

APPENDIX 1

Criteria for Determining Street Trading Consent Applications in the City of Gloucester

- Each application will be judged on its own merits
- The number of traders in any one street will be limited so as not to cause undue concentration.
- The siting and operation of any trader shall be such that it does not cause any problems of highway safety, obstruction to users of the highway, obstruction to important sight lines for CCTV cameras, unreasonable obstruction of the visibility of neighbouring businesses, or conflict with the requirements of emergency vehicles.
- Locations for uses with particular needs (such as water or electricity supply) will only be considered where these supplies can be safely and conveniently provided.
- The use shall be compatible with the character of the area in which it is proposed to be situated.
- The proposed use shall be compatible with any other nearby traders and businesses. It shall not be in direct competition, in terms of goods primarily sold, with nearby shops, restaurants or hot food take-aways (Note: nearby businesses and trader may be consulted on application)
- The trader shall provide a service, which is of benefit to the public and which enhances the area, by bringing in new products or adding to the vitality of the area/shopping centre.
- The appearance and use of the Street Trading Unit including associated equipment or structures shall be of a good quality and complementary to the ambience and vitality of the locality. The precise appearance of the facility will need to be identified before consent is granted. (For the sake of clarity, it is acknowledged that 'good quality' is a subjective judgement, but it will include reference to quality and condition of the stall, product and staff, both in their attire and demeanour, and will be applied at both the inception of the consent and continue during operation.)
- Uses involving the sale of food and noise emission shall meet the requirements of Environmental Health and these will need to be identified before consent is given.
- Uses that are likely to cause problems of noise, smell, litter or late night disturbance especially in residential areas will not be given consent.
- Consent/renewals will not be considered for any trader in arrears with fees until such arrears are paid in full.
- Prior to the issue of any consent the trading unit and associated equipment may, be inspected by an officer authorised by the Council to ensure that the unit adheres to all relevant and legal conditions.

Compliance of Street Trading activity with Legislation

The Street Trading activity shall, at all times and in all respects, comply with legal requirements relating to that type of activity, including but not restricted to the following:

- *Food Safety Act 1990*
- *Health & Safety at Work Act 1974 and any regulations made under this act.*
- *Environmental Protection Act 1990*
- *Trading Standards Legislation*
- *Regulation (EC) No. 853/2004 on the Hygiene of Food Stuffs.*
- *The General Food Law Regulation (EC) 178/2002*
- *The General Food Regulations 2004 (as amended)*
- *The Licensing Act 2003*
- *The Health Act 2006 (Smoke Free premises provisions)*
- *The Food Hygiene (England) regulations 2006*