

# 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.

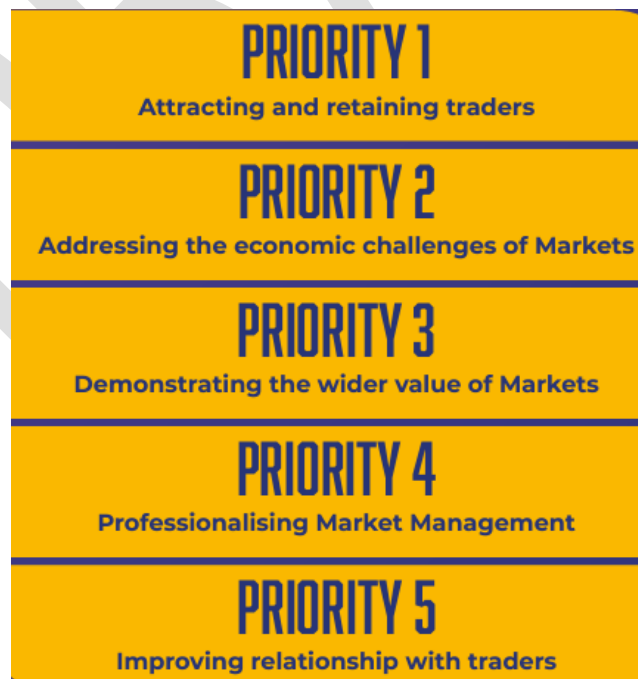
**Join Us!** If you are passionate about trading or interested in becoming a market trader, you can find more information online at: <https://www.lbhf.gov.uk/business/markets>



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](mailto: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](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](mailto:Street.Trading@lbhf.gov.uk) or by post to: Markets and Street Trading Team, 1<sup>st</sup> 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