
Street Trading Policy



Council of the
ISLES OF SCILLY

2025/26 edition

Responsible officer

Senior Officer: Licensing

VERSION HISTORY			
Date	Version	Author/Editor	Comments
2017	1	Pritchard	
15/06/21	1.1	L. Banfield M. Coates	Amendments
05/08/21	1.2	L. Banfield	Amendments
13/12/21	1.3	M. Coates	Final Amendments
07/02/22	2	M. Coates	Policy 2022
18/12/22	2.1	M. Coates	Legal Updates
March 2023	2.2	Andy Thomas	Administrative changes only.
March 2025	2.3	Andy Thomas	New fees. New guidance doc. Includes application form. New exception for xmas market.

DOCUMENT RETENTION	
Document retention period	Until superseded

Overview

The Council of the Isles of Scilly is a small unitary authority delivering a broad range of services to a unique island community, located 45km south-west from mainland Britain. The main industry over the summer months is tourism; the population on the Islands grows considerably with an influx of tourists and seasonal workers.

Scope and Purpose

The Council controls and maintains 14.5km of highway on St. Mary's, including the A3110. All local authorities have a legal discretion to regulate street trading in their area. Street trading is governed by the Local Government (Miscellaneous Provisions) Act 1982 Schedule 4 (as amended).

The purpose of this street trading policy is to provide a framework for consistent decision-making and to provide guidance to applicants.

Street trading supports economic growth and future diversity, aligning with one of the councils' key strategic priorities in 'promoting economic vitality.'

This policy aims to create a street trading environment which complements premises-based trading, is sensitive to the needs of residents and businesses, provides diversity and consumer choice.

It seeks to enhance the character, ambience, and safety of the local environment, enabling businesses to grow and attract investment that supports a year-round economy, and creates rewarding and well-paid employment, creating a strong, sustainable and dynamic Island Community.

Objectives

Central to the Council's policy are a number of objectives;

- **Public Safety** – The proposed location of the activity should not present a significant risk to the public in terms of highway safety and obstruction.
- **Crime and Disorder** – The proposed activity should not present a risk to crime, disorder or give rise to anti-social behaviour and related nuisance
- **Public nuisance** – Measures taken to reduce the risk of nuisance from noise, refuse, vermin, fumes and smells

Policy details

What is Street Trading?

Street trading means the selling or exposing or offering for sale of any article (including a living thing) in a street. An 'article' can be a particular item or object. The term 'street' includes any road, footway, beach or other area to which the public have access. without payment and a service area as defined in section 329 of the Highways Act 1980.

Exemptions from the need to obtain Street Trading Consent

1. Under current legislation some types of trade are legally exempt from the need to obtain a street trading consent. These include:
 - a person trading under the authority of a pedlars' certificate granted under the Pedlars Act 1871
 - trade carried out by roundsmen e.g., milkmen
 - a person trading in association with an adjoining shop premises
 - trade carried on at a petrol filling station
 - trading in a trunk road picnic area provided under Section 112 of the Highways Act 1980
 - trading as a news vendor, where the only articles sold or offered for sale are newspapers and periodicals
 - 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 an enactment or order

Street Trading Consents for which Fees are not payable

2. The Council of the Isles of Scilly will not require the payment of fees for the following street trading activities which the Licensing Department deem to be;

- non-commercial or charitable events
- sales of articles by householders on land contiguous with their homes

Procedure for Applicants

3. An application for the grant or renewal of a Street Trading Consent shall be made in writing to the Licensing Department.
4. The Licensing Department shall determine the form of the application and supporting documents for a Street Trading Consent or the renewal of such consent and shall from time-to-time, review and amend the form of application and supporting documents as is considered necessary.
5. An application for the grant or renewal of a Street Trading Consent should be
 - accompanied by a completed statutory declaration of convictions
 - an applicant who must be over 17 years of age (as set in the 1982 Act)
 - any person or persons who is/are to assist the applicant in the course of street trading must be over 17 years of age
6. An application for the grant, variation or renewal of a Street Trading Consent shall be accompanied by;
 - a passport sized photo (for the ID Card) for each person.
 - evidence of Public Liability insurance to the amount of £5,000,000. The production of this may be deferred until provisional permission is given, but sight of the actual policy will be required before documentation is issued confirming the permission
 - photograph/scale drawing of the proposed vehicle/hitched trailer/stand to be used for the purpose of sales
7. An application for the grant of a Street Trading Consent shall be;
 - advertised by way of a notice in such form as the Licensing Department may determine. That notice shall be displayed for a period of not less than 28 days from the date on which the application is made to the Council at or near to the location for which the application

is made or advertised on the Council's website www.scilly.gov.uk and the front window of the council chambers or council noticeboard for 28 days.

- consulted upon with the Isles of Scilly Fire and Rescue Service, Devon and Cornwall Police, the Council's Highway section, Planning and Environmental Health or any other agency or partner the Licensing Department deem necessary.
 - The Licensing Department will seek comments from all consultees on behalf of the applicant.
8. An application for a variation to an existing street trading consent will not need to be advertised by public notice ordinarily unless the Licensing Dept deem it to be so different in nature to the original consent granted. In such unusual cases the Licensing Department may insist on a new grant being used instead of a variation.
9. Any person who wishes to make a representation in respect of a grant application must do so no later than 28 days from the date on which the application is made to the Council.
10. The Licensing Department may;
- Grant, vary or renew a Street Trading Consent either unconditionally or subject to one or more of the conditions as set out at Appendix A
 - Inform the applicant that they intend to place the application before the Council's Licensing Committee with a recommendation for refusal and the reasons for that recommendation
11. Where an application is placed before the Committee by the Licensing Department with a recommendation for refusal, an applicant may make representations orally and/or in writing to the Licensing Committee.
12. The Licensing Department may grant, vary or renew a Street Trading Consent for a period not exceeding twelve months (1 April to 31 March is the maximum period for any single trading year).

13. The Licensing Department shall not ordinarily grant a Street Trading Consent for the sale of motor vehicles subject to each application being considered on its own merits.

Grounds for Refusal

14. The European Union Services Directive 2006/123/EC (EUSD) is intended to make it easier for street traders to set up anywhere in the European Union. This Directive still applies to the United Kingdom (UK).
15. In order to comply with the EUSD any prohibition on street trading authorisation must be justified by an “*overriding reason relating to the public interest*” (ORRPI). Examples of ORRPI are public policy, public security, public safety, public health, protection of consumers, recipients of services and workers, combating fraud and the protection of the environment and the urban environment.
16. The refusal of a Street Trading Consent on the grounds that there are already enough traders in the street, trading from other shops, or that there are other traders selling similar products, is not compatible with the EUSD and should no longer be used as a ground for refusal.
17. Applicants should be aware that applications may be refused, without the requirement for a Hearing, if the granting of a Street Trading Consent would constitute an offence under the Highways Act.
18. Other examples of grounds for refusal include:-
 - Road safety concerns (e.g. consideration should be given to the length of laybys, access for vehicles pulling in and out)
 - Not enough space in the street you wish to trade in, without causing interference or inconvenience to other street users
 - Applicant previously failed to comply with conditions on a Street Trading Consent
 - The Consent, if granted, will result in nuisance to members of the public, residents and local businesses due to the likely noise, smell,

litter, disturbance or other problems which will be caused by granting the consent, particularly in residential areas or areas of specific interest/ outstanding natural beauty

19. Applicants who are refused Consent will be given a formal notice of refusal, giving reasons for the decision. There is no right of appeal but the decision can be challenged by way of a Judicial Review to the High Court.

Consent Streets and Prohibited Streets

20. All streets which are maintained at public expense by the Council on the Isles of Scilly are 'consent streets' and will require consent from the Council before trading may commence. The list attached to this policy in Appendix B is not exhaustive and if further clarification is needed, the Licensing Department are contactable for this information.

Vehicles

21. All vehicles must be road worthy, fully taxed and insured. No trailer can be unhitched from a licensed, taxed towing vehicle on the highway in accordance with the Highways Act 1980 (as amended) clause 143, which states that the Council has the power to remove structures from the highway. "Structure" includes any machine, pump, post or other object of such a nature as to be capable of causing obstruction, and a structure may be treated for the purposes of this section as having been erected or set up notwithstanding that it is on wheels. Trailers must also comply with the Road Vehicles Lighting Regulations 1989 which outlines the legal requirements for lights, indicators and reflectors.

Waste Management

22. All street traders will ensure that the area surrounding the consent site is kept free of litter, and in the case of food businesses, waste food, food spillage and grease staining originating from the business by the following means:
 - cleaning the area as often as is necessary and at the end of each day

- removing from the site at the end of trading on each day all litter contained in the waste containers provided by you and collected from the area of the site and dispose of it in a lawful manner, by way of a trade waste collection
- providing the Operational Services department with an address from which collections will be made

23. All street traders are encouraged to refer to the Council's waste reduction strategy in line with the government's 2030 zero carbon target, when managing the waste produced by their business. This can be found on the Council's website. [Waste Reduction Strategy | Council of the ISLES OF SCILLY](#)

Utilities

24. Any vehicle used for the purposes of street trading must be completely self-contained; the use of an external free-standing generator is not permissible; any energy providing utilities must be kept within the vehicle. The Council cannot provide electricity from an outside source. Any wastewater or sewerage must be collected and lawfully disposed of after trading and must not be allowed to run into the public highway.

Food Handlers

25. Street traders selling food must have the relevant certification and registration documents, including food hygiene training commensurate with the food handling undertaken. These include;

- a Basic Food Hygiene Level 2 Certificate, or similar
- registration with the Council as a food business
- evidence of a food safety management system

Fees and Charges

26. Fees and charges for street trading will be set by Full Council in February of each year. They will then be applied from 1st April – 31st March in the following financial year for applicants. A charging structure is attached to this policy at Appendix C.

Public Safety

27. Any indication that a vehicle is interfering with public safety will have to cease trading immediately; this includes blocking sight lines on the highway for other road users, endangering the safety of pedestrians and creating a risk to other road users, as deemed by the Council or the emergency services.

Nuisance

28. No unlawful noise or odour shall interfere with a neighbouring property or be prejudicial to public health or be a public nuisance or be detrimental to the amenity of the area as defined under the Local Government (Miscellaneous Provisions) Act 1982, Schedule 4, Reg 7(5) (b), and as deemed a legitimate nuisance by the Environmental Health Officer of the local authority.

Public Liability Insurance

29. The applicant must have public liability insurance to at least the value of £5,000,000 to indemnify the Council of any claims. A copy of the certificate must be submitted with the street trading application.
30. Public liability insurance: -
- should indemnify the Council in relation to all costs, claims, demands, actions, fines, penalties and liabilities howsoever arising from the exercise of a street trading consent
 - should be held with a reputable insurer and accepted to the Council's satisfaction
 - must be maintained for the duration of the consent and produced on demand during such time as approved
 - will continue in relation to any acts, omissions or failures of the applicant, their agents, contractors or employees in the exercise of the street trading consent, notwithstanding the consent having lapsed

Control of Advertisements

31. The Council reserves the right to control the advertisements placed on the public highway and no structures can be erected on the highway according to legislation in the Highways Act 1980 clause 143 and will be removed without notice.
32. Any advertisement the applicant places on their vehicle must be approved by the Council in advance of trading and any subsequent changes to advertisements must be approved in advance by the Council by submitting copies for approval to the Licensing Department.

Misconduct, Offences and Convictions

33. Misconduct involving drugs, anti-social behaviour, violence, dishonesty and other convictions may lead to revocation of a license.
34. The following guidelines relate to the relevance of convictions for applicants and their assistants, and that each must have the right to work in the UK:

Each case will be decided on its own merits. In each case the Licensing Department will assess whether an applicant for the grant, variation or renewal of a street trading consent is a suitable person to hold or to continue to hold a street trading consent or be an assistant to an existing or potential license holder, and that previous convictions will be considered. This decision may be sent to the Licensing Hearing Committee for a decision if the Licensing Dept deem it necessary.

35. In considering the previous convictions the Licensing Department will consider the following:
 - (a) whether the conviction is relevant.
 - (b) the seriousness of the offence.
 - (c) the length of time since the offence occurred.
 - (d) whether there is a pattern of offending behaviour.
 - (e) whether that person's circumstances have changed since the offence occurred.

- (f) the circumstances surrounding the offence and the explanation offered by that person.
36. The following is a description of the Licensing Department's general approach to certain categories of offences;

Dishonesty

37. The holders of a street trading consent and their assistants have to be persons who can be trusted. It is easy for a dishonest trader or assistant to take advantage of the public. Members of the public using a street trading outlet expect the holder and their assistant to be honest and trustworthy.
38. For these reasons a serious view will be taken of any conviction involving dishonesty.
- .

Violence

39. As street traders and their assistants have close contact with the public, a firm line will be taken with applicants who have convictions for violence. In cases where the commission of an offence involves violence, a street trading consent or registration as an assistant to the holder of a street trading consent will normally be refused.

Drugs

40. Where an applicant has a conviction for an offence that relates to the supply or importation of drugs, an application will generally not be granted until 5 years after the completion of any sentence imposed. Consideration will be given to the circumstances of the offence and any evidence which shows that a person is now a fit and proper person to hold a street trading consent or to be registered as an assistant to the holder of a street trading consent.

Sexual and Indecency Offences

41. As the holders of street trading consents and their assistants, and in particular those who sell ice cream, have access to children, applicants who have convictions for rape, indecent assault, any sexual offence involving children and any conviction for an offence under the Sexual Offences Act 2003 will normally be refused a street trading consent or registration as an assistant to the holder of a street trading consent.
42. When considering applications, the Licensing Department may take into account any information which does not amount to a criminal offence that is brought to its attention where that information may indicate that an applicant may not be a suitable person to hold a street trading consent or to be registered as an assistant to the holder of a street trading consent.
43. In cases where the Licensing Department considers that information shows an applicant is not a suitable person, it will normally require a period of not less than 5 years free of such incidents from the date on which the incident occurred or, if more than one from the date of the last incident.

Monitoring convictions

44. In respect of applications where motoring offences are disclosed , an applicant for a street trading consent or to be registered as an assistant to the holder of a street trading consent would be expected to show a period of between 3 and 5 years free of conviction for serious convictions from the date of conviction or the date of completion of any sentence imposed , where a custodial sentence has been imposed.

Formal Cautions and Fixed Penalty Notices

45. For the purposes of these guidelines, the Licensing Department will treat Formal Cautions issued in accordance with Home Office guidance and fixed penalty notices as though they were a conviction before the courts.

Trading Times

46. Any street trading must be between the times specified in the Consent. After the trading time has elapsed, the vehicle must be removed from the public highway to a safe location under the trader's control. Street trading hours will normally mirror those of shops in the immediate vicinity. In the case of hot food takeaways trading hours will be determined on a case-by-case basis but will generally not exceed a maximum of six hours per day with the last sale being no later than 8pm and the site cleared by 8:30pm.

Restrictions on Street Trading

47. Full details of insurance requirements can be found in the Public Liability Insurance section of this policy and the charging structure is set out at Appendix C.

Breaches and non-compliance

Unauthorised Street Trading

48. Unauthorised street trading is prohibited; all prospective street traders must complete the most recent application form for approval to trade. Any persons found to be trading illegally will be liable to prosecution under paragraph 10 of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

Right to withdraw or amend consent

49. The Licensing Department may at any time reduce the number of days or the period in any day during which the consent holder is permitted to trade or restrict the description of goods in which he is permitted to trade or revoke a consent to trade on any of the following grounds;

- that owing to circumstances which have arisen since the grant of the Street Trading Consent there is not enough space in the street for the consent holder to engage in trading permitted by the consent without causing undue interference or inconvenience to persons using that street
- that the consent holder is unsuitable to hold a Street Trading Consent by reason of having been convicted of an offence, caution or fixed penalty which falls within this policy
- that since the grant or renewal of the Street Trading Consent, the consent holder has failed to pay their fees due to the Council for the grant of the consent within the allocated timescale
- that the consent holder has, since the grant or renewal of the consent, failed without reasonable excuse to make use of the Street Trading Consent
- that, where the consent authorises the sale of food in a street the consent holder or any person who assists the consent holder has been convicted of an offence under food safety or health and safety legislation
- any other reasonable cause

50. Where consent to trade is revoked, amended or surrendered, the Licensing Department shall not ordinarily remit any part of the consent fee subject to each application being considered on its own merits.

Policy management

51. The Licensing Department may, at any time, undertake amendments of an administrative nature as are necessary, or to secure continuing compliance with the law. Any amendments will be communicated to the Licensing Committee.

Evaluation and review

52. This Policy will be reviewed by the Licensing Department on an annual basis in consultation with the Licensing Committee.

LIST OF APPENDIXES

Appendix A - Pool of Standard Conditions that may be imposed on a Street Licence

Appendix B - Consent Streets and Prohibited Streets

Appendix C - Charging Structure for Street Trading License Applications

Appendix D – Application Form 2025/26

We want to ensure that your needs are met.

If you would like this information in an audio format, Braille, large print, any other format or interpreted in a language other than English, please contact:

Council of the Isles of Scilly
Town Hall
St Mary's
Isles of Scilly TR21 0LW

Telephone: 01720 424000

E-mail: diversity@scilly.gov.uk

APPENDIX A

Pool of Standard Conditions that may be imposed on a street Licence

In these conditions:

"The Council" means The Council of the Isles of Scilly.

"You" means the holder of the consent to trade.

"Your Assistant" means any person or persons who assists the holder of a street trading license whilst trading under that consent and who has been notified to and approved by the Council.

- (1) You shall display the Street Trading Consent issued by the Council in a position where it can be clearly seen and read by a member of the public when you or your assistant are street trading.
- (2) You shall ensure that any identification badge issued by the Council shall be worn by you and your assistant (if any) in a position where it can be clearly seen by a member of the public.
- (3) Street trading consent is not transferable.
- (4) If you or your assistant moves home or registered office, you shall write to the Council giving details of the new home address or new address of the registered office within seven days of moving.
- (5) If you or your assistant are convicted of any offence(s), given a formal caution(s) for any offence or have any fixed penalty notice(s) imposed, you shall write to the Council giving full details of the offence(s), caution(s) or fixed penalty notice(s) within seven days of the imposition of the offence(s), caution(s) or fixed penalty notice(s).
- (6) If there is any change in any of the circumstances on which the consent was granted, you shall write to the Council giving details of the change within seven days of it taking place.
- (7) You shall not trade under this consent unless you are registered in accordance with Regulation (EC) 852/2004 (Hygiene of foodstuffs) (where appropriate).

- (8) You shall not cause any avoidable nuisance which affects any member of the general public or their right to the use and enjoyment of their homes or businesses in the vicinity of the trading site.
- (9) You shall, where applicable at all times when trading comply with all "Codes of Practice" relating to noise in particular the "Codes of Practice on Noise from Ice Cream Vans Chimes etc. 1982", which states it is an offence to sound chimes 'so as to cause annoyance'. Chimes should be sounded for no longer than 4 second bursts at a time – an automatic cut out device should be used.
- (10) You shall provide sufficient and suitable waste containers to enable customers to dispose of any litter generated by the business carried out under the consent.
- (11) You shall not place any table, chair or similar item on any highway.
- (12) You shall not display any signs, posters or similar other than those approved by the Council in writing.
- (13) No animal shall be present on any stall or vehicle.
- (14) No goods other than those set out in the consent shall be sold.
- (15) You shall obtain insurance up to the sum of £5,000,000 depending on the type of street trading license applied for to insure against third party liability claims and to indemnify the Council against all claims, actions, demands and expenses arising in respect of the grant of this consent and shall produce evidence of that insurance on demand to the Council.
- (16) You shall ensure that, where applicable, you have the written permission of the landholder from whose land you are trading before you trade.
- (17) You shall not trade at any location other than that specified in the consent.
- (18) You shall not trade at any time or on any day other than those times and days specified in the consent.
- (19) The vehicle/hitched trailer/stand will be removed to a site off the highway immediately after permitted trading hours are ended.

In addition to these conditions it may be considered necessary for the Licensing Department to also impose additional conditions which are specific to individual consents to trade, and these shall be listed on those consents.

APPENDIX B

Consent Streets and Prohibited Streets

All streets which are maintained at public expense by the Council on the Isles of Scilly are considered to be consent streets by the Council as outlined in the policy. However, some streets are classified as prohibited streets due to public safety factors that have been taken into consideration.

Prohibited Streets

The following list of prohibited streets are to have their boundaries interpreted by the Licensing Department. Further advice regarding the classification of a specific street can be sought from the Environment Services Department;

Hugh St
Old Town Road
Church Road
High Cross Lane
Old Town Lane
Jerusalem Terrace

Exceptions

The Annual Christmas Market in Hugh Street will be permitted, as per the executive decision notified to Council in December 2024.

“That the licensing authority will not enforce the Council of the Isles of Scilly’s Street Trading Policy in respect of the Christmas Market Event to be held in any year so that it will be held outside of that policy but under the control of the Isles of Scilly Safety Advisory Group (SAG) and Environmental Services Department.”

APPENDIX C

Charging Structure for Street Trading License Applications 2025/26

ISLES OF SCILLY Local Authority	
License New	Renewal
£193	£109
Trading Fees	
Occasional	£ 5 per day
1 day a week	£23 per month
2 days a week	£46 per month
3 days a week	£68 per month
4 days a week	£91 per month
5 days a week	£114 per month
6 days a week	£137 per month
7 days a week	£159 per month

*NB, fees are NOT inclusive of additional planning fees that may be charged or any environmental health fees incurred as part of running a food business

APPENDIX D

APPLYING FOR A STREET TRADING CONSENT 2025/26?

- In the first instance you MUST submit an outline plan to licensing@scilly.gov.uk that describes where you intend to trade, the dimensions of your trading unit(s) and the type of goods you intend to sell. We ask that you do this by email, so we both have records of your approach to us.
- You must have an understanding of [planning considerations](#), you may need a planning application and this will cost an additional amount.
- If you are thinking of applying to trade from the highways then be aware that the highways department may determine that your trading unit is likely to cause an obstruction to their work, or the safety of traffic or pedestrians, and is so then your application will not be accepted.
- We do not have a list of trading sites, we are open to applications for any area of council-maintained land, but each application/enquiry will be carefully considered before we permit you to submit a formal application with payment.
- If you proceed to the point of submitting an application, there is still a chance that the officer may recommend rejection, in which case a hearing of the Licensing Committee will determine to uphold or reject the decision of the officer, and may grant your application.
- If you are granted a Street Trading Consent but are later subject to a request to make a planning application then your ability to trade will be reliant on the outcome of the planning process. We may remove your Consent if the planning department deem it necessary to do so.
- The consents last from 1 April to 31 March (no more than 12 months)(each consent expires on 31 March each year)
- The Street Trading Policy is unchanged from the previous year with the exception of the fees which were amended by Council in February 2025.

*NB, fees are NOT inclusive of additional planning fees that may be charged or any environmental health fees incurred as part of running a food business



Council of the
ISLES OF SCILLY

Licensing Department
Town Hall
St Mary's
Isles of Scilly
TR21 OLW
Tel: 01720 424000
licensing@scilly.gov.uk

APPLICATION FOR A STREET TRADING CONSENT

YOUR APPLICATION TYPE (Please mark 'X')	
New	
Renewal (please quote existing licence number here.....)	

YOUR DETAILS	
Title	
Name	
Date of Birth	
Home Address	
Email Address	
Mobile number	
National Insurance No.	
Are you entitled to work in the UK?	
Please note you will be required to provide proof of entitlement to work in the UK before a Consent is issued. Information regarding documents which demonstrate entitlement to work in the UK is available or contact the Licensing Service for a list of acceptable documents.	

YOUR BUSINESS DETAILS

Are you a sole trader, business or organisation? (please state)	
Trading Name (T/A) or Business Name, if different	
VAT Number (if applicable)	

YOUR TRADING LOCATION(S)

The location(s) in which I wish to trade is (are):

YOUR VEHICLE/TRADING UNIT

Please provide a description of vehicle or stall from which you intend to trade; *(please provide a photo or image either insert below or elsewhere in the document)*

**Is it mobile or stationary? Does it need to be moved with another vehicle? What type of vehicle will move it?
Is it in good condition? We want as much relevant detail as possible.**

Length: m Height: m Width: m Depth: m

Where will the vehicle or stall be stored when not in use?

Vehicle registration number:

Tax and insurance details:

OPERATION DAYS / TIMES

Which times and days do you wish to operate your license?
(note that Street Trading is restricted to 6 hours per day, with your last sale at 2000hrs)

DAY	TIMES	TOTAL HOURS	LOCATION
Monday			
Tuesday			
Wednesday			
Thursday			
Friday			
Saturday			
Sunday			

Please state any seasonal variations in the box below:

--

PRODUCTS / ARTICLES FOR SALE

Please give full details of Products / Articles you propose to offer for sale
(note that it will be considered an offence to sell anything other the type of items listed here)

--

Are you intending to sell food or drink?	
Are you intending to cook/prepare hot food onsite	
Are you registered as a food business?	

PUBLIC LIABILITY INSURANCE

Do you currently have public liability insurance?

(minimum sum insured £5 million)

If YES, please provide a copy.

If NO, please note this can be produced if Consent is approved; you must have public liability insurance prior to trading (please see conditions for details of cover required).

CONVICTIONS

Do you have any current criminal convictions? (i.e., unspent under the Rehabilitation of Offenders Act 1974).

NB: As part of the initial consultation this information will be shared with the Police.

If YES, please give details, including date of conviction, court, offence and penalty/sentence;

SUPPORTING DOCUMENTS (Please mark 'X')

Application form completed and fee paid

A passport sized photo (for the ID Card)

Map(s) identifying exact trading location(s) (not required for renewals if no change)

Photo of vehicle and/or stall

Proof of £5million Public Liability Insurance (must be produced prior to trading)

A Basic Food Hygiene Level 2 Certificate (all food handlers)

Vehicle Insurance (if applicable)

A statutory declaration of convictions (if applicable)

YOUR STATEMENT

YOUR ASSISTANTS

Please note that any assistant who sells goods to the public on your behalf will also be subject to the requirements of the policy with regards to previous offences, their right to work in the UK, and their adherence to the conditions of this consent. If any of your assistants were found to breach your consent conditions this will directly affect your consent.

YOUR PAYMENTS

The relevant Consent Fee must be paid before your application can be processed and is non-refundable. This is why we insist on you approaching us first with a plan before submitting a formal application and making payment. If your application is approved, additional Trading Fees are payable, see charging structure in the policy.

PLEASE NOTE

This form, when completed, must be sent to: licensing@scilly.gov.uk

We will only accept emailed application forms, this provides a record of dates and times that we can substantiate commencement details. If you cannot email us from home then you can take your completed form to the library where it can be scanned and emailed to us by reception when they take your payment.

Your application will be advertised by way of a notice for 28 days, to allow for representations to be received. After the 28-day notice period, you will be informed of a decision within 24 hours. Trading, prior to being properly issued with a consent, is illegal and would likely result in the immediate termination of your license.

I hereby make application for the grant of a Street Trading Consent in accordance with Section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and having read, understood and accepted the Street Trading Policy of the Council of the Isles of Scilly, I shall operate under these terms and conditions and all the details I have submitted on this form are accurate.

Date	
Signature of applicant	

PRIVACY NOTICE

How we will use the information about you? The Council has a general discretion to grant street trading consent. We will use the information to consider if a licence can be issued, renewed or remain in force. We may use your contact details to provide you with information or to ask your views on certain matters. This could include for example: - Changes in law, policy, or procedures. Provision of training & seminars. Seeking views on customer satisfaction.

Who else will we share your information with? We will use your information in relation to your application and any consent issued.

This may include checks with internal and external partners as follows: -

Devon and Cornwall Police

The Council's;

Highways Department

Planning Department

Environmental Health

Trading Standards

Fire and Rescue Department

Licensing Committee

Harbour Authority

Legal Team

The Council of the Isles of Scilly is under a duty to protect the public funds it administers. To this end we may use the information you have provided on this form for the prevention and detection of fraud. We may share your information with bodies who audit or administer public funds. This would include the Police and the Department for Work and Pensions.

Information is also provided to Government Cabinet Office under its National Fraud Initiative.

Safeguards. Your data will need to be held within The Council of the Isles of Scilly secure network and premise. It will not be processed outside of the UK, the EEA. Access to your information will only be made to authorised members of staff. Staff must process it for the purposes outlined in this privacy notice.

How long will we keep this information for? Your information will need to be kept for 3 years. This is from the date you last accessed the service, or, for 3 years after any licence issued ceases to have effect.

What are my data rights? Your personal information belongs to you and you have the right to:

- be informed of how we will process it
- request a copy of what we hold about you (in a commonly used electronic format if you wish). If you provided this to us electronically for automated processing, we would return it in the same way)
- have it amended if it's incorrect or incomplete
- have it deleted (where we do not have a legal requirement to retain it)
- withdraw your consent if you no longer wish us to process
- restrict how we process it
- object to us using it for marketing or research purposes
- object to us using it in relation to a legal task or in the exercise of an official authority
- request that a person reviews an automated decision where it has had an adverse effect on you

How do I exercise these rights?

If you would like to access any of the information we hold about you or have concerns regarding the way we have processed your information, please contact: -

Simon Mansell, Data Protection Officer, Council of the Isles of Scilly, Town Hall, St Marys, Isles of Scilly, TR21 0LW

Tel: 0300 1234 105

Email: LIA.MUSTO-SHINTON@scilly.gov.uk

I don't agree with something

We would prefer any complaints to be made to us initially so that we have the opportunity to see if we can put things right. However, if you are unhappy with the way we have processed your information or how we have responded to your request to exercise any of your rights in relation to your data, you can raise your concerns directly with the Information Commissioner's Office: Tel No. 0303 123 1113 or <https://ico.org.uk/concerns/>