



**BARNLSLEY**

**Metropolitan Borough Council**

# **Street Trading Policy**

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## **1 Introduction**

- 1.1 The aim of this Street Trading Policy (“the Policy”) is to provide a consistent and transparent approach to the method of providing Street Trading Consents, creating a street trading environment which complements premise-based trading, is sensitive to the needs of residents, provides diversity and consumer choice.
- 1.2 This Policy relates to all street trading activities within Barnsley town centre and the wider borough of Barnsley.
- 1.3 Whilst each application will be dealt with on its own merits, this Policy gives prospective applicants an early indication as to whether their application is likely to be granted or not. It also provides prospective applicants with details of what is expected of them should an application be granted.
- 1.4 The Policy recognises the importance of street trading in Barnsley town centre and the wider borough of Barnsley and that it can add to the vibrancy and vitality of the area whilst not adding to nuisance, crime, and disorder, or cause other problems.
- 1.5 This Policy will be subject to monitoring and review after five years or more frequently should legislative changes deem this necessary. However, the Policy will be regularly evaluated and may be changed at any time to reflect minor, administrative or legislative changes or to amend any inconsistencies between the legislation and policy without a full consultation process being conducted. Any such changes will be agreed by Full Council.

### **1.6 What is Street Trading?**

Street Trading means the selling, exposing, or offering for sale of any article in a street. The term ‘street’ includes any road, footway, or other area to which the public have access without payment (this can include private land). Barnsley Metropolitan Borough Council has adopted Schedule 4 of the Local Government (Miscellaneous Provision) Act 1982 which means that consent is required before trading in certain places.

This Policy does not include activities such as placing goods for sale on the street from a shop, street cafes operating from fixed premises or the siting of “A” Boards on the street as this is not within the remit of the Act.

### **1.7 Policy Objectives**

The overall objectives of this Policy are to:

- Ensure that any permitted street trading is properly regulated as to where, when, and how it takes place.

- Prevent obstruction of the Borough's highways.
- Ensure the safety of the public and of the traders permitted to trade.
- Ensure any activities do not cause nuisance or annoyance to the public and those traders surrounding the permitted street trader.
- Protect public health through the control of street trading.
- Ensure that appropriate safeguarding measures are in place for children and vulnerable persons.
- Ensure that traders operate within the law and act fairly in their dealings with the public.

## 2 Exemptions from the need to obtain a Street Trading Consent

2.1 Some types of trade are legally exempt from the need to obtain a street trading consent. These include:

- Trading as a pedlar under the authority of a 'Pedlars Certificate'
- Trading conducted by a roundsman.
- Trading in a charter market or a statutory market
- Trading as a news vendor
- Undertaking a permitted street collection
- Trading at a petrol station
- Trading in a trunk road picnic area under the Highway Act 1980

2.2 As a matter of policy, a Street Trading Consent will also not be required for the following activities:

- Sales of articles by householders on land within the curtilage of their property, for example garage sales.
- Goods from working farms or smallholdings sold at the premises where they were produced.
- Trading as part of an established travelling fair where permission for the event has already been granted by Barnsley Metropolitan Borough Council.

## 3 Street Designation

3.1 The Act states a Local Authority can designate its streets in three ways, these are:

**'Consent Street'** – which is a street in which street trading is prohibited without the consent of the local authority.

**'License Street'** – which is a street in which street trading is prohibited without a licence granted by the local authority.

**'Prohibited Street'** – which is a street in which street trading is prohibited.

- 3.2 Barnsley Metropolitan Borough Council has adopted Schedule 4 of the Act for the whole of its areas and on 25 July 2024 made a Resolution to determine that all streets within the Barnsley borough are designated as 'Consent Streets' with effect from 15 September 2024. The effect of this designation is that street trading in any street within this area is not permitted without first obtaining a Street Trading Consent from Barnsley Metropolitan Borough Council.
- 3.3 It is a criminal offence to engage in street trading in a Consent Street without authorisation.

#### **4 Food Traders**

In addition to having a Street Trading Consent, any traders selling food must be registered with the appropriate Food Authority as a food business.

Most, but not all food businesses get a food hygiene rating, any traders selling food are required to be registered with the Food Authority in which their business is based.

Most but not all, food businesses get a food hygiene rating, ratings range from 0 to 5, with 5 being the best. Ratings are allocated by inspectors following their inspection of your business, a sticker will be given stating your food hygiene rating, and this must be displayed where customers can see it.

As a food trader we would expect you to achieve and maintain a minimum Food Hygiene Rating of a '3'.

##### **4.1 Mobile Traders**

- 4.2 When an applicant for a Street Trading Consent seeks to trade from various locations for a brief period of time, e.g., fish and chip van or ice cream van, Consent may be granted for multiple locations.
- 4.3 Mobile operators must move from position to position remaining stationary for no more than 5 minutes on a residential street to initially attract customers and thereafter only long enough to serve customers present. The vehicle must move on as soon as the last customer has been served and no other customer is clearly awaiting service.
- 4.4 Mobile operators must ensure that any stopping position does not infringe any parking or traffic requirements or cause obstruction of the highway and does not present any dangers to highway users.
- 4.5 Must not stop within 400 metres of any school grounds from an hour before the start of the school day until an hour after the end of the school day.

#### 4.6 Chimes and other audible signals should not be sounded:

- For longer than 12 seconds at a time
- More than once every 2 minutes
- More than once when the vehicle is stationary at a selling point.
- Except on approach to or at a selling point
- When in sight of another vehicle which is trading
- When within 50m of schools (during school hours), hospitals and places of worship (on Sundays and other recognised days of worship)
- More often than once every 2 hours in the same length of street
- Louder than L<sub>max</sub> 80dB at 7.5m
- As loudly in areas of low background noise or narrow streets as elsewhere
- Outside of the hours of 12:00 noon and 7pm

4.7 It is an offence to sound chimes at any time in a way which gives reasonable cause for annoyance.

#### 4.8 Sale of Alcohol

To sell alcohol, as well as having to hold a Street Trading Consent, licence authorisation under the Licensing Act 2003 would also be required. Where authorisation is granted under the Licensing Act 2003 conditions may be attached to the Street Trading Consent. These conditions may include but are not restricted to the following:

- The trader adopting a challenge 25 policy.
- Restrictions on the sale of alcohol in open containers
- Times at which alcohol may be sold, and the locations not to be near schools, voluntary or third sector services.

Any street trader wishing to sell alcohol should contact the licensing team for further information.

#### 4.9 Commercial Selling of Vehicles on the Highway

The commercial selling of a vehicle on the highway falls within the scope of street trading and therefore a Street Trading Consent is required from Barnsley Metropolitan Borough Council. Additional restrictions are set out in Section 3 of the Clean Neighbourhoods and Environment Act 2005. This states that a person is guilty of an offence if at any time, acting in the course of a business selling motor vehicles,

leaving two or more motor vehicles parked within 500 metres of each other on a road(s) where they are exposed or advertised for sale.

## **5 Town Centre Street Trading Consents**

- 5.1 Barnsley Metropolitan Borough Council will issue town centre Street Trading Consents that cover areas of land that are suitable for street trading use.
- 5.2 Town centre Street Trading Consents can be considered up to a maximum period of 12 months.
- 5.3 Fees for town centre Street Trading Consents are based on pitches up to 12 square metres, additional space required is an additional charge.
- 5.4 The Consent holder will be responsible for ensuring compliance with the conditions attached to the town centre Street Trading Consent at all times whilst the Consent is being used to facilitate street trading.
- 5.5 Street Trading Consents do not provide exclusive control over trading in the designated area.
- 5.6 You may trade only during the times shown on the town centre Street Trading Consent. Extended trading hours will only be granted if linked to an event in town centre.
- 5.7 There may be times when the permitted area will be unavailable due to utility, maintenance or construction works. This is a normal function of the Highways Authority and utility companies and will not, therefore be subject to compensation.
- 5.8 For special events which may take place within a 12-month period (April to March), notice may be given to cease trading. We may request vacation of your town centre Street Trading Consent area of up to 3 separate occasions within a 12-month period, if possible, we will offer an alternative area for relocation. No compensation will be offered for relocation or cease of trading.
- 5.9 No signage, A Boards or other such objects shall be placed on the highway or the area surrounding the vehicle or stall.
- 6.0 External tables and chairs may only be used upon written approval from Barnsley Metropolitan Borough Council after first obtaining the appropriate highways permission from the Highways Authority.

## **6 Application Process**

- 6.1 Any application for a Street Trading Consent must meet the following criteria:
  - The applicant must be over 17 years of age.
  - The applicant must obtain and produce a valid basic DBS Certificate.

- The name of the business must not be the same as, or similar to, that of an existing static retail business or another street trader
- The application must be accompanied with the relevant fee.

6.2 The application must be submitted with the following documents and information:

- A completed and signed Street Trading Consent Application Form
- The appropriate application fee and/or non-refundable fee of £100 for those seeking to street trade 3, 6 or 12 months, this fee is payable for an initial enquiry into the suitability of a proposed location. If the site is not approved the £100 fee will be retained to cover administrative costs. If the application is approved the applicant must submit the balance of the relevant fee before Barnsley Metropolitan Borough Council will issue the Street Trading Consent.
- Applicants must have obtained a valid basic DBS (see section 9 for more information on DBS's)
- Proof of identity documentation, passport, driving licence, current utility bill/bank statement.
- Proof that the applicant(s) is entitled to work in the UK.
- Two recent and identical passport sized coloured photographs of the applicant, required for 3, 6, and 12-month applicants only.
- Declare you have registered as a food business (where appropriate).
- If trading in food, details of any food hygiene qualifications and confirmation that your business has a food hygiene score rating of 3 or above.
- Coloured photographs of the vehicle or stall from which trading is proposed to take place, the images must show front, back and side of the vehicle/stall.
- Dimensions of the vehicle or stall and any identifying marks, e.g., vehicle registration etc.
- Gas and electrical safety certificate for any trailer or vehicle.
- Vehicle test certificate
- In respect of an application for a Consent to trade from a fixed site, a location plan of where the vehicle or stall will be positioned in an appropriate scale to identify the exact location of the vehicle or stall and surrounding areas and



streets. The plan must clearly identify the proposed street trading site and the ground dimensions it will cover.

- A valid insurance policy for public liability of at least £5 million, which must cover street trading.
- Where the Consent area is on private land written approval is required from the landowner
- Any permissions or consents already granted with regard to the proposed operation, for example, planning consents, late night refreshment premises licence, cafe licence or waste disposal agreement.
- Any additional information Barnsley Metropolitan Borough Council may require.

6.3 Once all the above documents and relevant application fees have been submitted Barnsley Metropolitan Borough Council will conduct all necessary checks and consultations before deciding on whether to grant a Street Trading Consent.

6.4 There is no right of appeal against Barnsley Metropolitan Borough Council's decision to refuse to grant, amend, vary, or revoke a Street Trading Consent.

## **6.5 Renewals**

6.6 Street Trading Consents that have not been renewed by their expiry date will automatically cease to exist and trading must cease until such time as a new Street Trading Consent has been granted.

6.7 All renewal applications must be submitted a minimum of 4 weeks prior to the expiry of the current Street Trading Consent to allow for processing of the application. The full renewal fee will need to be submitted with the completed application form. Generally, no further consultation will be necessary when dealing with a renewal application, however Barnsley Metropolitan Borough reserves the right to consult where there are or have been concerns raised in the previous Street Trading Consent period.

6.8 Applications for renewal of a Street Trading Consent will be granted once proved that no substantiated complaints have been received regarding:

- The manner in which the Consent Holder has conducted their business.
- The Consent Holder or any authorised assistant's conduct
- Where no relevant objections have been received
- In addition, a new criminal record disclosure will only be required every 3 years.

- 6.9 The responsibility for ensuring renewal of Street Trading Consents rests solely with the Consent Holder, Barnsley Metropolitan Borough Council will not send out reminders. If a renewal application and fee are not submitted, then the Street Trading Consent will lapse. A renewal application will not be accepted after the expiry of any existing Street Trading Consent. The effect of this will be that a trader will not be permitted to trade until a new application and fee has been submitted and the Street Trading Consent is granted.

The majority of documents requested in the initial application process will need to be produced at every renewal; however, the DBS only needs to be renewed every 3 years. New photographs will not be required unless the appearance of the Consent Holder or any authorised assistants have changed.

## **7 Transfer/Amendments**

Street Trading Consents are non-transferable, the Consent Holder may employ any person to assist in the conduct of the business but may not let, assign, or part with his/her interest or possession under this Street Trading Consent or any part thereof but he may surrender it at any time. The rights granted by the Street Trading Consent cannot be sublet, transferred, or shared with any other person or party and is personal to the Consent Holder.

No amendments (e.g., date changes, location, type of stall or van) may be made without the prior written Consent of Barnsley Metropolitan Borough Council.

Any Street Trading Consent which is valid but is no longer required should be surrendered to Barnsley Metropolitan Borough Council in writing.

## **8 Fees**

- 8.1 The fees and charges will be set and reviewed annually; such fees will be set as Barnsley Metropolitan Borough Council consider are reasonable for Street Trading Consents. Barnsley Metropolitan Borough Council will also consider imposing additional charges as appropriate for the recovery of reasonable costs associated with the collection of left refuse and the cleansing of streets. Details of the current fees can be found on APPENDIX B.
- 8.2 Fees for the town centre and the wider borough static locations are based on pitches up to twelve square metres, additional space will occur an additional charge.
- 8.3 Should the Consent Holder wish to vary the Street Trading Consent at any time during the duration of the Street Trading Consent, an administration fee will be charged.
- 8.4 Where a Street Trading Consent is surrendered during the life of the Consent, no refund will be made by Barnsley Metropolitan Borough Council.

8.5 A set of standard conditions will be attached to each Street Trading Consent. Failure to comply with one or more of the conditions may lead to revocation or non-renewal of a Street Trading Consent.

## **9 DBS Checks**

9.1 Guidance regarding basic checks, including how to apply and the information disclosed on a basic certificate visit:

<https://www.gov.uk/government/publications/basic-checks>

9.2 If any convictions are recorded on the certificate, the application will be referred for further internal evaluation to determine a decision.

9.3 Contact details for the DBS disclosure Service:

- DBS Helpline: 0300 0200 190
- customerservices@dbs.gov.uk

## **10 General Data Protection Regulations**

10.1 Barnsley Metropolitan Borough Council is committed to compliance with all applicable Data Protection Law. This includes the [Data Protection Act 2018](#), the Data Protection Act 2018 is the UK's implementation of the General Data Protection Regulation (GDPR).

10.2 Further information about our use of personal information can be found on Barnsley Metropolitan Borough Council's website. [www.barnsley.gov.uk](http://www.barnsley.gov.uk)

## **STREET TRADING CONSENT STANDARD CONDITIONS**

### **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 SCHEDULE 4**

- Conditions**
1. The Street Trading Consent will stipulate the Consent Area, the type of vehicle or stall, and description of goods and any other relevant information. The Consent Holder must comply with all conditions outlined in this Policy.
  2. Failure to comply with any condition attached to the Street Trading Consent may result in the revocation of such Consent.
- Display of Consent**
3. The applicant will be issued with a Street Trading Consent and a Certificate along with the conditions. The Consent Holder shall at all times have a copy of the Street Trading Consent available for inspection on request to any Police Officer or Officer of the Council. The Certificate must be clearly displayed on the vehicle or stall and must be visible to the public and customers.
- Approval**
4. Where the Consent Area is on private land where the public have access without payment, there is a requirement to have a Street Trading Consent. The applicant for the Consent must first obtain prior written approval from the landowner and this must accompany the application.
  5. Where the Consent Area is on Council land, unless approval is obtained from the Council, no street trading activities will be allowed.
- General**
6. The grant of a Street Trading Consent shall not be deemed to give any approval or consent which may be needed under any Byelaw, enactment, or regulation other than schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
  7. The Consent Holder shall meet all statutory duties and obligations placed upon them relevant to the nature of the street trading e.g., Planning Consent, Health, and Safety at Work etc. Act 1974, Environmental Protection Act 1990, Food Safety Act 1990, Food Safety and Hygiene Regulations 2013, Regulations (EC) No. 852/2004, Regulatory Reform (Fire Safety) Order 2005, Licensing Act 2003. This list is not exhaustive, and it is the responsibility of the Consent Holder to ensure full compliance of all relevant legislation in particular any relevant Highway legislation.
  8. The Consent Holder is not and shall not hold themselves out as being the servant or agent of the Council whether orally or in writing.

9. The Consent Holder shall not hold himself out as having the power to make, vary, discharge, or waive any byelaw or regulation of any kind.

## **Age**

10. Consent Holders and authorised assistants must be 17 years of age and over.

## **Liability**

11. The Consent Holder must have a valid insurance policy for public liability providing cover to a minimum amount of £5,000,000, a certificate of which must be produced upon application.

12. There may be times when the permitted area will be unavailable due to utility, maintenance or construction works. This is a normal function of the Highways Authority and utility companies and will not, therefore be subject to compensation.

13. Nothing contained in these conditions shall relieve or excuse the Consent Holder or his/her employees or agents from any legal duty or liability and the Consent Holder shall indemnify the Council in respect of all claims, actions, demands, or costs arising from the Street Trading Consent.

14. No damage shall be caused to the public highway as a result of the street trading activity taking place and the Consent Holder shall reimburse the Council any costs in repairing any damage caused.

## **Goods**

15. The Consent Holder shall not sell any type of food, goods, or merchandise other than that specified in the Street Trading Consent.

16. The Consent Holder must confine the selling of goods and merchandise within the approved consent area and will not be permitted to erect additional tables, awnings, or any other structure.

17. There shall be no sale of goods that are likely to conflict with those provided by nearby shops and premises.

18. No live animals (e.g., mammal, reptile, fish, or bird) shall be permitted to be sold from any stall or vehicle.

19. The Consent Holder shall not knowingly allow the sale of any counterfeit/fake material and shall comply with any relevant Trading Standards legislation.

20. The Consent Holder shall not knowingly allow the sale of any goods prohibited for sale by Barnsley Metropolitan Borough Council. We have a range of items that are excluded, the full list can be found at: <https://www.barnsley.gov.uk/services/markets/trade-at-our-markets/outdoor-market-trading/>

## **Hot Food/Alcohol**

21. No trading of hot food or drinks shall be permitted before 5am or after 11pm or sales of alcohol unless a Premises Licence has been issued or

a Temporary Events Notice served on the Council and objected to, in accordance with the Licensing Act 2003.

- Auction** 22. The Consent Holder shall not hold any auction or like sale.
- Trading Days** 23. Trading may only take place on the days and during the times specified on the Street Trading Consent.
- Position** 24. The Consent Holder shall trade only from the consent area indicated on the Street Trading Consent.
- Change of Details** 25. Consent Holders shall notify the Council of any changes to their details such as, name, address, telephone number or email address as soon as it occurs, A fee is applicable for Consent amendments.
- Employees** 26. A Consent Holder may employ any other person(s) to assist them in trading without a further Consent being required.
- Conduct** 27. Consent Holders and any authorised assistant(s) shall ensure that the public and authorised officers are always treated with courtesy. Consent Holders shall ensure that their authorised assistant(s) are competent, courteous, and helpful.
- Risk Assessment** 28. The Consent Holder shall conduct a risk assessment to ensure that highway safety is not compromised and shall not prevent the Highways Authority from undertaking its duties. Barnsley Metropolitan Borough Council will revoke a Street Trading Consent following any reasonable request from the Highways Authority.
- Nuisance/Danger** 29. The Consent Holder shall conduct their business in such a manner to ensure they do not:
- Cause a nuisance to the occupiers of adjoining properties.
  - Cause an obstruction to the vehicles or pedestrians on the highway.
  - Cause a danger to occupiers of adjoining properties or to other users of the highway.
  - Cause annoyance or inconvenience to the users of the highway
- Vehicles and Stalls** 30. A Consent Holder may trade in a Consent Street from a vehicle or stall. The Consent Holder shall only trade from a vehicle or stall described in the Street Trading Consent.
31. Any vehicle or stall used must be positioned entirely within the approved Consent Area.
32. Any vehicle or stall used by a Consent Holder in the course of street trading shall be constructed and maintained in accordance with any relevant legislation and to the satisfaction of all reasonable requirements of Barnsley Metropolitan Borough Council as to its construction, safety, appearance, and any display of advertisements. A

high standard of presentation and appearance will be expected. In addition, the Consent Holder shall maintain the stall or vehicle in a clean state at all times and its structure shall be kept in good order, repair, and condition.

33. The vehicle or stall shall not be left unattended at any time and shall always be supervised by a person over the age of 17 years.

**Removal of Vehicles and Stalls**

34. Vehicle/stalls shall be easily and immediately removable.

35. Outside of the permitted daily trading period the Consent Holder shall remove the approved vehicle/stall from the Consent Area together with any and all objects or things of any nature whatsoever placed by the Consent Holder in the Consent Area (whether directly and ancillary to street trading or otherwise) which for the avoidance of doubt shall include (but shall not be limited to) planters, ornamental devices of any description, furniture, portable or other fencing, waste bins, heating and lighting apparatus, unless Barnsley Metropolitan Borough Council has agreed otherwise previously in writing.

36. The Consent Holder or authorised assistant(s) shall remove the vehicle/stall and goods within a reasonable time after the expiry of the time for trading specified in the Street Trading Consent.

37. The Consent Holder or authorised assistant(s) shall remove the vehicle/stall and goods for so long as may be necessary in the event of an emergency or in exercise of the Council's Highways power and duties, if reasonable required to do so by an authorised officer.

**Road Closures**

38. No Consent Holder shall trade at their authorised Consent Area on dates when road closure directives are in place for special events other than with the permission of the organisation applying for the closure order.

**Highway Surface**

39. The Consent Holder or authorised assistant(s) shall not make any excavations or indentations of any description whatsoever in the surface of the highway or place or fix any equipment of any description on or in the said surface.

**Highways**

40. The Consent Holder and the vehicle/stall must comply with all relevant road traffic and highways legislation. Possession of a Street Trading Consent does not override parking restrictions or other traffic regulations.

**Loading/unloading**

41. A Consent Holder shall not leave their vehicle or stall in the street in which they trade, apart from in an approved parking space, except for the purpose of loading and unloading goods. Such loading and unloading shall be conducted as quickly as possible and the vehicle

removed immediately on completion. This condition shall not apply when waiting restrictions are in force.

**Refuse and waste**

42. All businesses have a legal responsibility under the Environmental Protection Act 1990 and other related legislation to safely contain and legally dispose of any waste produced from your business. You may be prosecuted should you not comply with these requirements.

The Consent Holder and authorised assistant(s) must provide adequate refuse storage adjacent to the sale area. The storage must be a substantial construction, waterproof and animal proof. The trade waste must be removed at the end of each working day or if the amount of refuse warrants it, when the container is full, whichever is the sooner. Public litterbins are not to be used.

43. The Consent Holder and authorised assistant(s) will be responsible for keeping the area surrounding the vehicle/stall in a clean and tidy condition.
44. The Consent Holder shall make such provisions as are necessary to prevent the deposit on any street of solid or liquid refuse and no discharge shall be made into any surface water drains.
45. The Consent Holder or authorised assistant(s) shall comply with any directions given by the Council from time to time regarding the handling, storage, and removal of refuse.

**Advertising/Signage**

46. No advertisements shall be displayed on the consent area that relates to any goods, commodities or services other than those approved in the Street Trading Consent.
47. No advertising is permitted other than on the stall or vehicle. The fixing of signs or marking of the highway or street furniture is specifically prohibited by the Highways Authority.
48. No poster, advertisement, signage or decoration of an unsuitable material or nature shall be displayed, sold, or distributed on or about the vehicle or premises. For example, any material in breach of the Obscene Publications Act 1959, any material that is considered indecent, scandalous, offensive, or likely to be harmful to any person likely to purchase it. Material may also be considered unsuitable if it is of such a nature as to distract motorists on the highway.
49. No signage, A Boards or other such objects shall be placed on the highway or area surrounding the vehicle/stall. External tables and chairs may only be used upon written approval from Barnsley Metropolitan Borough Council after first obtaining the appropriate highways permission from the Highways Authority.



## Lighting

50. Any lighting provided at the Consent Area by the Consent Holder must be approved by Barnsley Metropolitan Borough Council. If the Consent Area is located on, or adjacent to the public highway, the lighting must also be approved by the Highways Authority. Strobe lights will not be used in any circumstances.

## Laybys

51. Following receipt of an application, advice will be sought from the Highways Authority with regard to the size of the layby and to ensure that there is safe access and egress. Applicants shall ensure that any location supports the aims and objective of this Policy and should take the following into account when deciding on a location.

- Traffic flow – applicants should ensure there are enough potential customers to sustain a business.
- Size of layby – applicants should ensure there is sufficient room for numerous cars/lorries, etc.
- Proximity to competition – applicants must consider current trading of similar goods in the area. Street Trading Consent will normally be refused where there is similar trading of goods in the area.
- Toilet facilities – applicants must consider such facilities are provided if selling hot food and drinks.
- Access to and egress from layby – applicants must ensure that there is safe access into and egress from the layby.
- Crossing a carriageway – applicants must ensure that customers are not obliged to cross a carriageway to access the layby.

52. The Consent Holder, where relevant, shall ensure that the whole of the layby and adjacent verge/footpath (but not the carriageway) to a distance of 10 metres be kept free of litter and refuse at all times, whilst resident.

## Enforcement

53. Where activities are conducted without a Street Trading Consent or where conditions are breached, Barnsley Metropolitan Borough Council will look to gather evidence and take enforcement action as appropriate.

Any enforcement action will be:

- **Proportionate** in applying law and seeking compliance.
- **Consistent** in approach.
- **Targeted** towards Consent Holders not complying with their Street Trading Consent and conditions or unlawful activity.
- **Transparent** in helping consent Holders to understand what is expected of them.

# APPENDIX A

## Town Centre Boundary



### Red boundary perimeter

Please note the red boundary perimeter as shown above covers the core retail of Barnsley town centre, fees for trading within this boundary are different from the rest of the borough.

Please see Appendix 'B' for the complete list of the fees and charges.

For further details on areas within the red boundary perimeter, please contact us at: [TownCentre@barnsley.gov.uk](mailto:TownCentre@barnsley.gov.uk)

## APPENDIX B

### 2024/25 FEES AND CHARGES

(Any other requests will be calculated on the daily consent charge)

Town Centre Trading Consents (Fees based on static pitches up to 12 square metres)	Application Charge	Fee	Renewal Fees
<b>Red Boundary Perimeter</b>			
New Applications 12 Month (52 Weeks)	£100	£14,560	£13,104
New Applications 06 Month (26 Weeks)	£100	£7,280	£6,552
New Applications 03 Month (13 Weeks)	£100	£3,640	£3,276
Occasional Trading - Food	N/A	£70	N/A
Occasional Trading- Non food	N/A	£50	N/A
Additional space per square metre	N/A	£8	N/A
Boroughwide Consents (Fees based on static pitches up to 12 square metres)	Application Charge	Fee	Renewal Fees
<b>Excluding the Red Boundary Perimeter</b>			
New Applications 12 Month (52 Weeks)	£100	£10,920	£9,828
New Applications 06 Month (26 Weeks)	£100	£5,460	£4,914
New Applications 03 Month (13 Weeks)	£100	£2,730	£2,457
Mobile Trading 12 Month (52 Weeks)	N/A	£250	N/A
Occasional Trading - Food	N/A	£50	N/A
Occasional Trading – Non food	N/A	£30	N/A
Additional space per square metre	N/A	£8	N/A
Miscellaneous	Fees and Charges		
Consent Replacements	£15.00		
Certificate Replacements	£10.00		
Administration Charge	£35.00		