

# Prohibited Streets

|       |                             |                                    |                       |
|-------|-----------------------------|------------------------------------|-----------------------|
| A417  | Bromsberrow<br>(Bury Court) | Layby                              | OS 751 333<br>752 333 |
| A417  | Bromsberrow                 | Layby                              | OS 731 341<br>732 341 |
| A4316 | Brierley                    | Layby                              | OS 634 155<br>635 156 |
| A48   | Lensbrook                   | Layby                              | OS 664 058            |
| A48   | Stroat                      | Layby                              | OS 564 966<br>566 968 |
| A40   | Lobstock                    | Layby                              | OS 747 187<br>748 186 |
| A40   | Churcham                    | Layby                              | OS 764 187<br>765 187 |
| A4136 | Mitcheldean                 | Layby                              | OS 659 169            |
| A48   | Woolaston                   | Layby                              | OS 596 999<br>597 000 |
| A48   | Newnham                     | Within 40 metres of<br>Clock Tower | OS 6912 1187          |
| A48   | Westbury-on-<br>Severn      | Layby                              | OS 7185 1396          |

For further information contact:

Environmental Protection & Licensing  
Council Offices, High Street  
Coleford Glos GL16 8HG

Telephone: 01594 812402  
Fax: 01594 812590



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Council Offices, High Street, Coleford, GL16 8HG  
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March 2006



## Street Trading

### Conditions



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- (u) The consented street trader shall at the finish of trading remove all signs and advertisements erected or hung.

## 6. Offences

- 6.1 Any person who -
  - (a) engages in street trading in a consent street without being authorised by the Council to do so; or
  - (b) having been authorised by a Street Trading Consent to trade in a consent street, does so from a stationary vehicle or portable stall without having been granted permission by the Council to do so; or
  - (c) contravenes a condition attached to his consent relating to the locations or times of his trading activities, shall be guilty of an offence.
- 6.2 Any person, who in connection with an application for a Street Trading Consent, makes a false statement which he knows to be false in any material respect, or which he does believe to be true, shall be guilty of an offence.
- 6.3 A person found guilty of any of the offences described above shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.



- (j) A Consent holder, or his employees, shall not cause an obstruction of any street or endanger persons using it, or cause any nuisance or annoyance by reason of the street trading activities.
- (k) When leaving a trading site, the Consent holder, or his employees, shall ensure that, as far as is reasonably practicable, the location in the immediate vicinity of the site is free from refuse and waste arising from the trading. Nor cause to be discharged to the ground or to surface water drains any liquid refuse or waste water.
- (l) The Council may vary, or make additions to these conditions at any time having regard to the particular circumstances of any application.
- (m) The Consent holder shall produce his written consent if required to do so, by a Police Officer or an Authorised Officer of the Council, within a period of forty-eight hours from the request being made and shall obey directions given by any such officer.
- (n) For the avoidance of doubt nothing herein contained shall prejudice the rights, powers, duties and obligations of the Council or any other enforcing authority under any public and private statutes, orders, regulations or byelaws.
- (o) Except where specifically authorised by your consent you may not trade within 50 metres of a consent holder authorised to use the site regularly.
- (p) Any vehicle, stall or other receptacle used by a consent holder in the course of street trading shall be constructed and maintained to the satisfaction of all reasonable requirements of the Council as respects its construction, safety and appearance.
- (q) A consent holder or his employee must move his vehicle or stall or vacate the site immediately upon the instruction of a Police Officer or an Authorised Officer of the Council.
- (r) The consented street trader shall not ply in any street or place within 15 metres of a road junction.
- (s) The Council may require the advertising material associated with the vehicle or stall to be removed or amended.
- (t) The consented street trader shall obtain the consent of the Highway Authority prior to the erection of any sign or hoarding on or adjacent to the highway or verge.

## 1. Introduction

- 1.1 The Forest of Dean District Council have resolved to adopt the provisions of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 which relates to Street Trading.
- 1.2 The Council have further resolved that all streets within the area administered by the Council shall be designated Consent Streets for the purposes of the Act, with the exception of those areas designated as Prohibited Streets detailed in the Appendix to this Consent.
- 1.3 The effect of these resolutions is to prohibit street trading in any part of the Council's area with effect from 1st January, 1985, unless the person so engaged holds a written Consent, issued by the Council, and shall not in any event carry on street trading:-
  - (a) In any street or place designated "Prohibited Street"
  - (b) In any street or place which is likely to cause obstruction or any danger, nuisance or annoyance to persons using the street or otherwise.
- 1.4 The granting of this Consent does not imply the right to violate any order or prohibition or restrictions made under the various Road Traffic Acts and Highways Acts.

## 2. Definition of Street Trading

- 2.1 "Street Trading" is defined by the Acts as the selling or exposing or offering for sale of any article (including a living thing) in a street.
- 2.2 Certain categories of activity are, however, exempted from the definition of Street Trading and these are principally as follows:-
  - (a) Pedlars engaged in door-to-door sales under the authority of a pedlar's certificate granted under the Pedlars Act, 1871;
  - (b) News Vendor and
  - (c) Roundsmen
- 2.3 "Consent Holder" means the person or company named in this Consent and includes any employee, servant or agent of the Consent holder.

## 3. Definition of Street

- 3.1 The term "Street" does not refer only to public highways but includes any road, footway, beach or other area to which the public have access without payment.
- 3.2 "Consent Street" means a street in which street trading is prohibited without the consent of the Council.
- 3.3 "Prohibited Street" means a street in which street trading is prohibited by a resolution of the Forest of Dean District Council made under Paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act, 1982.
- 3.4 It should be particularly noted that those areas of Forestry Commission land within the Forest of Dean District, such as picnic sites and recreational areas, are also included in the definition of street. Traders operating on these area must obtain Street Trading Consents from the District Council, **in addition to** any trading franchise issued by the Forestry Commission.
- 3.5 The issue of a Street Trading Consent by the Forest of Dean District Council, does not confer any rights of entry onto any land in private ownership or land in the ownership of the District Council or the Forestry Commission.

## 4. Street Trading Consents

- 4.1 Application for Street Trading Consents must be made on the prescribed form and returned with the appropriate fee to:-

Environmental Protection & Licensing  
Forest of Dean District Council  
Council Offices, High Street  
Coleford, Gloucestershire  
GL16 8HG  
Tel. 01594 810000

- 4.2 Consents will normally be valid for a period of twelve months but applications will also be accepted for quarterly consents. All consents will expire on 30th September at any one year.

- 4.3 No Street Trading Consent shall be granted to any person under the age of 17 years.
- 4.4 Any Street Trading Consent granted by the Forest of Dean District Council, shall only be valid within the area of the Council, and application should be made to the relevant authority where trading is to be carried on within the other local authority areas.

## 5. Consent Conditions

- 5.1 The following standard conditions will be attached to all Street Trading Consents granted by the Forest of Dean District Council:-
  - (a) A Consent shall be valid only for the annual or quarterly period specified in the Consent.
  - (b) A Consent may be revoked by the Council at any time.
  - (c) A Consent is required for each trading unit (i.e. each vehicle or stall)
  - (d) A Consent holder shall, at all times, display a valid identification disc or card in a conspicuous position, which shall be clearly visible to the public, on the street trading unit. The identification disc or card will be issued by the Council.
  - (e) The validity of a Consent shall be limited to those days and the hours of each day specified in the Consent. A Consent holder may not habitually trade for the whole or a substantial part of his daily period at one place in a consent street unless authorised to do so.
  - (f) A Consent holder, or his employees, shall only offer for sale goods of the nature of categories specified in the Consent.
  - (g) A Consent holder, or his employees, shall not trade on any land in private ownership, or ownership of the Forest of Dean District Council or the Forestry Commission, unless prior permission to do so has been obtained in writing.
  - (h) All street trading units shall be maintained in a roadworthy condition and shall comply, where applicable, with the relevant road traffic legislation.
  - (i) A Consent holder shall present his street trading unit to an Authorised Officer of the Council's Environmental Protection & Licensing Team for inspection, when so required.