



# Street Trading

Statement of Practices,  
Procedures & Policy

Licensing Service  
Public Protection

### Current document status

<b>Version</b>	1.1	<b>Approving body</b>	Cornwall Council
<b>Date</b>		<b>Date of formal approval</b>	<i>16 September 2025 to be confirmed</i>
<b>Responsible officer</b>	Julie Flower Principal Licensing Practitioner (Policy)	<b>Review date</b>	2030
<b>Location</b>	<a href="https://www.cornwall.gov.uk/business-trading-and-licences/licences-and-street-trading/street-trading-licence/">https://www.cornwall.gov.uk/business-trading-and-licences/licences-and-street-trading/street-trading-licence/</a>		

### Version history

Date	Version	Author/Editor	Comments
21 January 2020	0.9	Julie Flower	Approved by Cornwall Council
May 2025	1.0	Julie Flower	Draft revised policy for consideration by Licensing Act Committee on 5 June 2025 prior to public consultation
August 2025	1.1	Julie Flower	Amended policy following consultation for consideration by Licensing Act Committee on 4 September 2025

### Document retention

<b>Document retention period</b>	6 years.
----------------------------------	----------



## Pre-Application Advice & Application Assistance

### *Take the headache out of your licensing applications with our NEW services*

Cornwall Council's Licensing Team offer services to support street trading enquiries and applications.

Our aim is to assist you to ensure you only apply for the licences you need and to help mitigate any problems which may arise during the application process.

### **What service is provided with the PRE-APPLICATION ADVICE?**

- ❖ We will provide advice so that you can determine which licence(s), if any, are required.
- ❖ We will provide advice to ensure you apply for the correct licence tailored to the needs of your business.
- ❖ We will provide advice on supplying the necessary information to accompany an application.

### **What service is provided with the APPLICATION ASSISTANCE?**

- ❖ We will assist you with completion of the application forms.
- ❖ We will assist you with supplying the necessary information to accompany your application.

### **What are the benefits to you?**

- ✓ **Save time:** applications can be delayed due to basic errors - avoid these delays by using our services.
- ✓ **Save money:** we will help ensure the process runs smoothly and we will consult with the relevant authorities as soon as your application is correctly completed.
- ✓ **Give peace of mind:** we will make sure your application is correctly completed, that you only apply for what you need and ensure your licence is fit for purpose.
- ✓ **Secure:** we will ensure your application is electronically submitted.

### **How much does it cost?**

The fixed fees for this quality service include VAT, cover the cost of administration, delivery of the service and are not for profit:-

Pre-Application Advice	£60
Application Assistance	£55

Payment for [business regulatory support services](#) is in addition to any relevant application fee (see page 22 for further information relating to fees).

Cornwall Council's Public Protection Service operate impartially and free from conflicts of interest. Businesses should be aware that it may be possible to obtain the same services as those offered by Cornwall Council Public Protection Service elsewhere. We encourage businesses to make their own investigations with alternative providers as to whether the services are available elsewhere and to obtain the best value for those services. Please note that businesses are not obligated to take up the services offered by Cornwall Council Public Protection Service.

For more information on business regulatory support services provided by Public Protection:- [business regulatory support services](#)

For further information or to take advantage of our Licensing Direct Services, please refer to the information on our website: [Street Trading](#) or contact the Licensing Team:

- Email [licensing@cornwall.gov.uk](mailto:licensing@cornwall.gov.uk)
- Telephone 0300 1234 212

If you would like this document in another format, please contact:

**Cornwall Council**  
**County Hall**  
**Treyew Road**  
**Truro**  
**TR1 3AY**

Telephone: 0300 1234 100  
Email: [enquiries@cornwall.gov.uk](mailto:enquiries@cornwall.gov.uk)  
[www.cornwall.gov.uk](http://www.cornwall.gov.uk)

**Please consider the environment. Only print this document if it cannot be sent electronically.**

## **Regulation of Street Trading**

Street trading in Cornwall is regulated under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, which gives Local Authorities the power to manage where and how street trading takes place.

A Local Authority may by resolution designate any street in their area as a prohibited, licence, or consent street.

Cornwall Council adopted the legislation on 16 February 2010, choosing to regulate street trading through a system of 'consent' and 'prohibited' streets. This means that anyone wishing to trade must obtain permission from the Licensing Authority (unless an exemption applies).

On 1 July 2016, the Council designated the whole of Cornwall as a 'consent' area. This allows the Licensing Authority to carefully consider each application and ensure trading is safe, fair, and beneficial to both traders and the wider community.

Street trading can bring vibrancy and choice to our towns and communities. However, it must be managed responsibly to:

- Prevent obstructions and overcrowding in busy areas.
- Ensure safe access and escape routes for premises and emergency services.
- Minimise nuisance from noise, smells, and litter.
- Protect the environment and public safety.

By regulating street trading, Cornwall Council helps create a welcoming and safe environment for residents, visitors, and traders alike.

Street trading without the required consent is illegal and taken seriously by the Licensing Authority. Anyone found trading without consent is likely to face formal enforcement action, which may include prosecution and/or loss of future trading opportunities.

Traders are encouraged to engage with the Licensing Authority early to ensure they meet the requirements and avoid unnecessary consequences.

To ensure the policy remains relevant and effective, it is reviewed at least every 5 years. This allows the Council to respond to changing needs, community feedback, and emerging trends in street trading.

## **Definitions**

‘Street trading’ means the selling or exposing or offering for sale of any article (including a living thing) in a street.

‘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 and also includes any part of a street.

## **Designations**

Following public consultation, Cornwall Council’s Licensing Authority has designated the whole of Cornwall, being the area regulated by the Council, as a street trading ‘consent’ area.

This means all street trading in Cornwall requires the Licensing Authority’s consent apart from the legal and policy exemptions shown below.

The Council does not maintain a list of designated areas suitable for street trading. Instead, it is the responsibility of applicants to identify and assess potential trading locations based on the nature of their proposed business.

Applicants should ensure that any proposed site is safe, accessible, and appropriate for their trading style.

## **Exemptions**

Some types of trading are legally exempt from the need to obtain a Street Trading Consent, although other permissions may still be required – please refer to the Legal Exemptions and Policy Exemptions on pages 6 – 9 of this Policy.

### **Legal Exemptions** include:-

**Pedlars**, who operate under, and within the definition of the Pedlars Act 1871 and obtain a Pedlars Certificate from the Police, if required. (NB Pedlars who sell food for immediate consumption are not required to obtain a Pedlars Certificate).

Pedlars are people who sell from place to place and cannot sell from a fixed pitch; they must move around and not wait for customers to come to them, they cannot stand in any one place for a considerable time, nor can they exhort those passing to buy their goods. Pedlars can carry their goods and can use a wheeled trolley to transport them.

## **Legal Exemptions** continued:-

**Charter Markets/fairs** which are established by virtue of a grant, enactment or order – further information is available from the Licensing Service.

**News vendors/selling periodicals** e.g. Big Issue - selling or offering for sale newspapers or periodicals either with or without a stall does not require a consent, however if the stall stands on the carriageway of a street, it must be less than 1 metre in length and width, less than 2 metres high and occupy less than 0.25 square metres of ground. Stalls larger than this may require consent.

The use for **trading under the Highways Act 1980** of an object or structure placed on, in or over a highway. However, a Pavement Licence under the Business and Planning Act 2020 may be required – please refer to [Pavement licensing - Cornwall Council](#)

Note: the Council cannot grant a Pavement Licence unless Section 115A(1) of the Highways Act 1980 applies. Generally, these are footways restricted to pedestrians or are roads and places to which vehicle access is restricted or prohibited. Therefore, unless there is a Temporary Traffic Regulation Order (TRO) or permanent TRO in place that prevents vehicles using a space in question, the Council does not have the ability to grant a Pavement licence based on the Act above.

**Trunk road picnic areas<sup>1</sup>** - the operation of facilities for recreation or refreshment under the Highways Act 1980.

**Petrol Filling Stations or Shops** - where trading is carried out, e.g. on a forecourt adjoining such premises, so used as part of the business of the shop (and not by a third party), Street Trading Consent is not required from the Licensing Authority. However, any trading on the highway must not take place unless you have permission from the Highway Authority, or the Licensing Authority in respect of Pavement Licensing.

**Roundsman** - Selling, offering or exposing for sale things as a roundsman does not require a consent. A roundsman has been defined as one who visits a 'round' of customers taking and delivering the orders of those customers.

**Charity stalls** - Street Trading Consent is not required, but the charity will require a 'Street Collection Permit' authorised by Regulations made under the Police, Factories etc. (Miscellaneous Provisions) Act 1916.

---

<sup>1</sup> Although trading on trunk road picnic areas is exempt from requiring Street Trading Consent, the trader must still have permission from [National Highways](#)

## **Legal Exemptions** continued:-

**Service Providers**, e.g. hair-braiding<sup>2</sup>, face painting and henna tattoos, etc. The Act which governs street trading relates to the selling of articles and as such, it is the Licensing Authority's view, that people who provide a service e.g. hair-braiders, are not considered to be trading for the purposes of the legislation. However, if quantities of accessories used in hair braiding are also offered for sale, then this may be street trading and may require consent.

Persons providing services in the street should seek permission from the landowner and should take care not to cause any nuisance or obstruction as this could result in the Police or another authority taking action.

## **Policy Exemptions**

In addition to the legal exemptions, the Licensing Authority has determined that the following are also **exempt**<sup>3</sup> from requiring a Street Trading Consent:-

- Trading at **fetes, carnivals or similar** community based organised and operated events (subject to permission of event organiser).
- Trading at approved **markets/events** (e.g. approved by Cornwall Council, Town or Parish Council) with permission of market/event organiser. The Licensing Service must be satisfied that the market/event has been appropriately approved and evidence of approval may be required to be produced.
- **Car boot sales** on private property.
- Goods from **working farms** sold within the curtilage of the farm where they were produced.
- Sales of **articles by residential occupiers** within the curtilage of their properties or adjacent or adjoining land by way of honesty boxes, occasional garage sales etc.  
NB This exemption does not apply to those operating a business of selling articles outside their property, unless by way of honesty box.

Please note, although the above are exempt from requiring a Street Trading Consent, other permissions may be required such as Planning and Business Rates may be payable.

---

<sup>2</sup> Hair-braiding is regulated in St Ives only by way of a [Public Space Protection Order](#) – contact St Ives Town Council for further information. [Contact Us - St Ives Town Council](#)

<sup>3</sup> Please note, although the Licensing Authority has specified exemptions in this Policy, any concerns identified, e.g. in relation to public safety or any other matter, may be subject to further consideration by the appropriate Committee, to make the final decision as to whether the exemption applies.  
In addition, although an exemption may apply, traders may still require permission from Cornwall Council or other relevant landowner(s) and/or event organiser(s) and pay a fee if required.

## **Policy Exemptions** continued:-

- **Buskers<sup>4</sup>** who sell recordings of their own musical performances, which is ancillary to providing street entertainment.
- Trading on **beaches** (however, permission must be obtained from the beach owner; email [beachmanagement@cormacltd.co.uk](mailto:beachmanagement@cormacltd.co.uk) for more information on Cornwall Council owned beaches).
- Trading on **Cornwall Council owned Public Open Spaces/ Pop-up sites<sup>5</sup>, Car Parks, and Harbours** (subject to permission from the relevant service within Cornwall Council). Failure to gain permission from the relevant service potentially creates offences under the Local Government (Miscellaneous Provisions) Act 1982 for trading without a Consent.
- **Privately owned land<sup>6</sup>** which is more than 5 metres from the public highway<sup>7</sup> (however, permission must be obtained from the private landowner).
- Trading in **residential areas/housing estates** in a way that involves moving around (less than 20 minutes in each location) and not trading from a fixed pitch (e.g. ice-cream vans and hot food vendors).  
NB This exemption may NOT apply to food sellers who trade within a 400-metre radius from the premises boundary of a school, college or other place where children and young people congregate. 'Other place' may include youth centres and parks for example and will be determined on a case-by-case basis, with advice sought from the Public Health Team if required.

NB If not covered by one of the exemptions above, trading on privately owned land where the public has free access and which is less than 5 metres from designated streets, e.g. forecourts or other areas adjacent to designated streets, is **not** exempt and requires Street Trading Consent. This is to control a loophole for potential street traders to trade from privately owned areas immediately adjacent to regulated streets.

---

<sup>4</sup> Buskers should comply with the Council's Street Performers Guide at the following link: [Street Performers - Cornwall Council](#)

<sup>5</sup> As an alternative to Street Trading Consent on the highway, there may be opportunities to trade on Council-owned land at one of the Council's Pop-Up Sites; refer to [Pop up sites - Cornwall Council](#) or email [popupsites@cornwall.gov.uk](mailto:popupsites@cornwall.gov.uk)

<sup>6</sup> Privately owned land does not include land owned by a Local Authority (i.e. Cornwall Council or Town/Parish Councils). Therefore, trading on Town/Parish Council owned land requires Street Trading Consent from Cornwall Council's Licensing Authority as well as permission from the relevant Town or Parish Council.

<sup>7</sup> Public highway is the area over which the public has free access to pass. This includes, but is not limited to surfaced roads, surfaced footways, cycle-ways, verges, pavements, footpaths, lay-bys, bridleways and byways (exact limits of highway can be clarified through Land Searches).

## **Waste and Environment**

Cornwall Council has an ambitious target of achieving carbon neutrality by 2030.

Waste and recycling are a major concern, with single use plastics creating unnecessary waste with negative impacts on our communities.

Cornwall Council encourages a culture that supports the environment by reducing waste and utilising reusable and recyclable products.

The Council supports the Government restrictions on single use plastics, and traders must NOT supply single-use plastic, such as cutlery and plates, or food and drink in polystyrene containers. For more information, refer to guidance: [Single-use plastics bans and restrictions - GOV.UK](#)

It is a condition of all Street Trading Consents that street traders will be required to provide evidence of collection and recycling of their plastic products.

In relation to business waste, please refer to [Right Waste Right Place](#).

Cornwall Council offer a commercial waste service <https://www.cornwall.gov.uk/rubbish-recycling-and-waste/value-for-money-commercial-waste-service-in-cornwall/> although traders are under no obligation to use this particular service, as other licensed Waste Carriers are available.

It is a condition of all Street Trading Consents that street traders will be required to provide evidence of their commercial waste collection.

## **Health and Food Retailers**

Cornwall Council supports [Cornwall and Isles of Scilly Healthier Weight Strategy 2025 to 2035](#) which has been adopted to enable all residents to achieve and maintain a healthier weight. Being overweight or obese is associated with reduced life expectancy, a range of chronic diseases, negative mental health impacts, stigma and abuse. One of the biggest influences on our weight is the environment around us – this includes the availability of unhealthy food.

Local authorities have a duty to improve the health of the population including supporting people to eat healthily to prevent serious conditions such as diabetes and heart disease. Cornwall Council expects local traders to support its commitments.

Street traders selling food are encouraged to provide:-

- locally sourced food where possible, as this cuts down on carbon emissions from transport and supports local jobs.
- vegetarian and vegan options, as these may have lower carbon emissions and are part of a healthier diet.
- smaller portion options to reduce calories, carbon emissions and food waste.

- free drinking water refills, as water is a healthy option, and also reduces plastic waste.
- a small discount to encourage customers to bring their own hot drinks cups.

All food businesses must be registered with the Council and have a food safety management system in place. If intending to sell food, traders should seek advice from a Food Safety Officer in the Council's Public Protection Team. Further information is available at [Food safety - Cornwall Council](#), [Food registration and approval - Cornwall Council](#)

## **Mobile Bars / Alcohol Licensing / Late Night Refreshment**

Traders should also be aware that there is a requirement to obtain a Premises Licence or a Temporary Event Notice (TEN) under the Licensing Act 2003 if selling alcohol or providing late night refreshment: [Premises licence - Cornwall Council](#), [Temporary Event Notice - Cornwall Council](#)

## **Motor Vehicles for sale on highway**

Vehicles for sale on the roadside and grass verges can cause significant nuisance to local residents and take up valuable car parking spaces. Furthermore, these vehicles can often be a road safety hazard causing a distraction to motorists.

Exposing vehicles for sale on a road is therefore regulated under the Clean Neighbourhoods and Environment Act 2005, and a person exposing or advertising for sale, two or more motor vehicles, parked within 500 metres of each other on a road, is committing an offence.

A 'road' is defined as any length of highway or road to which the public has access and is not restricted to public rights of way. It includes the carriageway, footpath and the verge of the highway.

A person guilty of this offence may be issued a Fixed Penalty Notice or subject to a fine of up to £2,500. The offence is targeted at businesses, and any private individual who has two or more vehicles for sale on a road must be able to demonstrate they are not acting in a business capacity.

Vehicles exposed or advertised for sale, which are not regulated by the Clean Neighbourhoods and Environment Act 2005, are therefore controlled through this Street Trading policy. This applies to individuals and businesses; the only exemptions are residential occupiers who sell their own private vehicle within the curtilage of their own residential property or adjoining land (provided there is no road safety hazard) or when using the vehicle generally on a day-to-day basis for their own use.

## **Application Procedure**

Applicants must be aged 17 years or over and provide proof of evidence of right to work in the UK as part of their application. Please refer to the list of [acceptable documents](#) to prove right to work.

In order to assess suitability of individuals, applicants are also required to provide a Disclosure & Barring Service (DBS) basic disclosure each year as part of the application process. The DBS must be less than 3 months old at the time of application.

A basic DBS check obtained via [GOV.UK](#) or a basic DBS check obtained through a [Responsible Organisation](#) is acceptable- the DBS has a [list of companies](#) who are Responsible Organisations on the [GOV.UK](#) webpage.

Applicants with current unspent convictions will be subject to further scrutiny and may be referred to the Street Trading Sub-Committee for determining suitability to be issued a Consent.

Application forms are available on the Council's website:- [Street trading licence - Cornwall Council](#)

Applicants who are intending to use a generator or other power supply will be required to provide details in the application; permission to use a generator must also be obtained from the Council's Public Protection Team prior to its use. It is a condition that generators must not cause nuisance or annoyance.

The Licensing Team also offer services to support street trading enquiries and applications through Licensing Direct Services, see link:- [Licensing Direct \(Street Trading\) flyer](#) which include Pre-Application Advice and/or Application Assistance. Our aim is to assist you to ensure you only apply for the licences you need and to help mitigate any problems which may arise during the application process.

The application process may take up to 8 weeks, as for each application received, the Licensing Team may consult with the Police, appropriate Town/Parish Council<sup>8</sup>, Cornwall Councillor(s), Chamber of Commerce, local Business Improvement District (BID), relevant services within Cornwall Council such as Highways<sup>9</sup>, Planning, Licensing Compliance, Trading Standards, Environmental Health (Environmental Protection, Health & Safety and Food Safety), Fire & Rescue Service, Public Health, Harbour Authority, Environment Service, Parking Services, Parking Enforcement, Street Works and any other relevant person/body.

Applications are also published on the Council's website, so members of the public may comment.

---

<sup>8</sup> If intending to trade on Town or Parish Council owned land, permission must be given by the Town or Parish Council prior to a Street Trading Consent being granted by Cornwall Council.

<sup>9</sup> National Highways are consulted on trading on the A30 and A38 trunk road laybys.

Tacit consent (i.e. automatic grant) does not apply, as it is in the public interest that applications are processed before they can be granted.

When considering applications, the Council will have regard to any comments that have been received as part of the consultation process and will also take into account street trading and other relevant legislation, this Policy and the Conditions.

Applicants should be aware that some details of their application are publicly available, including applicant's full name, trading name and proposed trading details.

A register of applications received, and consents issued will be published on the Council's website – this will include trading name, site location and articles being sold.

Please refer to the Council's Street Trading Consent [Privacy Notice](#)

Applicants who are granted Consent will be advised and once exact trading dates and appropriate fees are agreed, a Street Trading Consent will be issued.

Although a Consent may be granted, please note this may not provide exclusive rights to use the trading location, and there is no guarantee that trading can take place at all times, e.g. there could be occasions where Cormac/utilities are carrying out works, or the road is temporarily closed etc or vehicles are legally parked in a trading location.

## **Objections**

Should valid objections be received, applicants will be notified, and applications may be referred to a Hearing of the Council's Street Trading Sub-Committee for them to make a decision on the application. All parties will be invited to attend. Alternatively, if all parties reach an agreement and also agree that a full Hearing can be dispensed with, the matter may be dealt with by a Hearing by Documentation procedure without the need to attend a Hearing.

## **Refusals**

The European Union Services Directive 2006/123/EC (EUSD) was intended to make it easier for street traders to set up anywhere in the European Union. When the UK left the EU in 2020, the EUSD became enshrined in UK law.

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.

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 cannot be used as a lawful ground for refusal.

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.

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.
- The 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.

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.

## **Conditions**

Standard conditions are attached to this policy for information, at Appendix 1.

The Council can allow exemptions from the standard conditions within this policy where they deem it appropriate in the circumstances. Each application is considered on its own merits and the Council can depart from the policy where appropriate to do so.

Any departure from the policy or conditions will be referred to a Street Trading Sub-Committee Hearing. However, if all parties agree, this can be dealt with by way of a Hearing by documentation.

The Council may also attach such additional conditions as they consider reasonably necessary, including conditions to prevent any obstruction of the street or danger to persons using it, or any nuisance or annoyance to any person. The conditions may also stipulate what traders may sell, exactly where and when they may sell and the fee they must pay. Additional conditions can be imposed by officers under delegated authority if all parties agree. However, if an agreement has not been reached, a Hearing of the Street Trading Sub-Committee will be required.

Street trading is controlled to avoid obstruction and protect public safety, for example overcrowding in streets affecting escape from and access to premises. It also prevents noise, smells and nuisance and ensures any litter from street trading is removed from the site.

A consent holder is responsible for ensuring conditions are strictly complied with at all times and may be held liable under the appropriate legislation.

Any contravention of conditions may lead to revocation or non-renewal of the Street Trading Consent and/or prosecution.

In addition, an individual trader working under the benefit of a consent holder's Street Trading Consent may be individually liable under the appropriate legislation.

A Street Trading Consent can be revoked at any time.

## **Renewals**

Street Trading Consents will be issued for a maximum period of 12 months or up to the end of the current year. Shorter term Consents may also be issued on a daily, weekly or monthly basis.

Subject to no substantiated complaints being received regarding the manner in which traders conduct their business, priority will be given to existing traders renewing Street Trading Consents.

Street Trading Consents are renewable annually before 31 December for the following year. It is recommended that traders submit their renewal applications by 31 October each year, to avoid any risk of losing their pitch to other applicants.

## **Reviews**

The Council may review a Street Trading Consent if there are concerns or complaints after a Street Trading Consent has been granted. Consent holders will be notified and there may be a referral to a Hearing of the Council's Street Trading Sub-Committee for them to review the Consent. The Committee may take no action, or they may issue a warning, vary the consent, amend conditions or revoke the Consent.

## **Fees & Charges**

The licence 'Application Fee' must be received before an application can be processed.

Once an application has been validated, the Licensing Officer will contact the applicant to make payment via debit or credit card using the Council's online secure payment link.

Please note, if an application is formally refused (by officers under delegated authority, or the Street Trading Sub-Committee) the application fee will be refunded.

If the application is approved, additional 'Trading Fees' are payable depending on the number of days and months trading takes place. The Licensing Authority may agree that trading fees are paid by instalments, and if so, these must be paid in advance of trading and at least before the month of trading. Failure to do so may incur an additional fee and/or revocation of the Street Trading Consent by Officers under delegated authority.

For more information, including the schedule of fees, please refer to Appendix 2 (page 22) of this document.

## **Compliance**

It is an offence to trade in a designated 'Consent' street without having first obtained Consent, to breach certain conditions attached to a Consent or to make a false statement. Any person found guilty of these offences can be fined for each offence (level 3 on the standard scale).

The Council complies with the Regulators' Code<sup>10</sup>. In addition, the Enforcement Policy<sup>11</sup> for Public Protection sets out a range of actions that are available where offences are found or where street trading conditions have been contravened. A balanced and transparent approach will be taken, and each case will be judged on its own merits.

The Licensing Authority will share information with other agencies in relation to compliance and risk and will seek to work with the Police, Town/Parish Councils and other agencies in enforcing the licensing legislation.

Please refer to the Council's website for more information: [Licensing compliance - Cornwall Council](#) or email [licensingcompliance@cornwall.gov.uk](mailto:licensingcompliance@cornwall.gov.uk) to report any concerns.

## **Data Protection / UK General Data Protection Regulation (UK GDPR)**

A register of Street Trading applications and Consents issued are published on the Council's website: [link to be inserted once published]

All data sharing is in accordance with the Data Protection Act and UK GDPR – please refer to our [Privacy Notice](#).

---

<sup>10</sup> More information on the Regulator's Code is at <https://www.gov.uk/government/publications/regulators-code>

<sup>11</sup> The Enforcement Policy can be obtained from the Licensing Compliance Team (telephone 0300 1234 212)

## **Further Information**

Information and details of how to apply for Street Trading Consent are available on the Council's website:-

[Street trading licence - Cornwall Council](#)

Cornwall Council's Licensing Direct services:-

[Licensing Direct \(Street Trading\) flyer](#)

Cornwall Council's Interactive mapping:-

[Interactive Mapping](#)

Cornwall Council's Business Regulatory Support Service:-

[Business support and advice - Cornwall Council](#)

Local Government (Miscellaneous Provisions Act 1982 – Schedule 4:-

[Local Government \(Miscellaneous Provisions\) Act 1982 \(legislation.gov.uk\)](#)

European Union Services Directive:-

[L 2006376EN.01003601.xml \(europa.eu\)](#)

Licensing Act 2003 – alcohol and late night refreshment information:-

[Licensing Act 2003 - Cornwall Council](#)

Food Registration:-

[Food registration and approval - Cornwall Council](#)

[Food safety - Cornwall Council](#)

[Chief Planning Officer's Advice Note: Hot food takeaway premises.](#)

[Cornwall and Isles of Scilly Healthier Weight Strategy 2025 to 2035](#)

Health matters: obesity and the food environment:-

[Health matters: obesity and the food environment - GOV.UK \(www.gov.uk\)](#)

Healthy Eating:-

[Home - Healthy Cornwall](#)

Roads, Highways and Pavements:-

[Roads, Highways and Pavements - Cornwall Council](#)

Clean Neighbourhoods and Environment Act 2005 – Offence of exposing vehicles for sale on a road:-

[Clean Neighbourhoods and Environment Act 2005 \(legislation.gov.uk\)](#)

Cornwall Council Public Open Spaces – Pop-up Sites:-

[Pop up sites - Cornwall Council](#)

National Highways:-

[National Highways - Highways England](#)

Licensing link to check which other licences or authorisations may be required, depending on the activities being provided:-

[Check to see what licences you may need - Cornwall Council](#)

## **Disclaimer**

The content of this document is provided as a statement of practices, procedures and policies in relation to street trading in Cornwall. It is not a full and authoritative statement of the law and is not issued as legal advice or intended to provide legal advice. The purpose of the document is to provide useful information in relation to the licensing of street trading in Cornwall. You should obtain your own independent legal advice where appropriate.

# Street Trading Consent Conditions

## Appendix 1

- 1.** This Consent shall not be assigned, transferred or sub-let to any other person, firm or organisation.
- 2.** Any employee of the Consent holder should have written authorisation of the Consent holder confirming his employment status, which should be produced on demand to an authorised officer of Cornwall Council or a Police Officer.
- 3.** A copy of this Consent must be displayed on the stall/vehicle or an electronic copy must be available whilst trading (N.B. the Consent holder's home address can be blanked out on the display copy if required).
- 4.** \*Any motor vehicle from which trading is permitted to take place shall be in a roadworthy condition and shall at all times be taxed, tested and insured, and a driver holding a full driving licence for the class of vehicle being used must be available within a reasonable period in the event that the vehicle is required to be moved (\*if applicable)
- 5.** Upon application the full details of any stall/vehicle shall be provided by the applicant to the Licensing Authority. Any change in the said stall/vehicle during the said licensing period shall be notified to the Licensing Authority in writing prior to any change in stall/vehicle being made.
- 6.** The Consent holder shall not contravene any Order made under the Road Traffic Regulations Act or the Town & Country Planning Acts and shall also comply with the provisions of the Highways Acts and any other relevant legislation, byelaw, local legal restriction etc.  
Consents do not override any other restrictions which may be in place in the trading location, including parking restrictions.
- 7.** \*The Consent holder must comply with all relevant food hygiene legislation (\*if applicable).
- 8.** It is the responsibility of each individual street trader to ensure that all waste is disposed of in appropriate manner; i.e. liquid, oil, fat & food waste must not be disposed of in the street or into a public drain (storm or foul).
- 9.** Where there is the need for power for the stall/vehicle they are operating and there is no alternative to supply power, other than a generator, then permission must have been obtained from Cornwall Council's Public Protection Team prior to the use of any such generator with the make, model and technical specifications being agreed by the Cornwall Council's Public Protection Team.
- 10.** The Consent Holder must consider the surrounding environment and must employ the best practicable means to ensure that any generator used does not cause nuisance or annoyance to any person within the locality, including residents, businesses, and users of nearby amenities.

- 11.** Prior to any mobile food business commencing operation the food operator should agree the proposed location and type of food and beverage with Cornwall Council's Public Protection Team.
- 12.** The Consent Holder must stop music/noise making equipment or reduce volume to a specified level when requested to do so by an authorised Cornwall Council Officer.
- 13.** The Consent holder must possess for the purposes of trading, sufficient public liability insurance cover and produce it to an authorised Officer of Cornwall Council or a Police Officer, upon request. The minimum sum insured must be £10,000,000.
- 14.** The Consent holder must keep any stall/vehicle from which trading takes place together with the immediate vicinity of the stall/vehicle, in a clean and tidy condition and where required, the consent holder must provide sufficient litter bin(s) for use by customers. The consent holder will be responsible for cleaning/litter picking the area in the vicinity of the stall/vehicle, and on request by the Authority or its Street Cleansing Contractor, with appropriate notice, the stall/vehicle or other items associated with the consent will be moved/removed from their position to allow for street cleaning operations in the area they occupy.
- 15.** The Consent holder must provide (i) evidence of collection and recycling of their plastic products, and (ii) evidence of general waste being collected commercially.
- 16.** Single use and non-recyclable plastics must not be used by traders.
- 17.** Advertisements must not cause any danger, obstruction, nuisance or offence to customers or persons in the vicinity of the consent holder's stall/vehicle.
- 18.** This Street Trading Consent does not give any permission to any person or body to place posters, signs or any other advertising material within highway limits, or on street lighting columns, traffic signs and other street furniture. Street traders are advised that any material should not be sited or displayed in a manner which obscures any highway sign or creates a safety risk, hazard or obstruction to the use of the highway. Any material erected in contravention of these requirements is liable to be removed by the Highway Authority.
- 19.** Any stall/vehicle used for the purposes of street trading shall not remain on site outside the hours stated on the Consent.
- 20.** The Consent holder shall not cause any obstruction to persons using the public highway or wishing to enter the site upon which they are trading.

**21.** The Consent holder shall not cause any obstruction or nuisance to persons using private or business premises.

**22.** The Consent holder shall only use one mobile stall/vehicle for the purposes of street trading on each site, which must not exceed the size agreed in writing by the Licensing Authority.

**23.** The Consent holder shall supply a copy of these street trading conditions to every person engaged in street trading on their behalf. For the avoidance of doubt, these street trading conditions will apply to a person engaged in street trading on behalf of the Consent holder to the same extent as they apply to the Consent holder.

**24.** The Consent holder and any other persons engaged in street trading shall at all times offer full co-operation to an authorised officer of the Council in their task of ensuring compliance with the above conditions.

**25.** The Consent holder must inform the Council within 7 days of any change of name, address or contact details.

**26.** The Consent holder must notify the Council of any conviction, caution, or if charged with any offence, or if an allegation is made against them, within 7 days of the date of the allegation, charge, conviction etc.

Failure to comply with this condition may result in the Consent being reviewed and/or not renewed.

**Street Trading Fees**

(1 April 2025 – 31 March 2026)

**Appendix 2**

Licensing Direct Services	
<b>Pre-Application Advice</b>	<b>£60</b> (including VAT)
<b>Application Assistance</b>	<b>£55</b> (including VAT)

Application Fees		
<b>New</b>	<b>£230</b>	If applying for more than one location for the same unit/stall/vehicle, additional <b>£65</b> payable for each location being applied for.
<b>Renewal</b>	<b>£135</b>	If applying for more than one location for the same unit/stall/vehicle, additional <b>£65</b> payable for each location being applied for.
<b>Variation</b>	<b>£135</b>	If applying for more than one location for the same unit/stall/vehicle, additional <b>£65</b> payable for each location being applied for.

Trading Fees	
Additional fee payable if application approved, calculated on how many days of the week trading takes place and the number of calendar months, as follows:-	
Occasional	<b>£8</b> per day
<b>1</b> day a week	<b>£65</b> per month
<b>2</b> days a week	<b>£75</b> per month
<b>3</b> days a week	<b>£90</b> per month
<b>4</b> days a week	<b>£110</b> per month
<b>5</b> days a week	<b>£120</b> per month
<b>6</b> days a week	<b>£135</b> per month
<b>7</b> days a week	<b>£150</b> per month
<p>5% discount given on trading fees for 9+ months trading of the total monthly fee payable.            10% discount given on trading fees for 12 months trading of the total monthly fee payable.            Please note discounts do not apply if paying by instalments.            Please also note, if paying by instalments, and payment is overdue by more than 28 days, an additional <b>£15</b> is payable to cover administrative costs.            NB Additional charge of £8 per day to trade prior to the start of the 1<sup>st</sup> whole trading month.</p>	
Online payment link for all street trading fees: <a href="https://secure.cornwall.gov.uk/form/auto/licen_street_trading">https://secure.cornwall.gov.uk/form/auto/licen_street_trading</a>	