procedure for rating films, with a view to possibly charging for this service and to produce clear guidance / forms for applicants.

Equality Implications

- 67. The Council, when taking decisions in relation to any of its functions, must comply with its public sector equality duty to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it as set out in s149 of the Equality Act 2010 (the Act). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.
- 68. Enhanced monitoring of our enforcement actions, to better inform future equalities impact assessments, will be carried out on to help us improve service delivery. Our enforcement policy has been reviewed, updated and strengthened to outline our commitment to equality for all and our intended actions to achieve this goal and follow good practice.
- 69. This has been achieved in part by monitoring our enforcement actions from an equalities perspective to ensure that we are proportionately visiting diverse businesses.
- 70. Our enforcement policy contributes towards the corporate priorities of the Council and open and transparent decision making.
- 71. This report is for information only and is not requesting or proposing any changes to policy. Therefore, there is not impact on those with protected characteristics as a result of this report.

Risk Management Implications

- 72. The failure to meet new and existing statutory requirements is specifically addressed in the Environmental Health and Regulatory Services' risk register. Controls are in place to mitigate this risk include; training, internal auditing, periodic updates of the scheme of delegation, performance monitoring and the business planning process. The report provides assurance over the full range of responsibilities and activities of the Licensing service for the year, which support the Council's objectives.

Jules Binney, Risk and Assurance Manager, 19th May 2025

Other Implications

There are no environmental implications or human rights implications under the Human Rights Act 1998 arising directly from this report, as it is for information only.

Procurement

Not Applicable

Consultation

Not Applicable

List of Appendices:

Appendix 1 - Details of Licensing Sub-Committee hearings

Appendix 2 – Details of complex cases

APPENDIX 1

Details of the Licensing Sub Committees – 1st April 2024 – 31st March 2025

Hearing Date	Premises	Post code	Ward	Type	Outcome
10 th April 2024 6:30pm	Ground Floor 156 Munster Road	SW6 5RA	Fulham Town	New Grant, Sale of Alcohol – Grocery Store/Off Licence	Granted modified activities / conditions
17 th April 2024 6:30pm	National Hotel (citizen m) - basement to level 4 Olympia exhibition centre, Hammersmith Road	W14 8UX	Brook Green	New Grant Sale of Alcohol – Exhibition of Films, Late Night Refreshment for Hotel	Granted in full with added conditions
17 th April 2024 8:00pm	Emberton House Hotel (Hyatt), Olympia Exhibition Centre Hammersmith Road	W14 8UX	Brook Green	New grant for restaurant / bar	Granted in full with added conditions
30 th April 2024 10am	Riverside Stand, Fulham Football Club, Stevenage Road,	SW6 6HH	Palace & Hurlingham	New grant for Boutique Hotel	Granted in Full with added conditions
30 th April 2024 10am	Fulham Football Club, Stevenage Road, Members Club on Levels 3, 4 and 5	SW 6 6HH	Palace & Hurlingham	New grant for Members Club	Granted in Full with added conditions
30 th April 2024 10am	Fulham Football Club, Stevenage Road, Spa Cafe on Level 3	SW 6 6HH	Palace & Hurlingham	New grant for Spa Café on Level 3	Granted with modified activities /conditions
30 th April 2024 2pm	Riverside Stand, Fulham Football Club, Stevenage Road, Basement in the Riverside Stand	SW6 6HH	Palace & Hurlingham	New grant for Club	Granted with modified activities /conditions
30 th April 2024 2pm	Fulham Football Club, Stevenage Road, Ground Floor in the Riverside Stand	SW6 6HH	Palace & Hurlingham	New grant for Club	Granted with modified activities /conditions

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30 th April 2024 2pm	Fulham Football Club, Stevenage Road, First Floor in the Riverside Stand	SW6 6HH	Palace & Hurlingham	New grant for Club	Granted with modified activities /conditions
30 th April 2024 2pm	Fulham Football Club, Stevenage Road, Second Floor in the Riverside Stand	SW6 6HH	Palace & Hurlingham	New grant for Club	Granted with modified activities /conditions
7 th May 2024 (10am)	Olympia Exhibition Centre Hammersmith Road	W14 8UX	Brook Green	Provisional statement for the sale of alcohol, recorded music, late-night refreshment indoors	Licensable activities come into effect when an application for a premises licence is submitted and approved by the Council.
7 th May 2024 (10am)	Live Lounge Banquet & Conference Facilities - Olympia Exhibition Centre Hammersmith Road	W14 8UX	Brook Green	Provisional statement for the sale of alcohol, recorded music, late-night refreshment indoors	Licensable activities come into effect when an application for a premises licence is submitted and approved by the Council.
7 th May 2024 (2pm)	Olympia Exhibition Centre, Hammersmith Road , Unit 1a (Unit 2 Level 2)	W14 8UX	Brook Green	New Grant - Sale of alcohol, Recorded Music, Late Night Refreshment	Granted modified activities/ conditions
7 th May 2024 (2pm)	Olympia Exhibition Centre, Hammersmith Road Unit 1b (Unit 2 Level 2)	W14 8UX	Brook Green	New Grant - Sale of alcohol, Recorded Music, Late Night Refreshment	Granted modified activities/ conditions
7 th May 2024 (2pm)	Olympia Exhibition Centre, Hammersmith Road Unit 2a (Unit 2 Level 2)	W14 8UX	Brook Green	New Grant - Sale of alcohol, Recorded Music, Late Night Refreshment	Granted modified activities/ conditions

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7th May 2024 (2pm)	Olympia Exhibition Centre, Hammersmith Road Unit 2b Mezzanine Restaurant	W14 8UX	Brook Green	New Grant - Sale of alcohol, Recorded Music, Late Night Refreshment	Granted modified activities/ conditions
7th May 2024 (2pm)	Olympia Exhibition Centre, Hammersmith Road Restaurant (Unit 3, Level 2, Mezzanine And Rooftop Bar)	W14 8UX	Brook Green	New Grant - Sale of alcohol, Late Night Refreshment	Granted modified activities/ conditions
7th May 2024 (2pm)	Olympia Exhibition Centre, Hammersmith Road Restaurant Level Unit 3a (Right Side Unit 3, Level 2)	W14 8UX	Brook Green	New Grant - Sale of alcohol, Recorded Music, Late Night Refreshment	Granted modified activities/ conditions
28 th May 2024 (10am)	Theatre - Olympia London Development, Olympia Exhibition Centre, Hammersmith Road	W14 8UX	Brook Green	Provisional statement for the Regulated Entertainment sale of alcohol, recorded music, late-night refreshment	Licensable activities come into effect when an application for a premises licence is submitted and approved by the Council.
28 th May 2024 (10am)	Pillar Hall - Olympia London Development, Olympia Exhibition Centre, Hammersmith Road	W14 8UX	Brook Green	Provisional statement for the Regulated Entertainment sale of alcohol, recorded music, late-night refreshment	Licensable activities come into effect when an application for a premises licence is submitted and approved by the Council.
28 th May 2024 (2pm)	National Terrace, Olympia Exhibition Centre, Hammersmith Road,	W14 8UX	Brook Green	Provisional statement for the sale of alcohol, late-night refreshment	Licensable activities come into effect when an application for a premises licence is submitted and approved by the Council.
28 th May 2024 (2pm)	Roof Garden Gin Bar, Olympia	W14 8UX	Brook Green	Provisional statement for the sale of	Licensable activities come into effect when an application for a premises

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	Exhibition Centre, Hammersmith Road			alcohol, late-night refreshment	licence is submitted and approved by the Council.
28 th May 2024 (2pm)	Roof Garden North Terrace, Olympia Exhibition Centre, Hammersmith Road	W14 8UX	Brook Green	Provisional statement for the sale of alcohol, late-night refreshment	Licensable activities come into effect when an application for a premises licence is submitted and approved by the Council.
28 th May 2024 (2pm)	Roof Garden North Terrace Mezzanine, Olympia Exhibition Centre, Hammersmith Road	W14 8UX	Brook Green	Provisional statement for the sale of alcohol, late-night refreshment	The licensable activities as referred would come into effect when an application for a premises licence will be submitted and approved by the Council.
28 th May 2024 (2pm)	Roof Garden South Terrace, Olympia Exhibition Centre, Hammersmith Road	W14 8UX	Brook Green	Provisional statement for the sale of alcohol, late-night refreshment	Licensable activities come into effect when an application for a premises licence is submitted and approved by the Council..
28 th May 2024 (2pm)	Roof Garden South Terrace Mezzanine, Olympia Exhibition Centre, Hammersmith Road	W14 8UX	Brook Green	Provisional statement for the sale of alcohol, late-night refreshment	Licensable activities come into effect when an application for a premises licence is submitted and approved by the Council.
29 th May 2024 (10am)	Gym - Ground And Basement, Olympia Exhibition Centre, Hammersmith Road	W14 8UX	Brook Green	Provisional statement for the Regulated Entertainment sale of alcohol, recorded music, late-night refreshment	Licensable activities come into effect when an application for a premises licence is submitted and approved by the Council.
29 th May 2024 (10am)	Music Arena, Olympia Exhibition Centre, Hammersmith Road	W14 8UX	Brook Green	Provisional statement for the Regulated Entertainment sale of alcohol, recorded music, late-night refreshment	Licensable activities come into effect when an application for a premises licence is submitted and approved by the Council.
18 th June 2024 6:30pm	Tops Pizza, 74 Fulham Palace Road, London	W6 9PL	Hammersmith Broadway	New grant for restaurant/ takeaway	Granted with added conditions

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30 th July 2024 6:30pm	Booze Delivery Limited, Unit 4606, 21 Effie Road,	SW6 1EN	Walham Green	New application for the sale of alcohol off the premises	Reject the whole of the Application
24 th Sept 2024 6:30pm	Shan Local, 51 Fulham Broadway,	SW6 1AE	Walham Green	New application for the sale of alcohol off the premises	Grant the application for a period of one year.
24 th Sept 2024 7:30pm	Revive Cafe, 290-294 Uxbridge Road	W12 7LJ	White City	New Grant for restaurant/ takeaway	Reject the whole of the Application
2 nd Oct 2024 6:30pm	Mcgettigans, 1 Fulham Broadway,	SW6 7NX	Munster	Review of Premises Licence	Granted with modified activities/ conditions & removal of DPS
8 th Oct 2024 6:30pm	Eel Brook Common, New Kings Road,	SW6 4QD	Parsons Green & Sandford	New grant for restaurant	Granted with modified activities/ conditions
22 nd Oct 2024 6:30pm	Chester House, 81 - 83 Fulham High Street,	SW6 3JW	Palace & Hurlingham	New grant for restaurant	Granted with modified activities/ conditions
22 nd Oct 2024 7:30pm	106 Goldhawk Road	W12 8HD	Coningham	New Variation of the existing premises licence.	Granted with modified activities/ conditions
27 th Nov 2024 6:30pm	Textile Tribute, 30 Goldhawk Road,	W12 8DH	Shepherd's Bush Green	New premises licence for the sale of alcohol off sales	Granted with modified activities/ conditions
27 th Nov 2024 8:00pm	Boha London, 562 King's Road,	SW6 2DZ		New Variation of the existing premises licence.	Granted with modified activities/ conditions
10 th Dec 2024 6:30pm	Sainsbury's, 48 - 50 Shepherd's Bush Road,	W6 7PD	Addison	New Variation of the existing premises licence.	Granted in full
11 th Dec 2024 6:30pm	L'ami Jac, 96 Shepherd's Bush Road,	W6 7PD	Addison	New Grant for a bar.	Granted with modified activities/ conditions
21 st Jan 2025 6:30pm	Sports Café, 39a Goldhawk Road	W12 8QP	Addison	Police Review of Premises Licence	Revoke the Licence

APPENDIX 1

27 th Jan 2025 6:30pm	Popeye's, 348 North End Road, London, Sw6 1nb	SW6 1NB	Walham Green	New grant for takeaway	Granted with modified activities/ conditions
5 th Feb 2025 6:30pm	The Capital Theatre Westfield London Shopping Centre Ariel Way London	W12 7GF	Shepherd's Bush Green	New grant for Theatre	Granted with modified activities/ conditions
17 th Feb 2025 6:30pm	Jmb Food And Wine, 143 Askew Road, London	W12 9AU	Coningham	Trading Standards Review Premises Licence Application	Revoke the Licence
17 th Feb 2025 8:00pm	Jmb Food And Wine, 143 Askew Road, London	W12 9AU	Coningham	New Grant – for Off Licence	Reject the Licence
4 th March 2025 6:30pm	Caffe Bonego, 170 Goldhawk Road London W12 8hj	W12 8HJ	Coningham	Temporary Event Notice Application	Application withdrawn
11 th March 2025 6:30pm	Gopuff, 4 Challoner Crescent, 4 Challoner Crescent, London, W14 9LE	W14 9LE	West Kensington	Vary condition 16 of the premises licence	Objection Withdrawn

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Report to: Licensing Committee

Date: 03/06/2025

Subject: Report on the draft Markets and Street Trading Licensing Policy 2025- 2030 and updated Prescribed Standard Conditions for Street Trading Licences

Report of: Councillor Zarar Qayyum, Cabinet Member for Enterprise and Skills

Report author: Valerie Simpson, Assistant Director (Environmental Health and Regulatory Services)

SUMMARY

This report provides the details and rationale for having a H&F Markets & Street Trading Licensing Policy and the need for updating the Prescribed Standard Conditions for Street Trading Licences.

The report outlines the proposed consultation process for the draft Markets & Street Trading Licensing Policy 2025 – 2030 and the updated Prescribed Standard Conditions for Street Trading Licences, before implementation and formal approval, by the Licensing Committee.

RECOMMENDATIONS

1. That the Licensing Committee approves for consultation the updated Prescribed Standard Conditions for Street Trading Licences, at Appendix 1.
2. That the Licensing Committee approves, for consultation, the updated Regulation of Commodities for Street Trading Licences 2025, at Appendix 2.
3. That the Licensing Committee approves for consultation the draft recommended Markets & Street Trading Licensing Policy 2025 – 2030, at Appendix 3.
4. That the Licensing Committee notes the Inclusive and Accessible Markets and Street Trading Guidance at Appendix 4, that has been co-produced with the Inclusive Environment Disabled Residents Team.
5. That the Licensing Committee agrees that after consultation, the final policy, the prescribed standard conditions and the Regulation of Commodities can be approved under delegated authority by a Licensing Sub-Committee or the Cabinet Member for Enterprise and Skills.
6. That the Licensing Committee provides approval for officers to consult on a proposal for the council to declare market rights.

7. That the Licensing Committee provides approval for officers to consult on a proposal to designate the whole borough or more streets for regulated street trading activities.

Wards Affected: All

Our Values	Summary of how this report aligns to the H&F Corporate Plan and the H&F Values
Building shared prosperity	<i>The policy, standard conditions and the regulation of commodities seek to provide a framework that welcomes and encourages responsible, fair and safe street trading in the borough. The aim is to bring new business investment, new employment opportunities and more visitors to the borough.</i>
Creating a compassionate and inclusive council	<i>The policy supports economic growth and responsible, sustainable street trading activities that are sensitive to the needs of the residents and businesses.</i>
Doing things with local residents, not to them	<i>Residents, traders and other interested parties will be consulted. The responses received will be taken into consideration to help minimise any significant adverse impact on the enjoyment of the local community and amenities. An Inclusive and Accessible Markets and Street Trading Guide has been co-produced with the Inclusive Environment Disabled Residents Team.</i>
Being ruthlessly financially efficient	<i>The policy will facilitate a more effective and consistent approach to licensing, financial and administrative procedures.</i>
Taking pride in H&F	<i>The policy supports our Upstream London strategy, to reflect our ambition for a better tomorrow. The focus is on doing everything we can to ensure economic growth is inclusive and improves the lives of everyone in our community.</i>
Rising to the challenge of the climate and ecological emergency	<i>The consultation will be carried out electronically to minimise the use of paper via a postal process. The policy supports a clean and sustainable future, encouraging more recycling, reduced use of single use plastics and using electric power.</i>

Financial Impact

This report proposes consultation processes for the draft Markets & Street Trading Licensing Policy 2025 – 2030 and updated conditions for Street Trading Licences. The cost of the consultations is expected to be met from the existing Street Markets revenue budget in 2025/26 (mostly officer time in administering the online consultation process). The financial implications of any changes arising from the proposed consultations will be considered as part of the Council's annual budget setting process. For example, making business processes more efficient, raising standards to attract more businesses, introducing additional street trading locations,

or declaring market rights which will allow the Council to better regulate private markets and object to competing markets being set up within 6¾ miles from any Council run markets).

Kellie Gooch, Head of Finance (Place), 22 May 2022.

Verified by Andre Mark, Head of Finance (Strategic Planning and Investment), 22 May 2025

Legal Implications

Sections 21 - 41 of the London Local Authorities Act 1990 (as amended) regulates trading on the street. Under section 27(3) a Borough Council can make regulations prescribing standard conditions which are attached to a street trading Licence or can be added to a temporary street trading Licence.

The legislation states in section 27(4) that before the regulations are made the Borough Council has to consult on them. Section 27(4), (5) and (6) prescribes how the consultation process is to be carried out, whilst requiring the conditions to be reasonable. Section 23 provides that standard conditions apply to any person authorised by a street trading licence or a temporary licence.

Verified by Champa Gurnani, Senior Solicitor, 23 May 2025

Background Papers Used in Preparing This Report

The following documents have been relied upon in drawing up this report but do not form part of the report.

Street Trading Regulations 2004: *Regulations Made by the London Borough of Hammersmith and Fulham pursuant to Section 27(3) of the London Local Authorities Act 1990 (As Amended) Prescribing Standard Conditions Applicable to Street Trading Licences.*

DETAILED ANALYSIS

Introduction and Background

1. Markets and street trading policies are important because they regulate street trading activities, protect the public, and promote economic development.
2. Street trading activities are regulated by [Part 3](#) of the [London Local Authorities Act 1990 \(as amended\)](#) which provides Local Authorities in London with an authorisation process to control the following activities:
 - a) Street Trading Pitches
 - b) Market stall licences
 - c) Tables and Chairs on the Highways (*Highways use [Pavement Licences](#)*)
 - d) Shop Front Displays (*No current licences issued by the council*)

3. Under the Act the Council is responsible for granting, renewing, varying or revoking all street trading licences listed above. The Act allows the Council to make regulations, pursuant to Section 27(3) of the London Local Authorities Act 1990, prescribing the terms, conditions and restrictions on/or subject to which licences can be granted, varied, renewed or transferred.
4. A review of the Council's approach to Street Trading is considered long overdue, to ensure that it is consistent with modern street trading practices.
5. It is important that the current system is reviewed and modernised to meet the local needs of residents, visitors to the borough and street traders.
6. The regulations which prescribe the standard conditions applicable to street trading licences in H&F were last formally adopted by the council in 2004.
7. The Street Trading Regulations 2004 have been reviewed and updated, and new prescribed standard conditions have been produced, which can be seen at Appendix 1.
8. The 2014 [Regulation of Commodities](#) has also been reviewed and updated, and a new Regulation of Commodities has been produced, which can be seen at Appendix 2.
9. The Council currently does not have a Markets and Street Trading Licensing Policy. In the absence of a formal detailed street trading policy, decisions are made in line with best practice and the regulations.
10. A draft recommended Markets & Street Trading Licensing Policy 2025 – 2030, can be seen at Appendix 3; and our new Inclusive and Accessible Markets and Street Trading Guidance can be seen at Appendix 4.
11. This report provides an overview of the new draft policy and the proposed approach to the administration of Street Trading activities under the London Authorities Act 1990 (as amended).
12. Full implementation of the policy, the prescribed standard conditions and the Regulation of Commodities will be subject to consultation with existing licence holders and key stakeholders.

Legal obligations under the London Local Authorities Act 1990

13. Street Trading under the London Local Authorities Act 1990 (as amended) is defined as:
 - a) the selling or the exposure or offer for sale of any article (including a living thing); and
 - b) the purchasing of or offering to purchase any ticket; and
 - c) the supplying of or offering to supply any service, in a street for gain or reward (whether or not the gain or reward accrues to the person actually carrying out the trading).

14. For the purposes of this legislation 'street' is defined and includes:
 - a) any road or footway;
 - b) any other area, not being within permanently enclosed premises, within 7 metres of any road or footway, to which the public have access without payment;
 - c) any part of such road, footway or area;
 - d) any part of any housing development provided or maintained by a local authority under Part II of the Housing Act 1985.
15. Street Trading is often carried out on the public highway and the Council therefore has a duty to ensure public safety is protected from street trading activities.
16. Street Trading is normally a commercial enterprise and those carrying it out ought to comply with the same rules that regulate other trading, including safe and fair trading and minimising the impact of their activities on the environment and the wider community.
17. Street Trading can also play a part in the cultural identity of the borough and contribute to the local economy. It attracts visitors and can make for vibrant towns and communities, while at the same time providing employment and opportunities for small business enterprises.
18. In regulating street trading activities, the Council acknowledges that a balance must be struck between the legitimate objectives of applicants and members of the public living, working or engaged in normal activity in the area concerned. The policy will help to ensure that the public highway is not cluttered and that minimum standards are maintained.

The current street trading licensing framework and process

19. Currently, parts of the public highway are designated for the purpose of street trading, rather than a whole street or the whole borough. These designations can take the form of markets, individual stalls, tables and chairs outside of restaurants or shop-front displays.
20. Street trading licence applications are currently issued in accordance with regulations made by the Borough pursuant to Section 27(3) of the London Local Authorities Act 1990.
21. There are approximately 98 temporary street trading licences and 35 permanent pitches in the borough.
22. Street trading which relates to the provision of tables and chairs are administered by Highways, under the Business and Planning Act 2020, as Pavement Licences. Pavement licences are only available to hospitality premises.

23. The main street trading hubs in the borough are located in North End Road, Lyric Square and Wood Lane. There are no current shopfront licences, but there are designated street trading sites for street trading activities and markets. There are isolated designated sites which provide catering vehicles, and the sale of other commodities. There are also a few limited sites around our three football stadiums, for football match days.
24. Prospective traders are also able to apply for a location they find themselves. Applicants are asked to contact the Markets and Street Trading Public Protection team to discuss their application so that pre-application advice can be given in terms of pre-assessment of the feasibility of the site, before a full application is submitted.
25. The current system is out of date and restrictive for entrepreneurial business. It does not take into consideration new ways of trading and the evolution of the hospitality sector since COVID. There is a need to meet local needs for traders, residents, local businesses and visitors, different working practices, improved utilisation of the public realm and an increase in community-led markets.
26. The draft Markets and Street Trading Licensing Policy sets out the council's approach to licensing and the expected conduct and standards for those engaged in street trading activities, either from an isolated pitch or within our street markets.
27. The purpose of the policy is to provide a single set of basic rules which will be used to inform the various decision-making processes for markets and street trading. The policy will provide a framework for the Council to administer and regulate street trading, to ensure that a consistent approach is taken. It will also serve as a reference for licence holders and other interested parties.

Proposals and Analysis of Options

Main Aspects of the Markets and Street Trading Licensing Policy

28. The Council has no formal detailed policy in relation to street trading. Street trading decisions are made in line with best practice and the regulations.
29. The draft policy commits to inclusivity, fairness, health & safety, economic growth and providing new opportunities for a clean and sustainable future. It includes information on the following key areas:
 - a) **The Law:** Clear legal guidance is given about what traders can and cannot do.
 - b) **Regulations and Enforcement:** This includes the conduct of traders and managing the commodities that they might sell. It also includes what action the council might take for unlicensed street trading activities or the breach of licence conditions.

- c) **The different type of street trading activities:** The policy provides details of how we will manage privately operated markets, trading on the pavement and outside shops, ice cream vans, charitable markets and isolated pitches. Guidance is also given on how to apply for the relevant licence.
 - d) **Oversight and management of markets in the borough:** This includes a provision to designate or prohibit certain streets for street trading activities and to declare market rights.
 - e) **Protecting the environment:** The policy includes information about improving air quality and minimising the impact of waste and street cleansing.
 - f) **Support for traders:** There are details included about the loaning of equipment e.g. pitch canopies, to make it easier for traders to trade and for sites to be more aesthetically appealing to customers.
 - g) **Safeguarding:** Information relating to safeguarding children and adults with reference to immigration, data protection and modern slavery, has also been included.
30. The policy is complemented by the standalone Inclusive and Accessible Markets and Street Trading Guidance at Appendix 4. This has been co-produced with the Inclusive Environment Disabled Residents Team and is on the council website.

Key points of the Prescribed Standard Conditions for Street Trading Licences

31. The conditions have been updated to reflect changes in trading practices and to make the conditions clearer for traders. A summary of the key changes to the updated conditions can be seen at Appendix 6.

The updated Regulation of Commodities for Street Trading Licences

32. Commodities are referred to under section 14 in both the draft policy and in the prescribed standard conditions. The 2014 [Regulation of Commodities](#) has been reviewed and updated, and the new Regulation of Commodities attached at Appendix 2, aligns with both the draft policy and updated standard conditions.

Declaration of Market Rights

33. Local authorities can declare market rights, which gives them the authority to regulate markets within their jurisdiction. This includes issuing licences, setting conditions for trading, and ensuring compliance with health and safety regulations.
34. Declaring market rights will allow the council to object to competing markets being set up within 6¾ miles from any Council run markets. It can also assist the Council in regulating and managing private markets.

Designating the whole borough for regulated street trading activities

35. Designating the entire borough for regulated street trading means that the council can control all street trading activities within the borough under the London Local Authorities Act 1990. Designations will allow the council to designate specific areas as "licence streets," making it mandatory for traders to obtain a licence before trading.
36. The same rules will apply across the whole borough, so that there is no confusion about where certain laws or permissions apply.
37. The council will have better control of street trading, so that officers can manage market stalls and street vendors more easily, making sure that they are safe, fair, and not blocking pavements.
38. It makes it easier to organise community events and to support small businesses when the rules are clear and borough wide.
39. It should be noted that different neighbourhoods might have different needs. A borough-wide rule might not work well for every area, especially if some places are quieter or busier than others.
40. Designation could provide less flexibility for some local areas. Some residents or traders might feel that the rules are too strict or unnecessary in their area, leading to complaints or resistance. Public consultation is essential to fully assess views and any potential impact on managing and enforcing borough-wide rules.

Rationale for Proposals

Markets and Street Trading Licensing Policy proposal

41. The purpose of the proposed policy is to provide a framework for the Council to administer and regulate street trading, to raise standards and improve consistency of approach.
42. The policy will strengthen the decision-making process and support the Council's position, should any issues arise. It will be a reference for licence holders, council officers, relevant stakeholders and the Licensing Committee about the Council's intended vision and approach to street trading activities in H&F. Whilst all applications will still be considered individually on their own merits; this will be done in accordance with the policy.
43. The proposed Markets and Street Trading Licensing Policy 2025 – 2030 will apply to markets, which includes car boot sales, antique and craft markets, general markets, food markets, farmers' markets, charitable markets, markets run by the local authority, private markets as well as other street trading activities.

44. In putting together this draft policy, officers have reviewed how the current street trading licensing service is provided and considered how the service could be improved, to be more consistent, raise standards and meet local needs. The proposed policy does not only enhance current practice but also recommends certain changes to how the service is regulated and can be improved.
45. The lack of a sound street trading policy or the adoption of an unsound policy may result in poor decisions being taken and could cause difficulty to businesses and residents. This may leave the authority open to challenge by way of Judicial Review in relation to officer decisions and/or appeal of a Licensing Committee decision to the Magistrates' Court. This could adversely affect the Council's reputation.

Updated Prescribed Standard Conditions for Street Trading Licences proposal

46. The updated Prescribed Standard Conditions are significantly more detailed, structured into 32 sections with appendices giving trading details of the restrictions for specific street trading sites. The new provisions include more robust to keep members of the public safe and provide more transparency on how street trading will be regulated.

Updated Regulation of Commodities for Street Trading Licences proposal

47. The updated Regulation of Commodities provides a simpler and clearer commodities list for traders, with less restrictions and greater flexibility on what traders can and cannot sell. E.g. when selling clothing, under the 2014 regulation traders could only choose up to three commodities from one category. In the updated regulations there is not a separate women's, men's and children's clothing category. Instead, there is a general clothing category, which includes clothing for women, men and children. The updated list also provides greater clarity around banned /prohibited items.

Designating the whole borough or more streets proposal

48. Designating the whole borough or more streets is a more efficient way of working, saving time and effort, as the council does not have to treat each area differently, making things quicker and simpler to manage.

Declaration of market rights proposal

49. Overall, declaring market rights supports the local economy, enhances community life, and ensures that street trading is conducted in a regulated and beneficial manner.

Proposed timetable for formal agreement and adoption

50. Following the consultation, members of the Licensing Committee are asked to delegate authority to the Licensing Sub-Committee or the Cabinet Member for Enterprise and Skills to approve the final policy.

51. Should the final Markets and Street Trading Licensing Policy, be approved/ adopted, it will then take effect 1 August 2025 and be published on the council website.
52. The timetable for formal adoption of the draft policy is detailed in the table below:

Activity	Date(s)
Licensing Committee	3 June 2025
Public 5-week consultation begins	4 June 2025
Public 5-week consultation ends	10 July 2025
The Economy, Arts, Sports, and Public Realm Policy and Accountability Committee	21 July 2025
Seek approval under delegated authority from the Cabinet Member for Enterprise and Skills or a Licensing Sub-Committee, as appropriate	23 July 2025

Options for consideration

53. With respect to the proposals and rationale above, three options have been proposed.
54. **Option 1** - To agree recommendations 1, 2, 3, 5, 6 and 7.
55. **Option 2** – To agree only some of recommendations above; and those recommendations that are agreed, are to be specified.
56. **Option 3** – To not agree any of recommendations above. This option is not recommended. Not implementing a policy or updating the prescribed standard conditions, for this kind of licensing, would not support a consistent approach for decision making and could make the council susceptible to legal challenge.

Equality Implications

57. It is important that the Council carefully considers all the representations made during the consultation process.
58. The Council, when taking decisions in relation to any of its functions, must comply with its public sector equality duty as set out in section 149 of the Equality Act 2010 (“the 2010 Act”) to consider how the decisions they make, and the services they deliver, affect people who share any one of the nine protected characteristics as defined under section 149 (1) (7) of the 2010 Act in relation to age, race and disabilities etc. A screening for the equalities impact assessment has been carried out on the effect of the policy.

59. The policy has low relevance in relation to its impact on the areas under the statutory duties contained in the equalities impact assessment, but contributes towards the corporate priorities of the Council, in relation to having due regard to the three aims of the duty, namely:
- to eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
 - to advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
 - to foster good relations between people who share a protected characteristic and people who do not share it.

Risk Management Implications

60. *There is a compliance risk that current licensing requirements are not met leading to legal action and fines. This in turn will lead to reputational damage to the council.*
61. *This risk must be reduced. LBH&F must adopt a robust and accountable regulatory regime in relation to all Licensing. It needs to ensure that the risk of non-compliance and the regulatory burdens on both the Local authority and to the trade is minimised.*
62. *Failure to discharge its duties under the Act and implement a Street Trading Policy / regulations to control street trading could damage the Council's reputation and expose it to the risk of judicial review.*
63. *Any failure to meet new and existing statutory requirements is specifically addressed in the Department's risk register. Internal controls are in place to mitigate this risk include forward planning, training, internal auditing, monitoring, periodic updates of the scheme of delegation and the business planning process.*

Jules Binney, Risk and Assurance Manager, 23 May 2025

Climate and Ecological Emergency Implications

64. *The policy supports a clean and sustainable future, encouraging more recycling, reduced use of single use plastics and encouraging the use of electric power.*
65. *Encouraging more recycling, and reduced use of single use plastics is aligned to H&F's new refreshed plastic free policy (adopted in March 2025) which includes specific reference to market traders: [Hammersmith and Fulham's Plastic Free Policy Refresh.pdf](#)*
66. *Encouraging the use of electricity over diesel and petrol generators will reduce emissions and improve air quality.*

Charlotte Slaven, Head of Climate Strategy & Engagement, 23 May 2025

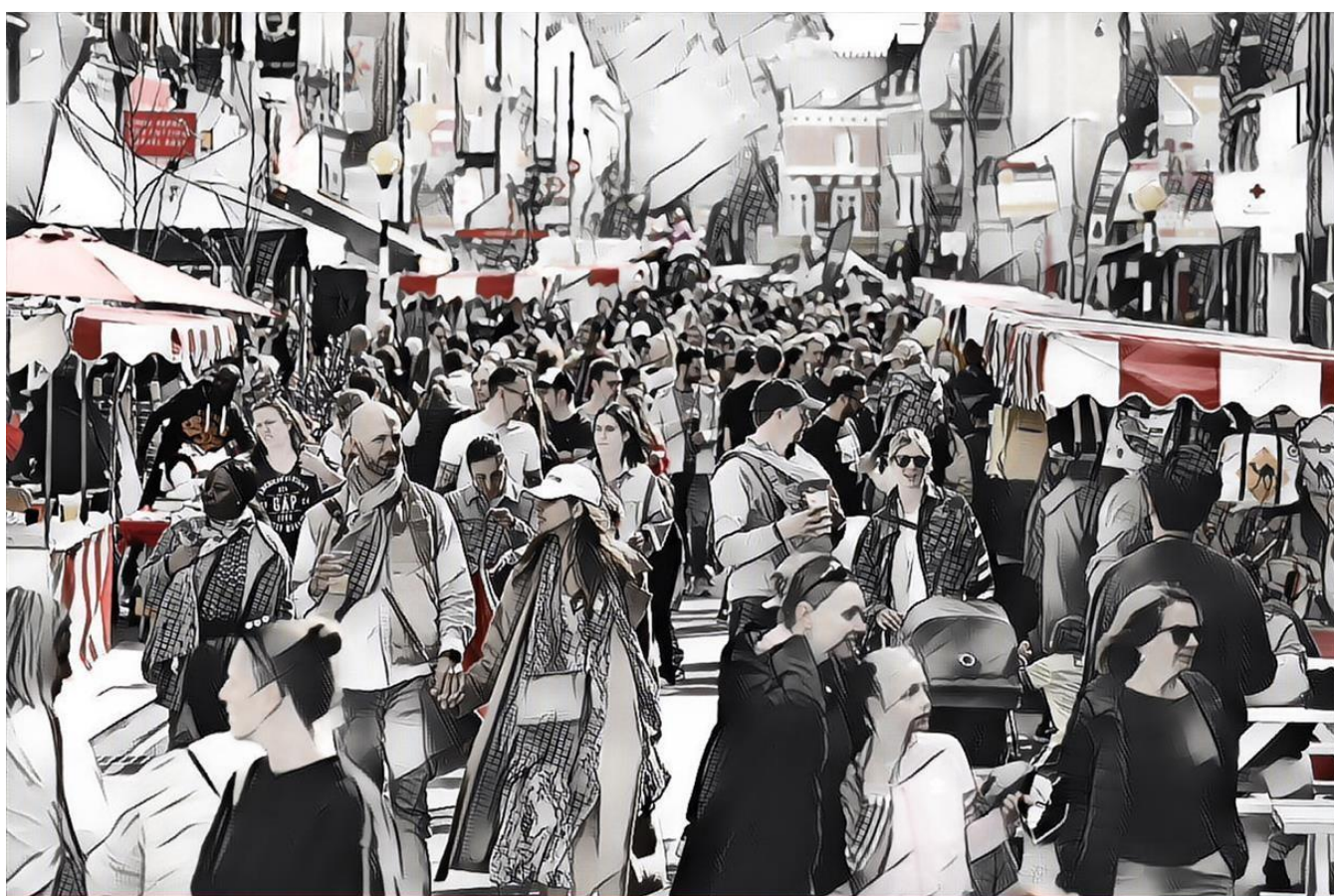
Consultation

67. If approved by the Committee, the draft markets and street trading licensing policy will be submitted for consultation with all existing licensed traders and relevant key stakeholders.
68. It is proposed to consult with the following key stakeholders and organisations:
- a) Existing Street Trading Licence Holders
 - b) Ward Councillors
 - c) Metropolitan Police
 - d) Highway Authority
 - e) Planning Authority
 - f) The Fire and Rescue Authority
 - g) Persons/bodies representative of Street Trading Licence Holders
 - h) Environmental Health
 - i) Transport for London
 - j) Local business organisations and Town Centre Management/BID team.
69. The draft policy will be posted on the Council's web site and consultees will be encouraged to respond. See Appendix 5 for *draft* consultation questions.
70. All replies will be considered and the policy, revised as necessary before being submitted to the Licensing Sub-Committee or nominated Cabinet Member for final approval and adoption.
71. The policy may be changed at any time after adoption (after further consultation) and can be regularly reviewed.

LIST OF APPENDICES

Appendix 1	Prescribed Standard Conditions for Street Trading Licences
Appendix 2	Regulation of Commodities for Street Trading Licences 2025
Appendix 3	Draft recommended Markets & Street Trading Licensing Policy 2025 – 2030
Appendix 4	Inclusive and Accessible Markets and Street Trading Guidance
Appendix 5	Proposed consultation questions for the draft Markets and Street Trading Licensing Policy and updated Prescribed Standard Conditions for Street Trading Licences
Appendix 6	A summary of the key changes to the Prescribed Standard Conditions for Street Trading Licences

Prescribed Standard Conditions for Street Trading Licences



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1. Introduction

- 1.1 These Regulations have been made by the London Borough of Hammersmith and Fulham, under Part III, Section 27(3) of the [London Local Authorities Act 1990](#) (as amended). They prescribe the standard conditions which apply to street trading activities within the borough.

2. General

- 2.1 These Standard Conditions may be modified by the Council in any individual case by means of a licence variation.
- 2.2 The subletting of an allocated pitch is strictly forbidden. No trader shall assign, transfer, sublet or otherwise dispose of their interest in any trading position on the Council's markets. Any breach of this regulation will result in non-renewal of their licence and or recommendation to revoke the licence.
- 2.3 Where in these Standard Conditions there is reference to the consent, permission, or agreement of the Council such consent, permission or agreement will be given in writing and is subject to withdrawal or restrictions, where circumstances change or where there are licence breaches.
- 2.4 All street trading sites have site specific conditions, in addition to the standard conditions, which are detailed in Appendices 1- 5.

3. Licences

- 3.1 The granting of a street trading licence does not give any approval or consent which may be needed under any Byelaw, enactment or regulation other than Part III of the London Local Authorities Act 1990 (as amended).
- 3.2 A street trading licence will not be issued to anyone under the age of 17.
- 3.3 All street trading activities must have the appropriate permissions in place before a street trading licence can be issued.
- 3.4 If a licence holder wishes any of the terms of their licence to be varied, a request must be made in writing to the Council – See Section 5.

- 3.5 Permanent traders must renew their licence every 12 months. Temporary street trading licence holders must renew their licence every 6 months or where otherwise directed.
- 3.6 At the time of application for a street trading licence the applicant agrees to pay such weekly or annual charges as the Council may from time to time agree to recover the reasonable costs incurred under Section 32 of the London Local Authorities Act 1990 (as amended). This includes the collection, removal and disposal of refuse, the cleansing of streets. These charges may be recovered and payable separately.
- 3.7 Permanent and temporary street trading licences will not be renewed and will be prohibited from street trading if their account is in arrears or has appeared on the monthly arrears report 3 or more times during the last 12 months. All fees and charges must be fully paid before the licence expires or is due for renewal.
- 3.8 Temporary licence holders will not be considered for a permanent street trading licence until they have held their temporary licence for a minimum period of twelve months.
- 3.9 Licence holders shall notify the Council in writing of any change of contact details or change of address; and details must be provided within 7 days of that change.

4. Display of licence plates

- 4.1 Traders and/or assistants shall always display the licence plate supplied by the Council indicating the pitch number of the stall. This plate shall be kept prominently and permanently exhibited on the stall together with the trader's name or business name and photograph.

5. Making changes to licence conditions

- 5.1 In addition to paragraph 2.1 above, licence holders can submit a written request the Markets and Street Trading team at Street.Trading@lbhf.gov.uk, to make the following changes:
- a) To vary or change commodities.
 - b) To request a change of pitch allocation.
 - c) To transfer from a temporary to a permanent street trading licence.
 - d) To amend, add or remove any registered assistants.
 - e) To make a request for the succession of a permanent licence to a specified individual.

6. Licence and pitch fees and other charges

- 6.1 A licence fee is payable to the Council on the grant or renewal of a street trading licence. The fees can be found at <https://www.lbhf.gov.uk/business/markets/street-and-market-trading-fees>. Licence fees must be paid at the time of application.
- 6.2 All licence holders will be invoiced for 26 or 52 weeks, as appropriate, in line with the licence type issued where applicable.
- 6.3 Pitch fees shall be payable in advance, in instalments by direct debit or otherwise agreed payment option. Unless otherwise agreed by the Council in writing, the trader shall pay the Fees in full either within 30 days of the date of the invoice or by direct debit. For the avoidance of doubt, street trading activities should not take place until advance notification of payment of the fees has been received.
- 6.4 Failure to pay fees and charges on time may result in a referral of your licence being made to the Licensing Sub Committee for the revocation or variation of your licence.
- 6.5 All attempts will be made to recover fees and charges owed to the Council and this could include payment plans, payable over a maximum of six months before pursuing debts via a collection agency.

7. Registered assistants and helpers

- 7.1 Only registered assistants whose details have been registered with the Council are permitted to trade on the licence holder's behalf.
- 7.2 Licence holders shall notify the Council in writing of the name, address, and national insurance number of any registered assistants (paid or unpaid) in advance of when they employ them on the stall.
- 7.3 If new assistants are employed in between licence renewals, traders must notify the Council in writing and provide all relevant information and documentation seven days before the assistant commences working on the pitch.
- 7.4 A helper may assist on the stall but should not be left alone without the licence holder or registered assistant or deal with any payments.

8. Pitch position and pitch size

- 8.1 The trading area (i.e. the total area occupied by the stall and the stallholder during trading) shall not exceed the dimensions specified on the licence and any pitch limits marked on the ground during trading hours (except during restocking). All goods, containers or other articles shall be contained within the pitch area and height, and any pitch limits marked on the ground, and shall not project beyond unless otherwise directed by the Council. **Overpitching is not permitted.**
- 8.2 The public highway or other pedestrian access must not be blocked with any stock, wheelbarrows, trolleys, rubbish, persons, A-Board etc. Traders and/or assistants must ensure that access for pedestrians and traffic is not obstructed.

9. Structures

- 9.1 All structures: stalls, gazebos, awnings, tables and receptacles must be within agreed pitch limits. They must be stable and suitable for the load placed upon them so as not to cause structural collapse, this includes shelves and rails.
- 9.2 All walkways, entrances, exits, to buildings/ structures and public areas must be kept free of obstructions and trailing cables.
- 9.3 Materials for any roof and wall coverings to stalls must be flame retardant.

10. Headroom

- 10.1 The distance above ground level of any part of any roof, awning or support of the stall or any goods suspended from the stall should be at least 2.6m (8'6"), unless written permission is given from the council. The roof awning or any other projection must be contained within the pitch area.

11. Removal of stalls and receptables

- 11.1 Unless fixed or provided by the council, stalls shall be easily and immediately removable.
- 11.2 From time to time works on the market/street trading locations may take place outside of the control of the Council.

- 11.3 Traders and/or assistants must remove their stall and goods in the event of an emergency or if requested to do so by a police officer or a duly authorised officer of the Council. This may be at short notice if urgent works need to be carried out.
- 11.4 Whenever possible, traders will be given prior notice of maintenance and other works which could affect their trading activities, with steps being taken to minimise any impact as appropriate.
- 11.5 If a trader and/or assistant is asked to move pitch or cease trading in the event of temporary or emergency work being carried out, the Council will not be responsible for any loss of income to the licence holder arising because of the move or cessation of trading. The council will not be responsible for providing electricity or other amenities in the event of the trader having to move pitches or cease trading.
- 11.6 Where any stall/receptacle used by a licence holder is not removed to a place of storage on the cessation of trading it may be removed to a place of storage and the costs incurred by the Council in removing and storing the stall/receptacle may be recovered from the licence holder before the return of the stall/receptable.

12. Trader vehicles and trailers

- 12.1 Traders and/or assistants must abide by any parking restrictions imposed in the area in which they trade. Traders' vehicles may only be parked in the approved parking spaces for the purpose of loading and unloading goods. Such loading and unloading must be carried out as quickly as possible and the vehicle removed immediately on completion to a Permitted Market Trading Parking Bay, metered parking bay or car park.
- 12.2 Vehicles used by the stall holders must not mount the footway at any time; and the parking of vehicles in vacant pitch bays constitutes a breach of licence conditions.
- 12.3 Unless fixed and provided by the council, stalls and goods shall be removed from all trading pitches and placed in storage at the end of the trading day. The council reserve the right to give permission for trailers to stay on site where it is safe to do so. This permission may be withdrawn, should circumstances change or if there has been a breach of a licence condition. The Council will take not be responsible for any damage caused whilst on site.

- 12.4 Where Licensed Street trading activities are carried out within a vehicle or trailer, section 12.1 will not apply to those specific traders in designated pitches/areas.

13. Damage and insurance

- 13.1 Traders and/or assistants must not permit stalls or accessories to cause damage to the carriageway, footway, or highway furniture. Any damage caused must be reported to the Council at the time when any such damage occurs. The trader may be liable for any costs to repair the damage.
- 13.2 Licence holders shall ensure that they have insurance with a minimum cover of at least £10 million for public liability and £5 million for employer's liability.

14. Commodities

- 14.1 Only those commodities specified on the licence may be sold from the licensed street trading pitch.
- 14.2 Any requests to the council to change the commodity specified on the licence may be made at the time of renewal. If a trader wishes to change a commodity in between the licence renewal period, there will be an administration charge. The council has the right to refuse a change of commodity.
- 14.3 Traders and/or assistants shall not store, display, or sell any item which is offensive to public taste or morals.
- 14.4 Traders and/or assistants shall not store, display, or sell any explosive materials, fireworks, hazardous liquids, bulk gases, or any substance which might be a source of danger to anyone attending the market.
- 14.5 Items that cannot be sold on market stalls include:
- a) Second hand electrical items
 - b) Knives – unless sheathed or covered.
 - c) Indecent materials and inappropriate goods
 - d) Drugs paraphernalia
 - e) Children's toys that are not labelled with the name and address of the manufacturer / importer, the UKCA / CE (Child Exploitation) mark, and warnings and instructions.
 - f) Fake or counterfeit products
 - g) Miscellaneous goods not quoted on the list of commodities.

- h) Live animals, fish, birds, and other fowl.
- i) Special treatments services such as acupuncture, ear, and body piercing, tattooing or electrolysis.

14.6 A licence holder is licensed to sell up to three compatible or complimentary commodities within a category on their street trading licence.

15. Days and times of trading

- 15.1 Traders and/or assistants must commence trading within the specified trading times per site, see Appendices 1 to 5 for specific site details. **Trading shall not take place before or outside the specified trading hours per site.**
- 15.2 The Licence holder and/or registered assistants must be on site during the specified trading hours.
- 15.3 Trader and/or assistants must set up and take down stalls within 1 hour of start and finish times of the trading location.
- 15.4 Football match day traders can set up stalls three hours before kick-off and take down within two hours after the final whistle.
- 15.5 Pitches must be vacated promptly at the end of the trading day and the pitch left clear of all rubbish associated with the trading activities.
- 15.6 Traders and/or assistants shall remove the stall and goods under the direction of an Authorised officer in the event of an emergency. No refunds for loss of income will be given in these circumstances.
- 15.7 All licence holders must advise the council if for any reason they may be absent from the stall on any day that they would normally be required to trade e.g. due to illness, holidays, etc. Only registered assistants are permitted to manage the stall in these circumstances.
- 15.8 If a licence holder is unable to trade for whatever reason they must notify the Council at the earliest opportunity in writing. The council may re-let any pitch that has not been occupied by 9.00am to a temporary licence holder.

- 15.9 No refunds or credit will be given to licence holders if they fail to trade regardless of the weather condition or other issues.
- 15.10 The council has the right to call off the day's trading at short notice in the event of adverse weather conditions or where the Council believes that there is a health and safety risk to the traders or members of the public.

16. Sickness, holidays, bereavement or any other absence

- 16.1 A doctor's certificate must be presented to the council if sickness prevents a licence holder from trading for more than one week.
- 16.2 Where a licence holder is unable to trade because of illness and a medical certificate has been provided, the council may credit a maximum of two weeks of market pitch fees in any 12- month period. This credit will be added to the trader's account and applied to the next invoice.
- 16.3 Where there is long term absence of more than 4 weeks due to illness, where a doctor's certificate is provided, the Council will take steps to ensure that the pitch is managed.
- 16.4 All licence holders will be expected to use their registered assistants when they are away on holiday or any other absence, such as a bereavement or illness.

17. Refunds and credits

- 17.1 Credit of pitch fees may only be applied when the Council has been notified of sickness as outlined in section 16.

18. Non-use of the pitch and surrender of licence

- 18.1 All licence holders are required to notify the Council no later than one hour of the expected opening time when they will not be using the pitch on an expected trading day.

- 18.2 All licence holders must give the Council 28 days' notice of their intention to surrender their street trading licence. A street trading licence will be invalid once it is surrendered. The Council will provide a written confirmation for the surrendered licence. All fees and charges must be paid up to the date that notice is given to the Council in writing.

19. Storage

- 19.1 The Council do not provide storage facilities. Licence holders shall notify the Council of the address(s) or any changes of addresses(s) at which the stall and perishable goods are stored. Such notice shall be given within seven days of any change.

20. Radios/music

- 20.1 A trader and/or assistant should not use a radio, amplifier, or other apparatus to produce music or other sound except within a closed vehicle and at a reasonable volume that does not cause nuisance or annoyance to others.

21. Conduct of traders

- 21.1 The Council has a zero-tolerance policy against harassment, bullying and discrimination and any allegations are taken seriously and handled confidentially and sympathetically. Any incident in which a trader is abusive, threatening or assaults someone in circumstances relating to their work is unacceptable and will not be tolerated. This includes the serious or persistent use of verbal abuse, aggressive tone and/or language and swearing/foul language.
- 21.2 In reinforcing our zero-tolerance approach in the management of street trading activities we have set out the expected conduct and standards of all traders, assistants & helpers (paid or unpaid), in this section.
- 21.3 A trader and/or assistant (paid or unpaid) should ensure that the public are treated fairly and with courtesy.
- 21.4 A trader and/or assistant should not commit any acts of harassment (whether racial, sexual, homophobic or otherwise) against an Authorised Officer, other traders or members of the public; or discriminate against any person.

- 21.5 A trader and/or assistant should not contravene any statute, regulations or byelaws relating to the market which may be in force from time to time.
- 21.6 A trader and/or assistant shall not engage in “Calling out” (e.g. calling out their wares or demonstrating their goods, outside of their pitch area.)
- 21.7 A trader and/or assistant shall not use rude or offensive language or behave in an aggressive manner when dealing with Authorised Officers, other Council Officers, or their agents, other traders, or members of the public.
- 21.8 A trader and/or assistant shall not make offers to bribe/induce an officer or act fraudulently in connection with street trading activities.

22. Transfer of stalls and succession

- 22.1 Licence Holders who have held a permanent licence for over 12 months with the Council may register and apply for Council permission to nominate a successor (relative) to whom they wish their licence to be granted to in the event of the following:
- a) Death; or
 - b) Retirement having reached the normal age of retirement; or
 - c) Ill health, where they are unable to continue in street trading permitted by the licence.
- 22.2 The Council may apply a registration/transfer fee, for such requests.

23. Waste management and cleansing

- 23.1 Refuse must not be allowed to accumulate within or around the pitch area. A trader and/or assistant are responsible for the control, collection and disposal of refuse arising from the business and should ensure that it is disposed of in suitable bags/bins provided by the Council (site specific). No loose waste should be left on the floor or next to the bins.
- 23.2 A trader and/or assistant shall ensure that no goods, boxes, crates or articles are left or deposited in any gangway, open area, public highway.

- 23.3 A trader and/or assistant shall ensure that the pitch and immediate area around the pitch should be left in a clean condition and clear of waste/litter during and at the end of the trading day. This includes sweeping and rinsing /washing down the pitch in the event of heavy soiling or spillages to prevent slips, falls and any other hazards.
- 23.4 Where directed, some sites may require the use of matting to protect the floor and to minimise the risk of trips and falls for the traders and members of the public. Any such matting or floor covering is to be provided at the trader's cost.
- 23.5 A trader and/or assistant are required to comply with the waste management arrangements with regards to segregation of recyclable wastes, containment, presentation, and disposal of waste materials.: i.e., flat packing cardboard, stacking up pallets, placing food refuse in the food waste bins where facilities are provided.
- 23.6 A trader and/or assistant using oil or fat during the trading day should ensure that the leftover oil or fat is taken away by the trader and disposed of in a responsible manner i.e., registered with a waste carrier. Oil or fat should not be poured into the drains under any circumstances and any spillages should be cleaned up immediately and reported to the Markets and Street trading team.
- 23.7 A trader and/or assistant cooking, selling, preparing, or selling fish, meat, offal, or any other waste covered under any Animal by Product laws are required to dispose of this via a commercial waste agreement with a registered waste carrier at the trader's cost.
- 23.8 No fish, meat or offal or animal by products are to be placed into the Council's general waste bins or bags.
- 23.9 A trader and/or assistant that produces any oil must provide a valid waste carrier transfer note, confirming their waste carrier, on request from an Authorised Officer.
- 23.10 No animal by products shall be allowed to drain onto the street or into the public drainage system.
- 23.11 The Council reserves the right to charge a licence holder the additional cost of removing and disposing of refuse where the trader is considered to have over generated waste or grossly abused the waste management arrangements.

- 23.12 A trader and/or assistant are expected to minimise the use of single-use plastics and charge for the use of single-use carrier bags.

24. Health and safety

- 24.1 A trader and/or assistant must ensure that they comply with the requirements of the Health and Safety at Work Etc. Act 1974. As well as having civil duty of care to the public. Health and safety law require traders to do two things:

- a) Look after the health, safety and welfare of people employed by them; and
 - b) Look after the health, safety and welfare of others who are not in employment but who are likely to be affected by their work activity (e.g. members of the public).
- This includes the provision of safe equipment and articles used in connection with their trading activities.

- 24.2 All Licence holders are required to conduct a risk assessment of their pitch, stall, and equipment on an annual basis when trading for the first time and provide a copy of the risk assessment document, as appropriate, to the Council.

25. Electricity and generators

- 25.1 The only connection between stalls on the footway and other stalls or premises shall be for the purposes of electric lighting or other agreed services; and any such electrical or other connections shall be readily detachable, and the detailed arrangements agreed with the Council.
- 25.2 Electrical power shall only be used for the purposes of lighting and the operation of electrical scales and tills, electrical appliances required for the business operation and the testing of electrical goods.
- 25.3 An annual Potable Appliance Testing (PAT) certificate is required for any electrical appliances and or vehicles used in storing, cooking, and lighting.
- 25.4 All electrical equipment, including cables, extension leads and sockets used must be maintained in good condition and must be suitable for outdoor use. Outdoor electrical connections may require protection by a Residual Current Device (RCD).

- 25.5 All licence holders shall not use generators unless the council has given written approval; battery power supply is preferred.
- 25.6 Generators should not cause any noise nuisance or fumes; and must be positioned so that they do not present a fire risk or similar hazard to the stall/goods or a danger to the passing public.

26. Gas appliances and liquid petroleum gas (LPG)

- 26.1 A trader and/or assistant shall not use gas appliances unless the council has given written approval; and any gas appliance used must be suitable for use with LPG (liquid petroleum gas).
- 26.2 All gas appliances used must have been serviced by a competent gas safe registered engineer within the last 12 months; be in good condition; and an annual gas safety certificate is required for any appliances used.
- 26.3 All gas appliances must be secured on a stable, heat proof table; and must be located away from materials that could easily catch on fire.
- 26.4 All cylinders must be turned off when not in use; sited in a well-ventilated area; stored upright and away from any ignition sources or flames; and fitted with an automatic cut off valve.

27. Barbeques and hot equipment

- 27.1 All Barbeques (BBQs), and other hot equipment must be stable and secure; placed in a suitable location and be adequately guarded so that they do not cause a hazard to the public or persons on the stall (e.g. not blocking fire exits and protection from hot surfaces); to avoid causing a nuisance or injury to others.
- 27.2 There should be adequate ventilation and where possible large open flame BBQs (e.g. oil drums) should not be sited within the stall.
- 27.3 Any hot coals must be damped down and cooled sufficiently prior to disposal and spare bags of coals should be stored away from ignition sources e.g. Not beneath the BBQ.

- 27.4 The Council have the right to refuse issuing a street trading licence if they believe the use of barbeques or hot equipment would cause a nuisance or risk.
- 27.5 A trader and/or assistant should not use petrol or paraffin to accelerate the BBQ.

28. Fire safety

- 28.1 A trader and/or assistant must have the means to contact the emergency services should a serious fire occur whilst conducting street trading activities.
- 28.2 A trader and/or assistant must not store flammable or combustible materials near sources of ignition (e.g. next to BBQs) whilst conducting street trading activities.
- 28.3 A trader and/or assistant must not block fire exits of other stalls or properties, or access for emergency services whilst conducting street trading activities.
- 28.4 A trader and/or assistant should not smoke near to flammable or combustible materials whilst conducting street trading activities.
- 28.5 A trader and/or assistant should have adequate/suitable firefighting equipment for the operations of their business. (e.g. bucket of water or sand, fire blanket or a suitable fire extinguisher) Unless new, all fire extinguishers used shall have been serviced within the last 12 months.

29. Adverse weather conditions

- 29.1 Wherever possible the Council will notify and provide advice regarding any adverse weather conditions: High winds, excessive heat, flooding, snow, and ice.
- 29.2 A trader and/or assistant must ensure that they assess the individual risks associated with trading in adverse weather conditions and make an independent decision whether to trade or not.
- 29.3 All licence holders must ensure that their public liability insurance cover includes trading in adverse weather conditions and conduct a risk assessment prior to trading as the Council will take no responsibility in the event of an incident or accident.

29.4 Matters for consideration are the health and safety of shoppers and traders, closure of public transport, closure of roads, distance of travel by traders amongst other considerations.

29.5 The street trading team reserve the right to cancel all markets and street trading and whenever possible will give notification of any such cancellations within 24 hours. Any such cancellations will be credited to the street trading licence holder's account.

30. Advertisements and social media

30.1 No advertisements shall be displayed on a pitch other than offers related to commodities or services for that pitch.

30.2 All licence holders should notify the council if they use social media or other media or online digital platforms to advertise their operations or to promote any online campaigns.

31. Enforcement of these regulations

31.1 Authorised Officers have the authority to request any documentation relating to licensed trading and the running of the business. A trader or assistant shall give assistance to Authorised Officers when requested to do so.

31.2 Any person who without reasonable excuse contravenes any of the conditions of a street trading licence, makes a false statement; or resists or intentionally obstructs any authorised officer, will be subject to an investigation.

31.3 Where it is identified that there has been a breach of these Prescribed Standard Conditions for Street Trading Licences, the Council may take enforcement action, in accordance with our Enforcement Policy.

31.4 Enforcement action to ensure compliance with these requirements can include advice, warnings, fixed penalty notices, seizing any goods, receptacles, articles or goods being offered or used to offer, sell, or exposed items for sale, licence suspension/variation/ revocation, or prosecution.

- 31.5 In the event of a serious breach of regulations or a serious criminal offence the Licence holders' licence will be recommended for suspension or revocation immediately.
- 31.6 All licence holders are expected to stay within the law to reduce the risk of legal action. Market and street trading information can be found at <https://www.lbhf.gov.uk/business/markets>. Should you require other business advice you can contact our Environmental Health ([Health & Safety](#) and [Food Safety](#)) or [Trading Standards](#), as appropriate. Additional business advice is also available at <https://www.businesscompanion.info/>.
- 31.7 Any contravention of these standard licence conditions by a registered assistant or helper, paid or unpaid shall be deemed to be a contravention by the Licence holder whether the trader was present at the time of the contravention or not.

32. Definitions and glossary of terms

The following expressions in **bold** have the meanings given next to them:

Act	The London Local Authorities Act 1990 (LLAA) Part III as amended by any further London Local Authorities Acts ("the Act").
Advertisement	Any work, letter, model, sign, placard, board, notice, whether illuminated or not, in the nature, and used wholly or partly for the purpose of, advertisement, announcement or direction and includes any hoarding or similar structure or any balloon used or adapted for use for the display of advertisements and references to the display of advertisement.
Authorised Officer	An officer of the Council who has delegated authority to regulate and enforce street trading, under the London Local Authorities Act 1990.
Awning	A sheet of canvas or other materials, used as a protection against the weather, which projects as an extension of the roof or beyond the structure of the stall, gazebo, parasol, or umbrella.
Calling Out	Any shouting or attempts to attract passing persons to the pitch or goods on display.
Carriageway	The part of the road which is used by vehicles.
Casual Trader	Any person who holds a temporary licence, but trades infrequently or as and when based on pitch availability. Casual traders must contact the Market Office at least one day in advance of the day they wish to trade and pay for the pitch.

Commodities	Any goods, wares, or merchandise for sale or on display at a Licensed Street Trader Pitch.
Consent	Permission.
Council	In the context of these regulations, this means the Markets and Street Trading Team who can be contacted by email at Street.Trading@lbhf.gov.uk
Fees	The charge/amount due in advance to pay for street trading.
Fixed Penalty Notice (FPN)	A legal notice with a financial penalty, which provides an opportunity to discharge of any liability to conviction for that offence.
Helper	Someone who helps on the stall but does not handle money or other forms of payment and should not be left alone (without the licensed trader or registered assistant).
Highway	A route or area which all persons can use to pass and repass along as often and whenever they wish without hindrance and without charge; this includes carriageway, footway, and any part of that area where the public have access, and which may be in public or private ownership.
Isolated Pitches	A licensed street trader within the borough whose licensed pitch is not on Lyric Square, North End Road, Wood Lane, or Football Match Day trading.
Licensing Sub Committee	The Committee that will determine recommendations for revocation of Street trading licences due to misconduct, non-payment of fees or other licence breaches.
Licensed Street Trading Pitch	A pitch in any street authorised as a place at which street trading may be engaged in by a street trader and includes any temporary alternative place approved by the Council or a duly authorised officer of the Council.
Loading	Putting stock on the allocated pitch or stall within the agreed timescales.
Markets & Street Trading Team	Team responsible for the administration of Market & Street trading activities,
Overpitching	This is when a trader trades outside the boundaries of their pitch or agreed site.
Permanent Licence	A licence granted under the Act which is valid for the period specified, which is not less than six months or more than one year.
Permanent Trader	Any person who holds a permanent licence who trades from a designated pitch.
Pitch Limits	The authorised ground markings or other agreed pitch sizes defining the area within which a street trading stall is to be contained. Pitch limits include all awnings and do not allow for overhanging of goods.
Premises	Any shop, house, or block of flats immediately behind the licensed pitch.
Receptacle	A vehicle or stall, any basket, bag, box, vessel, stand, easel, board, tray, or item used (whether constructed or adapted for such use) as a container for; or for displaying any item or equipment used to provide any service.

Refuse	Rubbish or waste which has been generated via street trading activities including fruit and vegetable waste, cardboard, paper, small plastic items, and other non-perishable waste. This does not include the disposal of cooking oils or animal products, which has separate waste disposal requirements.
Registered Assistant	A person employed by and acting under the directions of a licensed street trader to assist them with the business of the stall and whose name and address has been registered with the Council as part of the licence conditions.
Regulations	Refers to the contents of this document. These Prescribed Standard Conditions are often referred to as Street Trading Regulations.
Restocking	Replacing stock that has been sold, with new stock.
Stall	Any structure, box, table, stand, or thing used by a trader for the display of goods, or in connection with their business, which occupies a licensed street trading pitch; and includes all goods offered or to be offered for sale and any additional structure or equipment used as part of the stall or business. This includes all refuse created by the trader from the use of the stall or in connection with his or her business.
Street	Shall have the meaning described in section 21(1) of the Act.
Street Trading	Shall have the meaning described in section 21(1) of the Act.
Street Trading Licence	A Permanent or Temporary street-trading licence issued by the council.
Table or Stall Covering	A cover which covers the full length of your pitch to floor (not showing receptacles or items stored underneath).
Temporary Licence	A licence granted under the Act valid for a single day or for a period not exceeding 6 months.
Temporary Trader	Any person who holds a temporary licence who trades regularly from a designated pitch.
The Council	Means Hammersmith and Fulham Council.
The Footpath	The pedestrian walkway.
Trader(s)	Any person who is licensed for street trading under Part III of the Act.
Licence holder	Holder of a street Trading licence
Unloading	Unloading or removing stock from the allocated pitch or stall or from a vehicle within the agreed timelines.
We/Us	Hammersmith and Fulham Council.
You	The individual who is the holder of a street-trading licence that we have issued or a registered assistant acting on your behalf.
Zero Tolerance policy	A policy is which imposes a punishment for every infringement of a stated rule.

33. Appendices – Site specific conditions for H&F street trading sites

Appendix 1	North End Road
Days (inclusive of Bank Holidays)	Monday to Saturday
Trading Times	8:00am to 6:00pm
Parking	Permitted Market Trading Bays
Loading & unloading	No Unloading before 6am. Loading must be completed by 7pm.
Market type	Mixed Market
Type of Stall	Mixed
Refuse	On site bins
Water and/or Electricity	Access to standpipes. Access to power via Sure charge.

Appendix 2	Wood Lane
Days (inclusive of Bank Holidays)	Monday to Friday
Trading Times	8:00am to 3:00pm
Parking	Westfield Shopping Centre or on street Parking
Loading & unloading	No Unloading before 6am. Loading must be completed by 4pm.
Market type	Food
Type of Stall	Mixed-Removal
Refuse	Commercial waste Bags
Water and/or Electricity	None

Appendix 3	Lyric Square
Days (inclusive of Bank Holidays)	Wednesday, Thursday & Friday
Trading Times	8:00am to 5:00pm
Parking	Vehicles are prohibited on Lyric Square. There is a loading/unloading bay located on Beadon Road. NCP Parking and on street parking is available.
Loading & unloading	No Unloading before 6am. Loading must be completed by 6pm.
Market type	Food
Type of Stall	Gazebo 3m x 3m - Removable
Refuse	Commercial waste bags provided at cost and matting required
Water and/or Electricity	None

Appendix 4	Isolated Pitches
Days (inclusive of Bank Holidays)	Thursday & Friday
Trading Times	8:00am to 5:00pm
Parking	On street parking
Loading & unloading	No Unloading before 6am. Or specific to individual site planning permissions.
Market type	Site Specific- Removal
Type of Stall	Mixed - Depending on Planning Permission
Refuse	None
Water and/or Electricity	None

Appendix 5	Football Match Day Trading
Days (inclusive of Bank Holidays)	Football Match Days
Trading Times	Football Match Days
Parking	On street parking
Loading & unloading	Unloading must be completed within 3 hours before kick-off. Loading must be completed within 3 hours of the final whistle.
Market type	Food and Merchandise
Type of Stall	Mixed- Removal
Refuse	None
Water and/or Electricity	None

Regulation of Commodities for Street Trading Licences 2025

REGULATIONS MADE BY THE COUNCIL PURSUANT TO SECTION 25(3B) OF THE LONDON LOCAL AUTHORITIES ACT 1990 (AS AMENDED) PRESCRIBING THE PROCEDURE FOR DETERMINING APPLICATIONS

COMMODITY REGULATIONS

1. All types of commodities, which are not prohibited by the London Local Authorities Act 1990 (as amended) - Part 3, Food Act 1984 Part 3, Food Safety Act 1990 or the Consumer Protection Act 1987 are eligible to be licensed in Hammersmith and Fulham Street Trading and Market sites.
2. **Commodities are divided into categories:** A trader is licensed to sell up to three commodities from one category on their street trading licence. Existing traders will retain their current commodities but should request for a commodity variation to comply with this regulation. Only the licensed commodities can be displayed or offered for sale. The licensed category or commodities must be specified, both on the Trader's Licence and on the Pitch ID Card, which must be displayed on the stall at all times.
3. Any request for a commodity which is not listed in this regulation will be categorised under miscellaneous and will be clearly stipulated on the licence. If the Council feel that the commodity you wish to trade in does not suit the market needs or is too vague in its description, it may not be considered.
4. All requests for commodities will be considered on a case by case basis where it is outside of this regulation.
5. If your licence/name plate is incorrect or does not display the category or specified commodity for which you applied, the responsibility is on the licence holder to ensure that they alert the Council to rectify this. Any goods sold must reflect your trading licence/ name plate.
6. Commodity rules apply to both permanent licence holders and temporary licence holders.
7. Where applications are made for licence variations, permanent licence holders will be given priority over temporary licence holders.
8. Traders may apply for a seasonal licence to sell certain seasonal items such as Christmas trees/decorations, Halloween costumes/decorations etc. These licences will be decided on an individual basis by the Council. These can be added for a period of 6 weeks on grant of a temporary street trading licence.
9. Certain items cannot be sold on market stalls, including but not exhaustively: indecent materials and inappropriate goods, drugs paraphernalia, vapes and tobacco products,

fake and counterfeit products and children's toys that are not covered by European law, unless they are cleared by the British standard kite mark.

10. The table below lists the banned commodities and will not be permitted on the market at any time.

Banned Commodities	
A.	Cigarettes, e-cigarettes, vapes and related items
B.	Medicines, drugs and other prescribed substances
C.	Drug related goods and paraphernalia <input type="checkbox"/> Weapons/Firearms (including replicas) and ammunition
D.	Lottery tickets, raffles, tom bolas and other games of chance
E.	New and used motor vehicles (unless part of a forecourt licences)
F.	Second hand gas and electrical appliances
G.	Pets and livestock
H.	Containers of Liquid Petroleum Gas (LPG) including any which are part or fully discharged
I.	Explosives including shop goods (fireworks)
J.	Petroleum products including petroleum mixtures or solvents
K.	Goods of an inflammable, corrosive or otherwise dangerous nature.
L.	Sex Articles (as defined by the Local government (Miscellaneous Provisions) Act 1982)
M.	Any other goods thought to be unsuitable by The Council

11. The Council reserves the right to review the commodity list. Only those commodities or goods specified on the licence may be sold from the street trading pitch and licence holders will be limited to the group of commodities listed on the licence.
12. The Council reserves the right to allow more than one trader to sell the same commodity as another licence holder or shop in the market in that area. The Council's decision as to commodities sold and the numbers and positions of traders in the various commodity groups is final.
13. The Council shall look for traders and commodities to complement existing retail activity in the local area and support the Council's objective of helping to create thriving town centres that are attractive and welcoming.
14. Items deemed offensive to public taste, explosive, hazardous or might be a source of danger to anyone must not be stored, displayed, or sold on any market stall.
15. All licence holders must comply with Trading Standards and Health and Safety laws and any other relevant legislation.

	Category	Commodity – you may choose up to three from one category only
1.	Clothing	a) Women's clothing

	Category	Commodity – you may choose up to three from one category only
		b) Men's clothing c) Children's clothing d) Baby wear e) Sportswear f) Clothing accessories i.e. hats, scarves, ties, belts etc. g) Underwear/nightwear h) Footwear/slippers and Footwear Accessories (in-soles, heel grips, shoehorns, protector, laces, polish, etc.) i) Other items (must be specified)
2.	Food	a) Pre-packed groceries b) Raw/uncooked meat or fish and eggs c) Raw Fruit/vegetables and salads d) Dried fruit and pulses (peas, beans, seeds, nuts, raisins, dates, etc.) e) Confectionery f) Bread / cake g) Cheese, dairy products, eggs h) Deli food (unpacked cheese, olives, unpacked cold cooked/cured meat and fish, natural health foods, dips, salads) i) Hot or cold prepared at the stall / cooked food j) Hot or cold non-alcoholic beverages, smoothies, freshly pressed fruit juices k) Fresh and/or pre-packed ice cream l) Other (must be specified)
3.	Flowers	a) Cut/uncut flowers and plants b) Artificial flowers c) Topiary d) Flower accessories i.e. plant pots, bulbs, seeds, plant food, hanging baskets etc. e) Seasonal i.e. Christmas trees, holly, mistletoe etc. f) Other (must be specified)
4.	Household Goods	a) Cleaning products, laundry products, washing products b) Cleaning utensils, storage containers, step ladders, etc. c) Light bulbs, plugs, multi-sockets, fuses d) Ornaments, vases, pictures, clocks, mirrors, candles, etc. e) Other (must be specified)
5.	Toiletries and Cosmetics	a) Toiletries (toothpaste, soap, deodorant, hair remover, body lotion, skin and body care products, shower gels, bath oils, etc.) b) Hair products (shampoo, conditioner, hair-dye, hair spray, perm/straightening products, hair mousse, grease, lotion, oil, etc.) c) Make-up and nail care products d) Perfume, cologne, aftershave, eau de toilette, shaving gel, creams e) Other (must be specified)
6.	Soft Furnishings	a) Bedding, bed nets, blankets, mattress protectors b) Duvets, pillows, pillow covers, cushions, cushion covers, throws

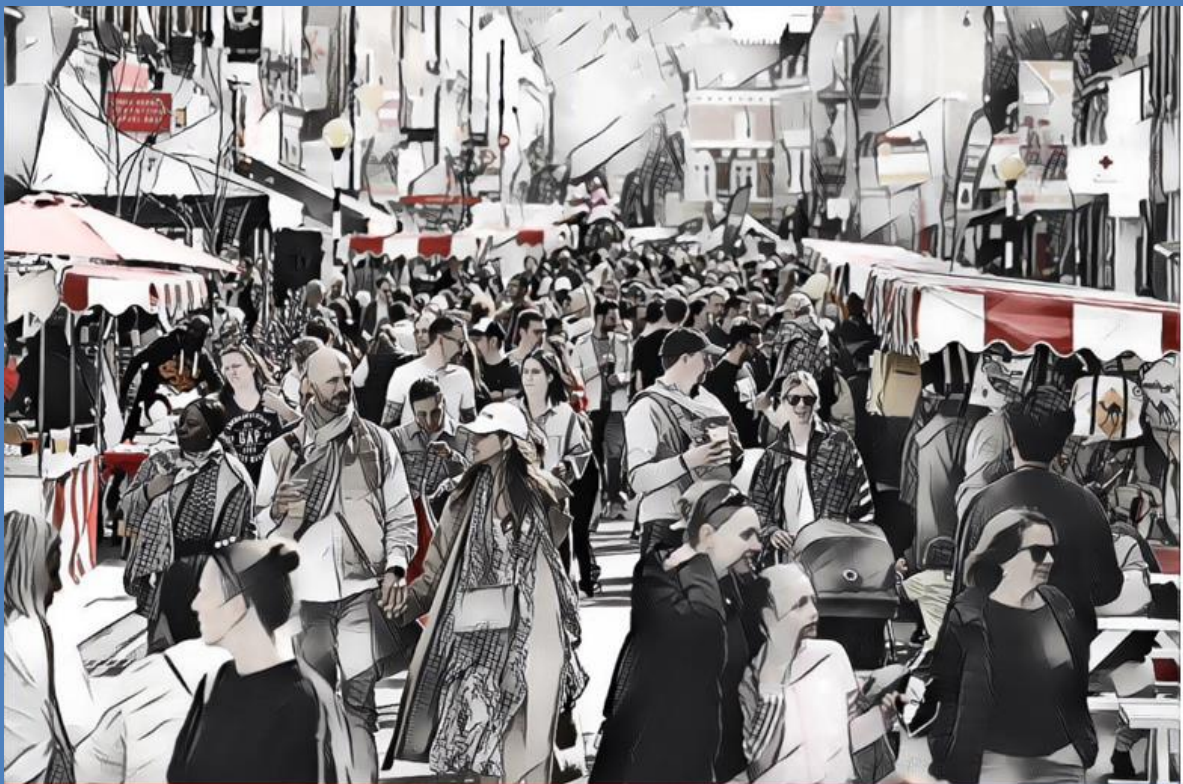
	Category	Commodity – you may choose up to three from one category only
		<ul style="list-style-type: none"> c) Towels, bathmats, shower curtains, toilet seat covers d) Blinds, curtains, net curtains, curtain poles e) Carpets, floor mats, rugs, lino f) Tablecloths, furniture protectors, chair covers, etc. g) Other (must be specified)
7.	Kitchen/Dining	<ul style="list-style-type: none"> a) Cookware - cooking pots, pans, baking sheets etc. b) Tableware - cutlery, glassware, serving dishes, chinaware, serving utensils, crockery, table mats, c) Kitchen utensils/plastics d) Other (must be specified and not electrical)
8.	Electrical and Audio/Visual Entertainment	<ul style="list-style-type: none"> a) Audio / amplification equipment and accessories b) Visual / display equipment and accessories (e.g. TVs, DVDs, Blu-ray player/recorders, including associated aerials, batteries, adapters, etc.) c) Computer hardware and accessories d) Small kitchen appliances (toaster, kettle, microwave – not second hand) e) Landline telephones and accessories f) Cable/satellite TV services g) Small household electrical items (vacuum cleaner, lamps, electric blanket - not second hand), health and personal care (foot spa, hair straighteners, electric shavers, electric toothbrush) h) Cameras i) Electrical accessories j) Electrical repairs k) Pre-recorded audio material, pre-recorded visual material l) Games consoles and accessories m) Musical instruments (including acoustic and electric) n) Other (must be specified)
9.	Mobile Phones	<ul style="list-style-type: none"> a) Mobile phones, mobile phone accessories b) Phone cards, mobile phone repairs c) Other (must be specified)
10.	Jewellery and Accessories Jewellery and Fashion Accessories and Repairs	<ul style="list-style-type: none"> a) Costume jewellery b) Genuine / previous hallmarked jewellery c) Hair accessories - head clips, bands, hair pins, head scarves, etc. d) Watches, watch accessories, watch repairs e) Sunglasses, reading glasses (including cases and neck bands) f) Handbags, belts, wallets, purses, ties, cufflinks g) Clocks, clock accessories, and repairs h) Shoe repairs and key cutting service i) Other (must be specified)
11.	Travel Accessories	<ul style="list-style-type: none"> a) Luggage, sports bags, handbags, passport covers b) Umbrellas, walking sticks

	Category	Commodity – you may choose up to three from one category only
		c) Other (must be specified)
12.	Stationery	a) Office supplies (paper, pens, files, etc.) b) Invitations, greeting cards, wrapping paper and gift bags/boxes, festive decorations, party bags c) Newspapers, periodicals, and magazines d) Reading and educational books e) Other (must be specified)
13.	Toys and Nursery Equipment	a) Toys (including early years, educational, and associated batteries, such as radio-controlled cars), soft toys, and dolls b) Board games, playing cards c) Games (not games consoles or cartridges or board games) d) Baby/nursery equipment e) Other (must be specified)
14.	Souvenirs	a) Music memorabilia (includes flags, banners, plaques, cups, and other novelty items) b) London/UK memorabilia (includes flags, banners, plaques, cups, and other novelty items) c) Ethnic memorabilia (includes flags, banners, plaques, cups, and other novelty items) d) Sport memorabilia (includes flags, banners, plaques, cups, and other novelty items) e) Other (must be specified)
15.	Textiles	a) Fabrics, laces, materials, yarn, wool b) Haberdashery (fastenings, facing, instant hem, thread, bobbins, etc.) c) Knitting, crochet, sewing needles and accessories d) Other (must be specified)
16.	Tools, DIY, and Gardening	a) Small DIY tools, DIY gloves and other DIY supplies b) Small gardening tools, gardening gloves and other gardening supplies c) Other (must be specified)
17.	Bicycles and Outdoor Equipment	a) Bicycles and bicycle repairs b) Scooters, skateboards, roller skates c) Bikes, motorcycle, and car parts/accessories d) Other (must be specified)
18.	Furniture and Antiques	a) Furniture including antique and vintage b) Small antique and vintage items c) Other (must be specified)
19.	Baby Equipment	a) Cots, prams, pushchairs, carry cots, slings b) Highchairs, bouncers, changing bags, baby monitors, safety gates, baby safe bottles

	Category	Commodity – you may choose up to three from one category only
		c) Car seats, boosters, safety equipment, nursery furniture, walkers d) Other (must be specified)
20.	Photographic Equipment and Associated Services	a) Cameras, digital cameras, camcorders, photo printers b) Peripherals and accessories (e.g. lenses, tripods, light meters, flashlights, film, photo paper, etc.) c) Other (must be specified)
21.	Sports Equipment (Excluding Clothing, Trainers, and Bags)	a) Bodybuilding/fitness/exercise equipment b) Football, cricket, rugby, netball, hockey accessories c) Tennis, badminton, squash, golf accessories d) Track and field accessories e) Other (must be specified)
22.	Pet Supplies and Equipment	a) Baskets, cages, pet beds, carriers, hutches, tanks, aquarium, scratching poles, toys, accessories b) Grooming and care supplies (feeding bowls, brushes, shampoo, vitamins, tick and flea treatments, pet food) c) Other (must be specified)
23.	Second Hand Goods (Not Electrical)	a) Clothing b) Vintage/recycled nightwear c) Vintage/recycled shoes, sandals, mules, boots, slippers, trainers, sports shoes d) Vintage/recycled clothing e) Second hand audio/visual equipment, DVDs, Blu-ray, videos f) Second hand reading and educational books g) Collectibles (coins, stamps, comics, porcelain dolls, etc.) h) Bric-a-brac, upcycled goods i) Other (must be specified)
24.	Arts and Crafts (Original/ Handmade Goods)	a) Art/Prints (paintings, sculpture, pottery, etc.) b) Keepsakes, commemorative items c) Face painting d) Handmade textiles and crafts e) Other (must be specified)
25.	Miscellaneous	a) Other not in any category above (must be specified)

Special Consideration Commodities: The Council has determined that the following commodities will be given special consideration before holders of Street Trading Licences, Temporary Street Trading Licences or Speciality Markets are licensed to operate: Alcohol and related items.

MARKETS AND STREET TRADING LICENSING POLICY 2025-2030



Markets and Street Trading Licensing Policy 2025-2030
LONDON BOROUGH OF HAMMERSMITH & FULHAM COUNCIL

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Forward: Enhancing Our Vibrant Markets and Trading Spaces

As your local Councillor I am pleased to introduce Hammersmith & Fulham's Markets and Street Trading Licencing Policy.

The policy outlines the Council's commitment to fostering a vibrant and professional market environment, focusing on attracting and retaining traders, addressing economic challenges and showcasing the broader value of markets and street trading sites, within local communities.

Our markets are lively places that attract a diverse range of people and create a sense of community and entrepreneurial spirit and economic growth.

We are committed to:

Inclusivity: We invite applications from diverse market traders to enhance the overall shopping experience for our community. We are dedicated to identifying and eliminating barriers to trading, ensuring that local markets are used by and benefit local people. Our goal is to build resilient, inclusive communities and create opportunities for everyone. Please refer to our Inclusive and Accessible Markets and Street Trading Guidance.

Fairness: We have transparent licensing processes to ensure fair access to trading spaces and support both new and established traders. We encourage innovation whilst preserving tradition.

Safety and Hygiene: Health and well-being matters. We uphold rigorous hygiene standards, ensuring that all traders comply with regulations and have all the required training and documentation to trade safely.

Economic Growth and New Opportunities: Our commitment extends beyond markets. H&F is an inclusive, global, economic hotspot – a place where innovation and creativity define exciting new opportunities, like night markets and riverside street trading hubs. Our [Upstream London strategy](#), reflects our ambition for a better tomorrow. Our focus is on doing everything we can to ensure economic growth is inclusive and improves the lives of everyone in our community.

A Vision for 2030: Our goal is a clean and sustainable future. We aim to improve recycling, reduce the use of single use plastics and provide electric power points across our markets. We understand that some traders may need to use plastic glasses instead of real glass, and we support their efforts to find sustainable alternatives. More information can be found online at: <https://www.lbhf.gov.uk/environment/climate-and-ecological-emergency>.

We will continue to improve and renovate market areas (e.g. new paving, seating areas, greenery and electric power points) to create a welcoming space. Providing stall gazebos at North End Road for new and established businesses to start trading quickly and at a low cost.

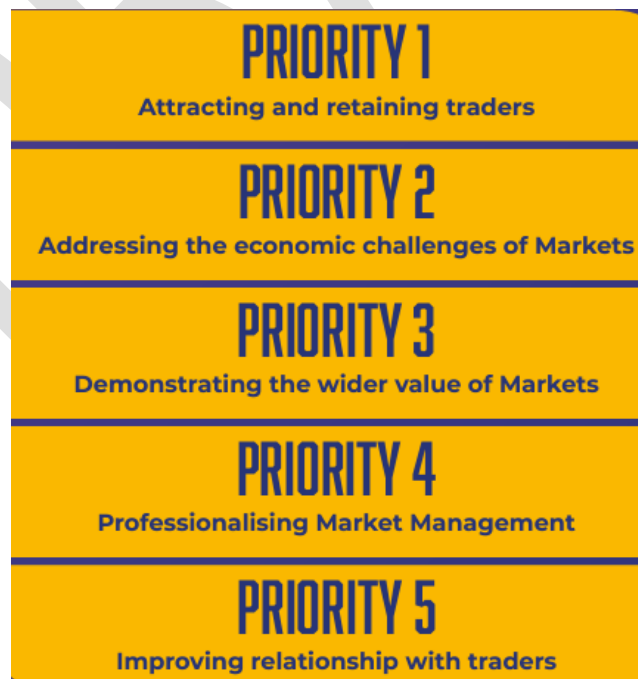
Join Us! If you are passionate about trading or interested in becoming a market trader, you can find more information online at: <https://www.lbhf.gov.uk/business/markets>



Councillor Zarar Qayyum, Cabinet Member for Enterprise and Skills

1. Introduction

- 1.1 This Markets & Street Trading Licensing Policy (The policy) serves as a comprehensive guide for the administration and regulation of street trading.
- 1.2 The policy informs applicants of the considerations in which the Council will make decisions and how their needs will be addressed whilst protecting the safety of highway users, preventing nuisance and controlling the location and number of street traders. It also highlights the Council's commitment to work in partnership with other enforcement agencies and internal departments, to support small businesses in the borough.
- 1.3 This policy covers the regulation of street trading and markets, isolated pitches, shop fronts and trading on private land.
- 1.4 The definition of markets includes car boot sales, antique and craft markets, general markets, food markets, farmers' markets, and charitable markets.
- 1.5 A market (5 or more stalls) may sometimes be held as part of a wider event. In these circumstances this policy will apply to the market element of the event.
- 1.6 The policy aims to support and promote business activity by:
 - a) Providing transparency and integrity when dealing with street trading matters.
 - b) Ensuring that there is consistency when making decisions, to promote fair trade.
- 1.7 The council is a member of the National Association of British Markets Association ([NABMA](#)), who have been supporting markets across the UK for over 100 years.
- 1.8 As a NABMA member we are committed the five priorities below.



- 1.9 This policy has been developed in collaboration and consultation with licence holders, other key stakeholders and by consolidating previous practices and regulations.

2. Background

- 2.1 The history of markets and street trading in Hammersmith & Fulham is rich and vibrant, reflecting the borough's dynamic community spirit. The most notable market is the North End Road market, which has been established since the 1880s. Providing affordable fresh fruit and produce and household items, serving the community six days a week. The market has evolved and adapted to the changing needs and shopping habits of its customers, whilst still maintaining its local links and traditional charm.
- 2.2 The Council also manages several other markets and street trading sites, including those on Lyric Square in Hammersmith, football match day and other isolated pitches. All providing useful goods and services, fostering a sense of community and adding to the economic growth of the borough.

3. Legal Trading

- 3.1 The Council has determined that it will regulate street trading activities in the borough under the London Local Authorities Act 1990 (as amended) [LLA1990]. More information can be viewed online at: <https://www.legislation.gov.uk/ukla/1990/7/contents/enacted>
- 3.2 The LLA1990 defines street trading as being 'the selling or exposing or the offering for sale of any article, and the purchasing of or offering to purchase any ticket, and the supplying or offering to supply any service, in a street for gain or reward'.
- 3.3 Street trading without a street trading licence is illegal and an offence, which can result in a fine and a criminal record.
- 3.4 Where applicable, street traders should apply for any other relevant permissions separately, which may include planning permission or a food business registration.
- 3.5 The Council charge for street trading licences, pitch fees and related charges, which are online at: <https://www.lbhf.gov.uk/business/markets/street-and-market-trading-fees>.
- 3.6 All licensed street traders must sell goods that are legal and safe and comply with their licence conditions and any relevant laws relating to the goods being sold. Where food is sold, traders must comply with the Food Safety Act 1990.

4. Declaration of Market Rights

- 4.1 Where the Council has declared Market rights the Council's statutory market rights prevent any person operating a market within 6 $\frac{2}{3}$ miles of any Council run market without express permission.
- 4.2 The distance of 6 $\frac{2}{3}$ miles is measured from the location of any Council run market. The Council can prevent the holding of a market outside the borough if such a market is within 6 $\frac{2}{3}$ miles.
- 4.3 The Council can take legal action to prevent markets from opening which are to be held on the same day as one of our own markets, without having to prove any damage.

5. Council operated markets

5.1 The Council operate the following regular weekly markets:

North End Road, London SW6 1NW	Mixed Market	Monday - Saturday 8:00am – 6:00pm
Lyric Square, London W6 0QL	Food Market	Wednesday – Friday 8:00am – 5:00pm
Wood Lane, London W12 7EG	Food Market	Monday – Friday 8:00am – 3:00pm

- 5.2 All markets and isolated street trading pitches (*sites with less than five pitches*) in the borough are licensed in accordance with the London Local Authorities Act 1990 (as amended).
- 5.3 In addition to the regular Council markets listed under 5.1, the Council issues street trading licences for events and festivals throughout the year. When an event coincides with a regularly held market, priority will be given to those that already hold a street trading licence for that site.
- 5.4 The Council has the power to establish new markets if it so wishes - as either regular or occasional events. The days and hours of trading are determined by the Council and recorded on all street trading licences. The markets listed under 5.1 are subject to change and shall be updated on our website at <https://www.lbhf.gov.uk/business/markets> and as part of a regular review of this policy.
- 5.5 All street trading licence holders must comply with all laws, policies and licence conditions relating to the occupation and use of the pitch.
- 5.6 Any street trading activity that takes place without a valid street trading licence shall be in breach of the London Local Authorities Act 1990 and will lead to enforcement action.

6. Isolated pitches on private or public land

- 6.1 This policy applies to isolated street trading pitches in the borough, whether on private or public land, that are accessible within seven metres of the public highway.
- 6.2 Any person wishing to apply for a street trading licence on private land must obtain planning permission, if applicable, before making an application for a licence.

7. Privately operated markets

- 7.1 The operator of the market is responsible for the organisation and delivery of the market event. A market operator means the person, body, or organisation to which a licence is granted by the Council.
- 7.2 If you're a private market operator looking to run a market in the borough ([see borough map](#)), either on public or private land, that is accessible within seven metres of the public highway, you will need to apply for a private market operators' licence.

- 7.3 Private market operators will need to comply with the Private Market Operator Licence Terms & Conditions. Please contact us at street.trading@lbhf.gov.uk for further advice and information about the application process.

8. Designation and De-designation of streets for street trading

- 8.1 If the Council considers that street trading should be allowed or licensed in the borough it may pass a resolution designating any street or part of a street as a 'licence street' under Section 24 of the LLA90.
- 8.2 A 'street' includes *any road, highway or footway and any other area* (e.g. car park, land, park, green, pavement) *within 7 metres of any road, highway, footway or, to which the public have access without payment.*
- 8.3 A 'highway' is any public or private road or other public way on land. It is used for major roads, but also includes other public roads and public tracks.
- 8.4 **Licence Street:** A street in which street trading is prohibited without a licence granted by the council. If a street is designated as a "licence street" then an application can be made for a licence to trade on that street. Licence streets are designated by the council following a statutory procedure under the Act. Any 'licence streets' designated by the Council will be listed on the Council's website.
- 8.5 If a street has not been designated, it is illegal to carry out street trading within it, without an appropriate licence. The Council can grant a temporary street trading licence which will be subject to the same terms and conditions as those operating within a designated "licensed street."
- 8.6 **Consent Street:** A street in which street trading is prohibited without the consent of the council. Any 'consent streets' designated by the Council will be listed on the Council's website.
- 8.7 **Unlicensed or Prohibited Street:** A street in which street trading is prohibited. Any 'prohibited streets' designated by the Council will be listed on the Council's website.
- 8.8 Where there is interest to trade on the public highway, the Council may apply for planning permissions on public land on behalf of the applicant and charge the associated fees. Planning permissions are not guaranteed to be granted, and fees are non-refundable.
- 8.9 The Council may subject to the appropriate consultation and notification procedures, de-designate street trading pitches where, in the opinion of the Council they are no longer suitable for street trading.
- 8.10 The circumstances under which a location may be considered no longer suitable include:
- a) Where it has not been used for trading for a period of greater than six months.
 - b) An increase in crowding from pedestrians, resulting from different layouts, local improvements or construction projects.
 - c) New developments where the trading pitch would negatively affect local pedestrians or cause congestion, including sites close to transport stops and stations.

- 8.11 When a licence holder has been forced to leave their usual pitch because the pitch has been de-designated for any reason, the Council may, in collaboration with the Planning team and Highways team, the licence holder, and any other interested parties, find a new location for designation as a pitch suitable for permanent street trading.
- 8.12 The Council's decision will be made independently regardless of any representations that the pitch has previously been used for street trading or previously judged as suitable.

9. Shop front trading licences

- 9.1 The display of goods outside the front of a premises can enhance the visual amenity and provide valuable additional sales space for businesses to advertise their goods for sale. However, inappropriately located shop front displays can create problems for various members of the community e.g. people with disabilities, visual impairments, mobility difficulties and those using pushchairs etc. Controlling the placement of these items helps to ensure that footpaths and walkways are kept clear of obstructions.
- 9.2 The Council can regulate street trading /shopkeeper displays on the highway through a shop front licence issued under the Act.
- 9.3 Any person wishing to offer items or goods for sale on the public highway must first obtain planning permission, if applicable, before making an application for a shop front trading licence. For a shopkeeper to display their items/goods on non-private forecourts they must also provide the relevant documents and pay the required fees and charges.
- 9.4 It is not permitted for a shopkeeper to place goods for sale outside of their shop on the public highway. However, in some circumstances, the shopkeeper can apply for a licence. It is important to note that several factors will be taken into consideration when determining such applications including, accessibility of the footway, footfall, whether planning permission has been approved and the type of goods to be sold.
- 9.5 Prospective applicants should familiarise themselves with the [Prescribed Standard Conditions for Street trading Licences](https://www.lbhf.gov.uk/sites/default/files/section_attachments/prescribed_standard_conditions_for_street_trading_licences.pdf) and the application form for a shop front trading licence, to ensure all requirements are met before an application is made. Please see https://www.lbhf.gov.uk/sites/default/files/section_attachments/prescribed_standard_conditions_for_street_trading_licences.pdf.
- 9.6 A shop front trading licence is not required when selling goods which forms part of the business (of his/her shop) on his private forecourt, during the shop opening hours. If, however, the items offered for sale are different to the day-to-day business, or the trade does not form part of the business then a street trading licence will be necessary along with any other required permissions to use the land for street trading activities.

For example, if a newsagent's shop has a food stand on its private forecourt, then a shop front trading licence is needed. If a coffee shop is selling coffee on the private forecourt a shop front trading licence is not needed unless the shop is closed for business.

10. Special provision for community/charity/not for profit

- 10.1 The Council will consider individual street trading applications for Community/Charity/not for profit trading licences on a case-by-case basis and acceptance will be assessed in the following circumstances:

- a) fundraising activities,
- b) promotion of charity or other local cause,
- c) promotion of community services.

- 10.2 The licences will be applied for in the same way as temporary street trading licences and may benefit from reduced fees.
- 10.3 Applications to use the community pitch on North End Road are subject to additional terms and conditions of use, which can be found on our website.

11. Pavement Licences and A-Boards and Exemptions

- 11.1 The placement of 'A' boards outside a premises is not covered by a street trading licence and must be agreed with the Highways Authority. More information can be viewed online: <https://www.lbhf.gov.uk/business/highways-licences/advertising-board-licence>
- 11.2 If you wish to place furniture (including tables and chairs) for the purposes of serving and or consuming food and drink on the highway (public road) outside your business premises, you must apply for a pavement licence. More information can be viewed online at <https://www.lbhf.gov.uk/business/highways-licences/pavement-licence>
- 11.3 The Council recognises that certain trading activities do not constitute street trading and are therefore exempt from the licensing regime. The following exemptions are outlined in LLAA 1990:
- a) A person trading as a 'Pedlar' under the authority of a pedlar's certificate granted under the Pedlars Act 1871, provided that the trading is only carried out 'house to house'.
 - b) Anything done in a market or fair the right to hold which was acquired by virtue of a grant (including a presumed grant) or acquired or established by virtue of any enactment or order.
 - c) Trading in a trunk road picnic area.
 - d) Trading as a news vendor.
 - e) Trading by a rounds man delivering milk and/or other perishable goods.
 - f) Charity collections.
 - g) The selling or offering for sale goods or services on private forecourts of a shop- provided that the trade forms part of the normal business of that shop. For example, a fruit, vegetable display outside a grocers' shop.

12. Ice cream trading and Pedlar's Certificates

- 12.1 Ice cream vans are allowed to trade without a street trading licence, providing they stop for only 15 minutes to serve customers, moving on and not returning to the same street within the same day.
- 12.2 Any ice cream traders who wish to trade from a pitch, whether on public or private land for more than 15 minutes, will require a street trading licence. A street trading licence will only be issued where there is access to an electric charger or power point to minimise vehicle idling.

- 12.3 Those trading from a stop me and buy tricycle are subject to the same conditions.
- 12.4 Those who sell goods door-to-door and want to move around require a pedlar's certificate. A pedlar's certificate can be applied for at your local Police Station. This certificate permits the holder to sell throughout the UK while trading on foot and carrying the goods with them. However, if you plan to set up trade in a specific location, such as a market pitch, and remain fixed, you will require a street trading licence.

13. Cash collections for charities

- 13.1 A street collection licence is issued by the Metropolitan Police Service (MPS) and grants you permission to collect money for charity in London's public space. More information can be found online at: <https://www.met.police.uk/advice/advice-and-information/cc/charity-collection-licensing/street-collection-licences/>

14. Commodities

- 14.1 The Council has an approved [Regulation of Commodities List](#), which details a range of goods or services a licence holder may be licensed to trade in. The full list can be viewed online at <https://www.lbhf.gov.uk/business/markets/traders-information>.
- 14.2 The Council reserves the right to review the commodity list. Only those commodities or goods specified on the licence may be sold from the street trading pitch and licence holders will be limited to the group of commodities listed on the licence.
- 14.3 The Council reserves the right to allow more than one trader to sell the same commodity as another licence holder or shop in the market in that area. The Council's decision as to commodities sold and the numbers and positions of traders in the various commodity groups is final.
- 14.4 The Council shall look for traders and commodities to complement existing retail activity in the local area and support the Council's objective of helping to create thriving town centres that are attractive and welcoming.
- 14.5 Items deemed offensive to public taste, explosive, hazardous or might be a source of danger to anyone must not be stored, displayed, or sold on any market stall.
- 14.6 All licence holders must comply with Trading Standards and Health and Safety laws and any other relevant legislation.
- 14.7 Certain items cannot be sold on market stalls, including but not exhaustively: indecent materials and inappropriate goods, drugs paraphernalia, vapes and tobacco products, fake and counterfeit products and children's toys that are not covered by European law, unless they are cleared by the British standard kite mark.

The Real Deal Charter

Along with 87 other Councils we have signed up to the Real Deal Charter – a project to reduce the sale of counterfeit goods at markets. Visit the Real Deal website to find out more: <https://www.realdealmarkets.co.uk/>



15. Applying for a Street Trading licence

- 15.1 The Council will only issue a street trading licence to persons aged 17 and above.
- 15.2 All street trading licences are issued under the London Local Authorities Act 1990 (as amended) and licences will be granted by authorised officers, provided that the necessary conditions and legal requirements are met.
- 15.3 Street trading licences are issued to control the location of trading activity and to ensure that pitches are in safe, accessible, suitable areas and do not cause a nuisance or disruption to local businesses or residents. Please refer to our Inclusive and Accessible Markets and Street Trading Guidance.
- 15.4 Details about the application process and the application form can be accessed on our website at <https://www.lbhf.gov.uk/business/markets/traders-information>.
- 15.5 The Council will assess, and issue licences based on the suitability for the site, the needs of the market and the commodity on offer.
- 15.6 As part of the process of considering whether to issue a licence, the Council will make sure that trading locations do not cause obstruction to the highway, including lines of sight at junctions, and are positioned so as not to obstruct rights of way, entry to premises or cause nuisance to nearby residents. The Council will also consider the suitability of the proposed street trading in relation to the existing neighbouring retail outlets with the aim of ensuring the balance is kept between encouraging new street trading and protecting the amenities of the neighbourhood. Licence conditions will ensure these factors are controlled for the duration of the licence period.
- 15.7 The Council will endeavour to deal with new applications for a street trading licence within a period of 28 days from receipt of the application. Failure to provide supporting documentation or information is likely to lead to a delay in the Council coming to a decision and/or granting a licence.
- 15.8 Licence holders can apply to renew an existing licence 28 days before the expiry date and no later than 28 days after the expiry date. If no application is received the licence will lapse.
- 15.9 All street trading licences involving the offering of food, must:
- a) register their food business with their local Council; and
 - b) have a Food Hygiene Inspection score of **3 stars** or above and an Allergen Chart (*if applicable*) clearly displayed within the vehicle, trailer or stall when trading.

H&F is one of the London local authorities, taking part in the Healthier Catering Commitment (HCC) scheme. The scheme recognises businesses in London that demonstrate a commitment to reducing the levels of saturated fat, salt and sugar in the food sold in their premises, and to make smaller portions available on request. Applications from street traders who make a commitment to deliver healthier food choices to customers will be favourably considered. More information can be found online at: <https://healthiercateringcommitment.co.uk/>



15.10 Following approval of an application and issuing of a street trading licence the licence holder must follow all the regulations, and any additional terms and conditions attached to the licence. The [Prescribed Standard Conditions for Street trading Licences](#). Failure to comply with the terms and conditions will lead to enforcement action.

15.11 The duration and renewal period for a street trading licence are as follows:

Type	Duration	Renewal date
Temporary licences	One day to 6 months	01 April & 01 Oct
Permanent licences	12 months	01 April

16. Fees and charges

- 16.1 A fee is payable to the Council for granting or renewing a street trading licence and must be paid at the time of application.
- 16.2 All traders are required to pay invoices for pitch fees in advance of trading, as outlined in the [Prescribed Standard Conditions for Street trading Licences](#).
- 16.3 Temporary and ad hoc traders must book a pitch and pay pitch fees in advance. Street trading activities are not permitted until payment of the fees has been received.
- 16.4 Fees and charges will be reviewed yearly in consultation with interested parties.
- 16.5 Promotional pricing may be introduced or withdrawn at any time and can be withdrawn if traders breach the terms and conditions associated with a promotional offer.
- 16.6 All fees and charges must be fully paid in full before a licence expires. Enforcement action will be taken against traders who are in arrears and who are not taking proactive to clear their debt. This may include not having their licence renewed until all fees are paid in full.
- 16.7 Licensed street traders must provide 28-days' notice of their intention to surrender their licence. During this notice period, the trader is responsible for any charges incurred, as the licence remains active until the licence is fully surrendered.
- 16.8 The Council is required by law (London Local Authority Act 1990) to charge for managing street trading activities in the borough. This money is used to cover the costs of:
- Issuing and managing street trading licences.
 - Running an efficient waste, street cleansing and day to day, market service.
 - Inspecting, developing, and improving the markets environment so that they are modern, safe, secure, and attractive places to shop and trade.
 - Staffing costs.
 - Attracting more traders and start-up businesses to our markets.

17. Equipment loan

- 17.1 Where available the Council may offer street trading equipment on loan to licence traders. This is subject to terms and conditions of use and availability.

18. Refusal to grant a licence - Appeal process

- 18.1 If the Council decides to refuse an application for a street trading licence it will contact the applicant and set out the reasons for its decision.
- 18.2 A street trading licence will not be issued in the following circumstances:

To persons under the age of 17 years old.	
Where there are already a sufficient number of traders selling the same or similar commodities i.e. three.	
The applicant has at any time had a street trading licence revoked for any reason.	
The applicant has failed to make use of a previous licence.	
The applicant is on account of misconduct or concerns of a criminal or safeguarding nature.	

- 18.3 There is no statutory right of appeal against refusal to issue a Temporary Street trading licence, however, you may appeal against the decision through the Council Complaints Procedure: <https://www.lbhf.gov.uk/councillors-and-democracy/complaints-and-compliments/formal-corporate-complaints>
- 18.4 Permanent Street trading licence holders have a right to appeal any decision not to renew an existing licence.
- 18.5 Any appeal against a decision to refuse a licence must be made in writing to the Council, setting out the reasons the applicant believes the refusal is unwarranted.
- 18.6 On receipt of an appeal request the decision to refuse the licence will be reviewed at the Licensing Sub Committee and the applicant informed of the outcome.

19. Pitch relocation and the removal of stall, goods and equipment

- 19.1 From time-to-time road works or construction projects mean that designated street trading pitches are unavailable or unsuitable for trading. This will apply when access is needed to underground cables, pipes and sewers for replacement or repair. Organised events may also occasionally require clearance for the duration of the event.
- 19.2 Where the licence holder does not remove stalls, equipment or goods as specified or agreed, the licence holder will be in breach of the conditions of his street trading licence.
- 19.3 The Council may arrange for the removal of the stall to a place of storage in accordance with its powers under section 149 of the Highways Act 1980. In such circumstances the stall will not be returned to the licence holder until the costs of removal and storage are met in full.

- 19.4 The Council may, in partnership with the Planning team and Highways team, identify sites where pitches may be moved or re-orientated to allow for the addition of seating areas and improvements to the local area (such as pedestrian access, important historic views, or to make better use of the available space/highway).
- 19.5 Alterations to a pitch could include changes to the pitch dimension to better accommodate its operational needs and to allow the ability to have sufficient space for accessibility needs, refuse, storage etc.
- 19.6 Existing traders will be consulted where local improvements or the regeneration of an area is proposed, approved or implemented which requires the relocation, reorientation, or a change to pitch dimensions.
- 19.7 Temporary relocation - When a designated pitch becomes unsuitable, the licensing authority will relocate licence holders where suitable alternative street trading pitches exist. The Council will consult with the Highway Authority to identify suitable alternative temporary pitches for the purposes of relocating a displaced street trader until they can return to their assigned pitch.
- 19.8 In circumstances where a street trading pitch becomes temporarily unsuitable for street trading purposes the Council may agree to changes to the pitch to avoid displacing a trader e.g. changes to orientation or relocation within the immediate vicinity of the original pitch. Any such changes must be made with the agreement of the Highways team and will only be for a temporary period.
- 19.9 In circumstances where a street trading pitch becomes temporarily unsuitable for street trading purposes and changes or relocations are not possible, the Council will offer any available vacant pitch on the list of designated pitches to a displaced trader.
- 19.10 There shall be no requirement on the Council to ensure that the alternative pitch is equivalent to the pitch which has become temporarily unsuitable, in terms of trading conditions, footfall etc.
- 19.11 Where a trader accepts one of the available pitches for the purposes of temporary relocation, the Council can modify goods or other trading conditions as it sees fit under the circumstances.
- 19.12 Where a trader rejects a suitable pitch offered by the Council, there shall be no requirement on the Council to identify or designate any further alternative pitch location or accept any request to do so.
- 19.13 If it is not possible to identify a suitable site for relocation so that the licensed trader can move and continue trading on an alternative pitch, the trader will be expected to suspend trading activity whilst the original pitch remains unsuitable. In such cases, the Council may waive a percentage of the fees, for the licence period, if the licence is not surrendered.

20. Waste and street cleansing

- 20.1 The Council aims to minimise market waste through reduction, recycling, reuse, and recovery whenever feasible. This effort supports the Council's commitment to achieving net carbon zero status by 2030.

- 20.2 The Council commits to keeping pitch areas clear of refuse, and obstructions before and after street trading activities. Licence holders must ensure that refuse is not allowed to accumulate within or around their designated pitch and they are expected to control, collect and dispose of any refuse arising from their street trading activities.
- 20.3 Licence holders are required to comply with the waste management arrangements regarding segregation of recyclable wastes, containment, presentation, and disposal of waste materials.
- 20.4 Licence holders must comply with the laws bans and restrictions surrounding single use plastics or switch to reusable, biodegradable options. More information can be found online at <https://www.gov.uk/guidance/single-use-plastics-bans-and-restrictions>.
- 20.5 Licence holders should ensure that rubbish is disposed of in suitable bags or bins and where required obtain their own waste disposal contract to ensure all waste streams, such as oil, are disposed of lawfully as per the requirements of the Environmental Protection Act 1990.

21. Improving air quality and promoting low carbon power supply

- 21.1 As part of our commitment to sustainability, all market traders should adopt environmentally friendly practices, where practical, including the use of electric supply points where available.
- 21.2 Electric supply bollards are available at some of the street trading locations for licence holders to use when carrying out street trading activities. Use is subject to additional terms and conditions.
- 21.3 Applications from traders who wish to use diesel or petrol generators will not be accepted.

22. Enforcement

- 22.1 The Markets and Street Team in conjunction with other authorised officers will conduct regular inspections to check that street traders are complying with the licence terms and conditions. These visits will not always be announced and may be with other responsible authorities such as Police, Trading Standards or Environmental Health teams.
- 22.2 Once a licence is granted it is the responsibility of the licence holder to ensure that requirements of the licence are managed in accordance with the [Prescribed Standard Conditions for Street Trading Licences](#) and any other supplementary conditions attached to the licence.
- 22.3 All health and safety complaints or concerns relating to street trading activities will be investigated by the Markets and Street Trading Team in the first instance.
- 22.4 Other Council departments or outside agencies may be consulted when complaints or concerns relate to food, noise, nuisance, odour, and or trading standards. These issues will be referred to the appropriate teams as necessary.

- 22.5 The decision to take enforcement action will be taken in accordance with this policy to ensure consistency of approach. The action taken will be proportionate to the seriousness or nature of the breach of the regulations or law and can include immediate suspension whilst the alleged offence is investigated.

Actions include:

- a) Verbal written warnings- a breach of the regulations and or where officer contact has not resolved the issue, usually relating to a first offence (verbal warning)
 - b) Written warning- a breach of the regulations already noted which is still unresolved
 - c) Fixed Penalty Notices- applicable when verbal and written warnings have not been adhered to or when unlicensed street trading is observed.
 - d) Simple cautions by authorised officers.
 - e) Seize any goods, receptable, article or thing being offered or used to offer, sell, or expose items for sale.
 - f) Licence review or application for licence revocation e.g. when fees go unpaid or in the case of a persistent continuous breach of regulations or the law.
 - g) Prosecution- The decision to prosecute will be made in accordance with our [Enforcement Policy](#), which is available on our website.
- 22.6 The Council reserves the right to close the market in extreme weather or in exceptional circumstances. Licence holders must vacate their pitches as soon as it is reasonably possible. Examples of extreme or exceptional circumstances include, but are not limited to, High winds, flooding, hostile vehicle incursion, gas leak, fire, flooding, and chemical spill.

23. Conduct of traders

- 23.1 Licensed traders should ensure the public are treated fairly and with courtesy. Traders should not harass or discriminate against any person including other traders or members of the public.
- 23.2 Licensed traders should ensure that their employees are competent, courteous, and helpful and reasonable assistance is provided to Council officers in carrying out their duties in relation to pitch activities. Licensed traders will be responsible for the conduct of their agents/and or employees and helpers paid or unpaid.

24. Safeguarding of children and adults

- 24.1 Street Trading Licences will not be issued to anyone under the age of 17 years.
- 24.2 Those under 17 years of age can assist if supervised by an adult with the required insurance. The Council has a duty to assist partner agencies and the public in to protect vulnerable individuals and prevent exploitation.
- 24.3 A National Insurance number is required at the application stage for all licence holders and all named assistants. This ensures that all licence holders and their registered assistants are properly documented and eligible to work within the country.
- 24.4 If you have a concern about a child or young person you find more information on the Councils website: <https://www.lbhf.gov.uk/children-and-young-people/children-and-family-care/worried-about-child>. If you have an immediate concern for the wellbeing of a child or young person, call 999.

- 24.5 If you have concerns about an adult that is being abused or neglected or is being harmed in any way you can find more information on the Council's website:
<https://www.lbhf.gov.uk/living-independently/health-and-wellbeing/staying-safe/help-adults-being-abused-or-neglected>.

25. Data protection and third-party information sharing

- 25.1 The Council may disclose the personal details of Licence holders to third parties who have a legal right to such information. This includes other regulatory and law enforcement agencies and those who may require the information in connection with a criminal or civil action in the Courts.
- 25.2 Personal data held manually, or as computerised records will be handled in accordance with the Data Protection Act 1998 (DPA). More information can be found online:
<https://www.lbhf.gov.uk/councillors-and-democracy/data-and-information/hf-privacy-notice/markets-and-street-trading-privacy-notice>.

26. Responsibilities under the Immigration Act 2016 and the Modern Slavery Act 2015

- 26.1 The Council has responsibilities that relate to the prevention of immigration crime, specifically the prevention of illegal working on licensed premises and will report any concerns to partner agencies.
- 26.2 The Council also has a duty under the Modern Slavery Act 2015 to co-operate with the Independent Anti-Slavery Commissioner, more information can be viewed online:
<https://www.lbhf.gov.uk/crime/modern-slavery>.
- 26.3 The Council has signed up to the Charter Against Modern Slavery, more information can be found online: <https://party.coop/local/councillors/modern-slavery-charter/>.

27. Review of policy

- 27.1 The policy will be subject to review every five years. The Council reserve the right to update, add or amend in accordance with evolving practices, guidance and legislation.

28. Complaints

- 28.1 If you have a complaint regarding the management of the market, you should first contact the Markets and Street Trading Team by email at: Street.Trading@lbhf.gov.uk or by post to: Markets and Street Trading Team, 1st Floor 25 Bagley's Lane Fulham SW6 2QA. All complaints will be responded to within 14 days.
- 28.2 However, if you are still not satisfied with the outcome after the initial contact with the Markets and Street Trading Team you can raise your concerns via the Council's complaints system at <https://www.lbhf.gov.uk/councillors-and-democracy/complaints-and-compliments/formal-corporate-complaints>.

29. Useful links to references and other relevant information

[London Local Authorities Act 1990](#)

[The Health and Safety at Work Etc. Act 1974](#)

[The Food Safety Act 1990](#)

[The Food Standards Agency](#)

[Prescribed Standard Conditions for Street trading Licences](#)

[Markets & Street Trading Application/Renewal Form](#)

[Regulation of Commodities](#)

[Markets & Street Trading Fees](#)

[Environmental Health and Public Protection Enforcement Policy](#)

The following forms and terms and conditions can be found on our website, under Trader's Information at <https://www.lbhf.gov.uk/business/markets/traders-information>.

- Community Pitch - Terms and Conditions
- Electric Chargers - Terms and Conditions
- Equipment Loan - Terms and Conditions
- Shop Front Trading Licence - Terms and Conditions
- Shop Front Trading Licence Application Form

Inclusive and Accessible Markets and Street Trading Guidance



Introduction and Access Statement

Markets and street trading sites are vibrant and essential components of urban life, contributing significantly to the local economy, culture, and community spirit. To ensure that these spaces are beneficial for all, it is crucial to make them **inclusive** and **accessible**.

This guidance has been collaboratively created with the Inclusive Environment Group for street trading licence holders who operate within our borough, whether at a single pitch or as part of a market.

The guide aims to provide guidance and practical recommendations for street trading licence holders to create markets and street trading environments that are welcoming and accessible to everyone, including disabled people, older people and families. It applies to the following Council-run markets and street trading pitches:

- **North End Road Market:** A Historic market dating back to the 1880's, known for selling fruit and vegetables and other goods at competitive prices.
- **Lyric Square Food Market:** A vibrant market featuring a diverse array of delicious food options at the heart of Hammersmith.
- **Wood Lane Market:** A fantastic smaller food market serving the northern part of the borough.
- **Isolated pitches:** Offering a variety of food, coffee, flowers, and fresh fruit and vegetables.
- **Football Match Trading at Chelsea Football Club, Queens Park Rangers, and Fulham Football Club:** Offering hot food, merchandise, and memorabilia.

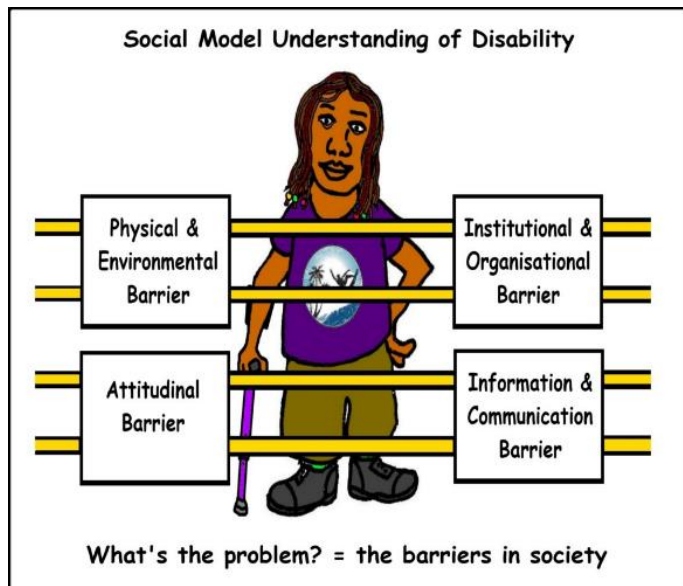
By fostering inclusivity and accessibility, we can enhance the overall experience for traders, customers, and visitors, ensuring that markets and street trading areas are not only economically viable but also socially equitable.

The guide covers legal requirements and recommended actions for both traders and the local authority that will help create spaces that reflect the diversity and needs of our entire H&F community.

Accessibility is about designing and organising these spaces so that they are easily usable by everyone, including disabled people. This includes physical access, such as ramps and wide aisles, as well as providing information in various formats to accommodate diverse needs.

Facts and Figures in Hammersmith and Fulham

In Hammersmith and Fulham, the 2021 Census reported that **22,972 residents** (12.5% of the population) were disabled under the Equality Act. Additionally, 7.4% of residents reported being disabled and limited a lot in their daily activities.



H&F believe that having inclusive and accessible markets are essential for several reasons:

- A. Increasing Income Potential:** Offering accessible services and products can increase the number of customers that you attract.
- B. Broader Audience Appeal:** Accessible shopping can improve the usability for everyone.
- C. Brand Reputation and Loyalty:** Businesses that prioritise inclusivity and accessibility often have a better reputation. This commitment can attract loyal customers who value businesses that care about diverse needs.
- D. Legal Compliance:** Making products and services accessible ensures that businesses meet legal standards, avoid potential legal issues, and demonstrate social responsibility.
- E. Improve the experience for everyone:** Accessible marketing and product design enhances the overall user shopping experience, making it more enjoyable and effective for everyone.

Legal requirements

1. Guide dogs

Guidance: By law, all businesses must allow guide dogs to enter their premises, shops, or service areas. The Equality Advisory and Support Service (EASS) provides advice to members of the public who have faced discrimination. Their contact telephone number is 0808 800 0082.

2. Displaying Allergen information

Guidance: It is important that you have a good knowledge and understanding of the products that are being sold. It is an essential requirement to display a food allergen notice and have comprehensive knowledge of the foods being sold. This could also apply to jewellery, clothing, cosmetic items e.g. lanolin and cleaning products e.g. lavender.

3. Shop fronts, A-Boards and street trading pitches. Removal of trip hazards and obstructions

Guidance: Traders must ensure that shop fronts and street trading pitches provide ample space for pedestrians and remain free of rubbish, overhanging projections, obstructions on the highway and trip hazards, within the designated space.

4. Managing queues and equipment

Guidance: Traders should manage equipment and queues effectively, to prevent congestion on the pavement.

5. Uneven, damaged pavement and flooding

Guidance: Traders must keep their trading areas free of waste, oils, and spillages. Our terms and conditions, require traders to report any defects to the Council, which includes flooding.

Recommended Improvements

Wherever possible, the importance of providing inclusive and accessible market stalls, goods, and services will be emphasised.

6. Counter accessibility

Guidance: Lowered Counters: To accommodate wheelchair users and ledges to allow customers to take hot food and drinks safely.

Wide Aisles: To allow easy navigation for customers.

Accessible Payment: Contactless payments at an accessible height, avoiding flat screen card readers or using overlays to assist visually impaired people.

7. Maintaining an accessible pitch.

Guidance: Do not impede the highway: Please ensure your activities, A-boards, and rubbish during and at the end of the working day do not impede highway users. It is important to maintain ample space for pedestrians to move safely as this is essential for accessibility, allowing everyone to shop in the area comfortably.

8. Inclusive information Menus in accessible formats

Guidance: Provide menus in large print and braille menu formats. Verbally giving details of ALL food options available, rather than just a selection or using QR Codes.

9. Places to stop and rest

Guidance: Use straight leg chairs for customers who may need to rest.

10. Availability of fresh food and a diverse range of goods and services

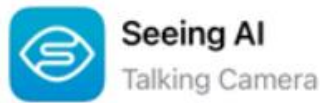
Guidance: The Council is committed to enhancing the market experience by actively seeking new opportunities and providing pitches for traders to sell fresh fruit, vegetables, and a diverse range of goods and services. This initiative not only supports local businesses but also ensures that residents have access to high-quality, fresh, and unique produce.

11. Awareness for Traders

Guidance: Assisting visually impaired Customers when paying with Credit or with debit cards. Offer 'chip and signature' cards for those who find keypads challenging. Ensure contactless payment options are available and easy to use. Overlays are available to assist visually impaired people to use flat screen readers.



If you have incorporated many of the recommendations listed above and would like the council to promote your business as a 'Disability Friendly' vendor, please contact us at streettrading@lbhf.gov.uk.



12. Equality Duty

Guidance: The law requires public bodies to consider how their work can promote and support equality, which includes ensuring accessible facilities and engaging with diverse communities.

13. Safe Highways

Guidance: Local councils in the UK have a legal duty to maintain public pavements. The Council will regularly inspect markets and street trading areas and report any defects, cracks, or uneven surfaces.

14. Displaying Allergen information

Guidance: The Council will ensure that all food traders comply with the food safety requirements. Providing clear allergen information is crucial as it helps protect consumers with food allergies from potentially life-threatening reactions. It also promotes transparency and trust between traders and customers, ensuring a safer and more inclusive eating experience for everyone.

15. Relocated pitches

Guidance: When pitches are relocated temporarily, i.e. due to roadworks, the Council will ensure locations have adequate space to move around and do not impede pedestrians or cause any hazard.

16. Accessible digital services- website, application form and raising concerns

Guidance: The Council will follow the guidelines set out on the Web Content Accessibility Guidelines (WCAG) "Understanding WCAG 2.2 - Service Manual - GOV.UK." to ensure its digital content is accessible to all users, including disabled people, thereby enhancing user experience and compliance with legal standards.

This document will be reviewed and amended, periodically and as and when needed, as things develop and change over time.

Proposed consultation questions for the draft Markets and Street Trading Licensing Policy and updated Prescribed Standard Conditions for Street Trading Licences

1. **Aims and Objectives and Scope:**

- Do you agree with the aims and objectives outlined in the new street trading policy - to support and promote business activity by: providing transparency and integrity when dealing with street trading matters; and ensuring that there is consistency when making decisions, to promote fair trade? **YES / NO**
- Are there any additional objectives you believe should be included? **YES / NO**
- If yes, what additional objectives do you believe should be included?

2. **Impact on Traders:**

- Do you think the new policy will affect street traders positively? **YES / NO / NOT SURE**
- Do you think that traders will need additional support will need to comply with the new policy? **YES / NO / NOT SURE**
- If yes, what additional support would be needed?
- Are there any potential benefits or drawbacks for street traders? **YES / NO / NOT SURE**
- If yes, what are the potential benefits or drawbacks for street traders?

3. **Public Health and Safety:**

- Do you think the policy adequately addresses public health and safety concerns? **YES / NO**
- If no, what specific health and safety measures would you like to see included?

4. **Environmental Considerations:**

- Do you think the policy promotes environmental improvement and regeneration? **YES / NO**
- If no, what do you think should be added or considered?

5. **Regulatory Compliance:**

- Does the policy provide clear guidelines for regulatory compliance? **YES / NO**
- If no, what do you think should be included to provide adequate clarity?
- What challenges do you foresee in ensuring compliance with the new policy?

6. **Community Impact:**

- Do you think that the policy will impact the local community in a positive way? **YES / NO / NOT SURE**
- Are there any potential benefits or drawbacks for residents? **YES / NO / NOT SURE**
- If yes, what are the potential benefits or drawbacks for residents?

7. **Feedback and Amendments:**

- Do you agree that traders and residents should have the ability to provide ongoing feedback on the policy? **YES / NO**
- Do you agree that there should be a process in place for amending the policy based on feedback? **YES / NO**

8. **Application Process:**

- Is the application process for street trading consent clear and accessible? **YES / NO / NOT SURE**
- What improvements can be made to streamline the application process?

9. **Declaration of market rights:**

- Section 4 of the new policy refers to '*Declaration of Market Rights*'. Declaring market rights will allow the council to object to competing markets being set up within 6¾ miles from any Council run markets. It can also assist the Council in regulating and managing private markets. The council are of opinion that declaring market rights will support the local economy, enhance community life, and ensure that street trading is conducted in a regulated and beneficial manner Do you agree that the council should declare market rights? **YES / NO / NOT SURE**

10. **Designating the whole borough or more streets for regulated street trading activities:**

- Section 8 of the new policy refers to '*Designation and De-designation of streets for street trading*'. Currently, parts of the public highway are designated for the purpose of street trading, rather than a whole street or the whole borough. These designations can take the form of markets, individual stalls, tables and chairs outside of restaurants or shop-front displays. Designations will allow the council to designate specific areas as "licence streets," making it mandatory for traders to obtain a licence before trading.
The same rules will apply across the whole borough, so that there is no confusion about where certain laws or permissions apply. Which of the following options would be your preferred approach for the council to take? **Leave designations as they are / Designate the whole borough / Only designate some additional streets in the borough**

11. **Shop front licences:**

- Section 9 of the new policy refers to '*Shop front trading licences*'. There are no current Shop front trading licences issued by the council. The council wants businesses to make better use of the space in front of their shops, which might otherwise be unused, by eye-catching displaying their products outside, attracting more customers and increasing foot traffic and impulse buys from passersby. Clear guidelines will help to ensure that businesses maintain orderly and safe public spaces, provide a level playing field for all businesses, ensure clear and accessible pathways for pedestrians, reducing the risk of accidents.
Do you think that it is a good idea for the council to start issuing Shop front trading licences? **YES / NO / NOT SURE**

12. **Private market operators:**

- To maintain public safety and consistency in approach and processes, the council propose to issue private market operators' licences with Private Market Operator Licence Terms & Conditions. Do you agree with this? **YES / NO / NOT SURE**

13. **Prescribed Standard Conditions for Street Trading Licences:**

- The council can make regulations prescribing standard conditions which are attached to a street trading Licence or can be added to a temporary street trading Licence. The standard conditions will apply to any person authorised by a street trading licence or a temporary licence. The Street Trading Regulations 2004 have been reviewed and updated, and new prescribed standard conditions have been produced, which complement the new draft Markets and Street Trading Policy. Do you foresee any challenges in complying with the new conditions? **YES / NO**
- Do you have any comments about the updated standard conditions? **YES / NO**
- If yes, please use the space below to tell us what you think about the updated standard conditions?

14. **Regulation of Commodities for Street Trading Licences 2025:**

- The updated Regulation of Commodities provides a simpler and clearer commodities list for traders, with less restrictions and greater flexibility on what traders can and cannot sell. The

updated list also includes details about prohibited items. Do you have any objections to the updated commodities list? **YES / NO / NOT SURE**

- If yes, what do you think needs to be changed?

15. **General comments and suggestions**

- Do you have any overall thoughts, general comments or suggestions for improving the draft policy? **YES / NO**
- If yes, please use the space below to tell us what you think?

**A summary of the key changes to the Prescribed Standard
Conditions for Street Trading Licences**

Subject area	Changes made
Expanded Structure	The 2023 regulations are significantly more detailed, structured into 32 sections with appendices for specific sites.
Site-Specific Appendices	New appendices outline rules for North End Road, Lyric Square, Wood Lane, Isolated Pitches, and Football Match Day trading.
Transfer of Stalls and Succession	New provisions allow traders to nominate a successor in case of death, retirement, or ill health.
Cancellation Policy	Temporary traders must give 48 hours' notice to cancel a pitch.
Adverse Weather Conditions	Traders must assess risks, and the council may cancel trading with 24 hours' notice.
Social media and Advertising	Traders must notify the council if they use social media for business promotion.
Zero Tolerance Conduct Policy	Stronger language and enforcement around harassment, discrimination, and abusive behaviour.
Fire Safety, Gas, and BBQ Use	Detailed safety requirements for gas appliances, BBQs, and fire prevention.
Waste Management	More comprehensive rules on waste segregation, oil disposal, and animal by-products.
Temporary vs Permanent Licences	Clearer distinctions and renewal timelines (6 months for temporary, 12 months for permanent).
Non-Renewal for Arrears	Licences won't be renewed if traders appear on arrears reports 3+ times in 12 months.
Fee Transparency	Direct link to council website for current fees and charges.
Registered Assistants	Only registered assistants can trade; helpers cannot be left alone or handle payments.
Notification Requirements	Traders must notify the council 7 days before employing new assistants.
No Overpitching	Strict enforcement against trading outside designated pitch limits.
Structure Requirements	All stalls must be stable, flame-retardant, and within pitch boundaries.

Headroom and Accessibility	Reinforced 2.6m clearance rule and emphasis on keeping walkways clear.
Earlier Notification	Absences must be reported by 9:00am (previously 10:00am).
No Refunds for Non-Trading	Traders receive no credit for failing to trade, regardless of weather.
Holiday and Illness Policy	Up to 2 weeks' credit for illness with a doctor's note; long-term absence reviewed case-by-case.
Electricity and PAT Testing	Annual Portable Appliance Testing (PAT) required; preference for battery power over generators.
Gas Safety	Annual gas safety certificates required; strict storage and usage rules for LPG.
Generator Use	Must be approved and not cause noise or fume nuisance.
Annual Risk Assessments	Traders must conduct and submit annual risk assessments.
Waste Segregation	Traders must separate recyclables, avoid single-use plastics, and provide waste carrier documentation for oil/fat disposal.
Stronger Enforcement Tools	Includes fixed penalty notices, seizure of goods, and immediate suspension for serious breaches.
Assistant Accountability	Traders are responsible for breaches committed by their assistants.
No Refunds for Non-Trading	Traders receive no credit for failing to trade, regardless of weather.
Holiday and Illness Policy	Up to 2 weeks' credit for illness with a doctor's note; long-term absence reviewed case-by-case.

REGULATIONS MADE BY THE LONDON BOROUGH OF HAMMERSMITH AND FULHAM PURSUANT TO SECTION 27(3) OF THE LONDON LOCAL AUTHORITIES ACT 1990 (AS AMENDED) PRESCRIBING STANDARD CONDITIONS APPLICABLE TO STREET TRADING LICENCES.

DEFINITIONS

1. In these Regulations unless the context otherwise requires the following expressions shall have the following meanings:
 - (i) "Street Trading" and Street Trading Licence" shall have the meaning ascribed in Section 21(1) of the London Local Authorities Act 1990. The licence will be for a twelve months period **from 1st April each year.**
 - (ii) "The Council" means the London Borough of Hammersmith and Fulham Council.
 - (iii) "Licensed Street Trader" means any person who is licensed for street trading under Part III of the London Local Authorities Act 1990.
 - (iv) "Advertisement" means any work, letter, model, sign, placard, board, notice, whether illuminated or not, in the nature, and employed wholly or partly for the purpose of, advertisement, announcement or direction and includes any hoarding or similar structure or any balloon used, or adapted for use for the display of advertisements and references to the display of advertisement shall be constructed accordingly.
 - (v) "Assistant" means a person employed by and acting under the directions of a trader to assist him/her about the business of the stall and whose name and address has been notified to the Council.
 - (vi) "Awning" means a sheet of canvas or other materials, used as a protection against the weather, which projects as an extension of the roof beyond the structure of the stall.
 - (vii) "Goods" means any goods, wares or merchandise for sale at a stall.
 - (viii) "Licensed Street trading pitch" means a pitch in any street authorised as a place at which street trading may be engaged in by a street trader, and includes any temporary alternative place approved by the Council or a duly authorised officer of the Council.
 - (ix) "Pitch Limits" means the authorised ground markings defining the area within which a street trading stall is to be contained.
 - (x) "Refuse" includes any waste material.
 - (xi) "Stall" means any structure used by a trader for the display of goods, or in connection with his or her business, and which occupies a licensed street trading pitch; and includes all goods offered or to be offered for sale and any additional structure or equipment used as part of the stall or business. On "isolated pitches" this also includes all rubbish created as a result of the business.

- (xii) "Premises" means any shop, house or block of flats immediately behind the licensed pitch.
- (xiii) "Trader" means a person in whose name a current licence is held authorising street trading from a licensed street trading pitch.

GENERAL

- 2. The Grant of a street trading licence shall not be deemed to give any approval or consent which may be needed under any Bye-law, enactment or regulation other than Part III of the London Local Authorities Act 1990 (as amended).
- 3.
 - (a) These conditions may be dispensed with or modified by the Council in any individual case by means of a licence variation in accordance with the statutory requirements.
 - (b) Where in these conditions there is reference to the consent or agreement of the Council such consent or agreement may be given on such terms and conditions and subject to such restrictions as may be so justified.
 - (c) If a trader wishes any of the terms of a licence to be varied or the Council's agreement under these rules application must be made in writing to the Council in accordance with the statutory requirements.

LICENCES

- 4.
 - (a) At the time of application for a street trading licence the applicant agrees to pay such weekly or annual charges as the Council may from time to time agree to recover the reasonable costs incurred under Section 32 of the London Local Authorities Act 1990 (as amended).
 - (b) A street trading licence shall cease to have effect only upon being surrendered to the Council by the street trader to which it was granted and in exchange for a receipt in writing.

PITCH POSITION

- 5. The trader shall trade only from the position, which is indicated on the licence **and within any pitch limits marked on the ground**, which may be varied at the discretion of the Council.

PITCH SIZE

- 6. The trading area (**i.e. the total area occupied by the stall and the stallholder during trading**) shall not exceed the dimensions specified on the licence and any pitch limits marked on the ground during trading hours (**except during re-stocking**). All goods, containers or other articles shall be contained within the licensed pitch area and height, **and any pitch limits marked on the ground**, and shall not project beyond.

STREET MARKETS AND STREET TRADING STANDARD CONDITIONS

- 7. Only those goods specified on the licence may be sold on the licensed street trading pitch.

Any requests to the Authority to change the goods specified on the licence may be made with the annual renewal application or after a period of six months since the last request for a change of goods specified. A fee, not exceeding one

week's rental charge, will be made for all requests not received with the annual renewal application.

DAYS AND TIMES OF TRADING

8.
 - (a) Trading may take place on the days and during the times specified on the licence.
 - (b) Traders must commence trading by 10:00am, their stalls **and all goods** first being positioned within the pitch area. **If for any reason a licence holder is unable to trade on a day that they would normally trade they must notify the Council of this immediately and by 10.00 am at the latest. Notification must be by appropriate means e.g. by telephone or fax. The council may re-let any pitch that has not been occupied by 10.00 am to a temporary licence holder.**
 - (c) **Unless fixed and provided by the council,** stalls and goods shall be **removed from all trading pitches** to the place of storage, as stated on the application form, or such an alternative place subsequently agreed by the Council in writing, within one hour of the time prescribed on the licence for the end of trading on that day.
9. The licensee must;
 - (i) Trade in person **on the stall for which they are licensed.**
 - (ii) **Only employ assistants whose details have been furnished with the Council.**
 - (iii) **Advise the council if for any reason they may be absent from the stall on any day that they would normally trade e.g. due to illness. The council may then permit any named assistant to run the stall during this period. A doctor's certificate must be presented to the council if sickness prevents a licence holder from trading for more than one week.**
 - (iv) Not sublet the pitch in any form whatsoever.

NATURE AND TYPE OF STALL (*OR TRADING VEHICLE/TRAILER)

10. Only those **stalls*** approved by the Council shall be used by trader.

CONDUCT

11.
 - (a) Traders and any assistants employed by them shall ensure the public are treated fairly and with courtesy.
 - (b) Traders shall not harass or discriminate against any person including other traders and members of the public.
 - (c) Traders shall ensure that their staff are competent, courteous and helpful.
 - (d) Traders shall give every assistance to Council Officers in carrying out their duties.

DISPLAY OF LICENCE PLATES ETC

12. Traders shall at all times display a plate supplied by the Council indicating the licensed pitch number of the stall. This plate shall be kept prominently and permanently exhibited on the stall together with the trader's name or **business name.**

13. No advertisements shall be displayed on the licensed pitch that relates to any goods, commodities or services other than offered for sale or provided on that pitch.

REFUSE

14. The trader shall ensure that all refuse arising as a result of the activities of the trader shall be placed in suitable **containers** provided by the trader, unless otherwise provided by the Council, and shall be kept exclusively for that purpose. Such refuse containers shall be kept as clean as is reasonably possible **and must not give rise to nuisance. Refuse must not be allowed to accumulate within the pitch area.**
15. Refuse containers shall be emptied whenever necessary into any vehicle, container or compactor provided by the Council for that purpose.

HEALTH AND SAFETY

16. **All licence holders must ensure that they comply with the requirements of the Health and Safety at Work etc Act 1974 and regulations made thereunder. Similarly, they are reminded of their civil law duty of care to the public. This extends to the provision of safe equipment and articles used in connection with their trading activities.**
17. Heat producing equipment shall be so placed within the trading area as to offer maximum safety to public. The position of such equipment in relation to other goods or materials shall be agreed with the Council's officers.

SERVICES AND AMENITIES

18. The only connection between stalls on the footway and other stalls or premises shall be for the purposes of electric lighting or other agreed services; and any such electrical or other connections shall be readily detachable and the detailed arrangements agreed with the Council.
19. **The licence holder must ensure that they have the appropriate consent from the council in respect of any proposed power supply before they seek installation from 24Seven.**
20. **All electrical equipment, including connectors and adaptors, that are used by the stall holder must comply with the Electricity at Work Regulations 1989 and the current edition of the Institute of Electrical Engineers (I.E.E.) Wiring Regulations. Electrical power shall only be used for the purposes of lighting and the operation of electrical scales and tills and the testing of electrical goods. Any conductors** that are suspended over the public footway shall have a minimum clearance of 2.6m (8'6") from the surface of the carriageway.
21. **Licence holders shall not use electrical generators unless the council has given approval. They shall also only be** positioned so that:
- (a) They do not present a danger to the passing public;
 - (b) They do not present a fire or similar hazard risk to stall or goods displayed thereon;
 - (c) They do not cause any noise or fume nuisance.

- (d) Any inflammable fuel is stored away from the stall in a London Fire and Emergency Planning Authority approved container.

HEADROOM

22. The distance above ground level of any part of any roof, awning or supports of the stall or goods suspended from any of these, shall (unless a dispensation has been granted by the Council) be at least 2.6m (8'6"). The roof awning or any other projection shall be contained within the pitch area unless agreed by the Council.

REMOVAL OF STALLS

23. **Unless fixed and provided by the council**, stalls shall be easily and immediately removable.
24. Traders and their assistants shall remove the stall and goods for so long as may be necessary in the event of an emergency or in exercise of the Council's powers and duties, if required to do so by a police officer or a duly authorised officer of the Council.

TRADERS VEHICLES

25. **Traders must abide by any parking restrictions imposed in the area in which they trade. As such, traders' vehicles may only be parked in approved parking spaces such as metered bays**, except for the purpose of loading and unloading goods. Such loading and unloading shall be carried out as quickly as possible and the vehicle removed immediately on completion. (This condition shall not apply when waiting restrictions are not in force).

DAMAGE AND INSURANCE

26. Traders must not intentionally permit stalls or accessories to cause damage to the carriageway or footway.
27. Traders shall take out third party insurance cover with a minimum liability of at least **£10 million**.

STORAGE

28. Traders shall notify the Council in writing of the address(s) or any change of address(es) at which the stall and perishable goods are stored. Such notice shall be given within 7 days of the change.

ASSISTANTS

29. Traders shall notify the Council in writing of the name of any assistant **in advance of when they employ them on the stall**; details of any change of assistant or any other relevant information regarding assistants **must also be provided within 7 days of that change**.

RADIOS, ETC

30. Traders shall not use or permit to be used on the licensed area or within the immediate vicinity any radio, cassette or other equipment or apparatus to produce music or other sound except within a closed vehicle and at a reasonable volume.

PENALTIES

31. Any person found guilty of an offence against any of the foregoing **standard conditions** shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.