



**MANCHESTER
CITY COUNCIL**

Premises Licensing Team

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Street Trading Licences and Consents – Guidance for Applicants

Introduction

- 1) Any person who wants to sell goods in a street in Manchester can only do so if they have a street trading licence or consent issued by Manchester City Council. A 'street' is any road, footway, beach or other area to which the public have access without having to pay (such as public parks and gardens, supermarket car parks or carwash forecourts).
- 2) Streets in Manchester are either 'licence streets' or 'consent streets'. If you want to trade in a licence street you need to apply for a street trading licence. If you wish to trade in a consent street you need to apply for a street trading consent.
- 3) Streets in the city centre are licence streets. Streets outside the city centre are consent streets. There are a small number of streets across the city where no trading can take place; these are called 'prohibited streets'. See Appendix A at the end of this guidance to find out which streets need a licence, which a consent, and which are prohibited.
- 4) Street trading can take place from a fixed location or traders can be mobile (e.g. ice cream vans). Mobile traders will be asked to provide the times, days and streets where they want to trade. Mobile traders can only remain stationary while they have customers; when the last customer has been served the trader must move on to a new location.

Making a new application

- 5) To apply for a new street trading licence or consent you need to submit the following –
 - a) A completed and signed application form.
 - b) The application fee – this is £720 for a Street Trading Licence and £420 for a Street Trading Consent. This is for a 12-month period. Fees will be adjusted accordingly for shorter periods.
 - c) An additional fee of £11 for a badge for each assistant.
 - d) A passport photo of each person applying for the licence or consent.
 - e) A passport photo of each assistant named on the application form.

- f) For fixed locations - a description of the precise location of the trading unit such as 'on the corner of...', 'next door to...', 'adjacent to...' etc. You may also include a map.
 - g) For mobile traders - a full list of every street where you want to trade.
 - h) Three colour photographs of the proposed trading unit showing the front, rear and side views of the unit.
 - i) Written permission from the landowner if the location is on private land such as a supermarket car park or a carwash forecourt.
 - j) Written permission from the city council if the location is on public land that is not a public highway; email corporate.property.records@manchester.gov.uk.
 - k) Written details of the arrangements you will make for the storage, collection, removal and disposal of refuse.
- 6) The following documents do not need to be submitted with an application for a new licence or consent but must be submitted and verified before a licence or consent can be granted:
- a) A copy of the certificate of insurance covering third party and public liability risks.
 - b) Written permissions/certificates relating to advertisements, power source or generator (where applicable).
 - c) A copy of the food business registration certificate, if you are selling food or drink. Please see contact details for registration in Manchester at the end of this guidance.

Please contact Manchester City Council's Planning Department at planning@manchester.gov.uk to find out if planning permission is needed for where you want to trade and how to apply.

It is your responsibility to find out if planning permission is required. Even if a licence or consent has been granted, you will not be able to trade without the relevant planning permission.

Statutory declaration

- 7) Each applicant must make a statutory declaration about any unspent criminal convictions. You also need to declare any cautions or any pending matters.
- 8) If you have any unspent convictions or cautions the Council will hold a hearing to determine whether you are a suitable person to hold a street trading licence or consent. The application will be put on hold until this has been determined.

Renewing an existing licence or consent

- 9) If the applicant, the location, the trading hours or goods being sold have not changed then you only need to submit the following –
 - a) A completed and signed application form.
 - b) The application fee.

- c) A copy of the certificate of insurance covering third party and public liability risks.
 - d) Written permissions/certificates relating to advertisements, power source or generator (where applicable).
 - e) A copy of the contract for arrangements for the storage, collection, removal and disposal of refuse.
 - f) A statutory declaration in relation to any unspent criminal convictions (in case there have been any new convictions since the licence or consent was granted).
- 10) You do not need to apply for new assistants badges if they already have one issued by the Premises Licensing team.
- 11) A photograph of the applicant is not required if you already have a badge.
- 12) Photographs of the assistants are not required if they already have a badge.
- 13) Photographs of the trading unit are not required if the appearance of the unit has not changed in any way.

Submitting your application

- 14) Please submit your application by email to: premises.licensing@manchester.gov.uk
Applications must have either an electronic signature or be signed by hand and then scanned in. Please give an e-mail address within the application form so that we can send you a link to pay the fee.

Consultation

- 15) When the application has been accepted we will notify other parties, including the following –
- a) Occupiers of premises immediately next to and opposite fixed location trading sites.
 - b) Local ward councillors and neighbourhood officers
 - c) Manchester City Council Highways Division
 - d) Manchester City Council Food Hygiene department
 - e) Manchester City Council Planning department
 - f) Manchester City Council Land & Property department
 - g) Greater Manchester Police
 - h) Any other interested parties that may be relevant.
- 16) There is a consultation period of 28 days to allow people to make comments. At the end of the 28 days the applicant will be told of any comments that have been made and of the next stage of the application.

Grant or Refusal of a Street Trading Licence or Consent

- 17) Where there are no objections to an application a licence or consent will be granted after:
- a) All food safety checks on the vehicle have been done and the relevant documentation has been provided by the local authority where the trading unit is usually kept.
 - b) All documentation in point 5 above has been provided.
- 18) Where objections are received the matter will be dealt with as follows:
- a) A hearing will be held before the Licensing and Appeals Sub-Committee to determine the application.
 - b) The applicant and anyone who made an objection to the application will be invited to attend.
 - c) The hearing should be held within 28-days of the end of the consultation period.
 - d) At the hearing the sub-committee may –
 - i) grant the licence or consent in full; or
 - ii) grant the licence or consent for fewer days or shorter hours, or limit the items permitted to be sold, or restrict the streets or part of a street in which the licence or consent holder is permitted to trade; or
 - iii) refuse the application.

Appeal Process

- 19) Street Trading Licence –
- a) There is a right of appeal against a decision to refuse to grant or renew a street trading licence, where the decision is on one or more of the following grounds -
 - i) that the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
 - ii) that the applicant has at any time been granted a street trading licence by the council and has persistently refused or neglected to pay fees due to them for it or charges due to them for services rendered by them to him in his capacity as licence-holder;
 - iii) that the applicant has at any time been granted a street trading consent by the council and has persistently refused or neglected to pay fees due to them for it;
 - iv) that the applicant has without reasonable excuse failed to avail himself to a reasonable extent of a previous street trading licence.
 - b) A person may also appeal a decision to grant a licence with principal terms different from a licence held previously where the applicant has without reasonable excuse failed to avail himself to a reasonable extent of a previous street trading licence.
 - c) Any appeal shall be made to Manchester City Magistrates' Court, Crown Square, Manchester, M60 1PR (telephone 0161 830 4200 or email gm-

manmadmin@justice.gov.uk) and must be commenced within the period of 21 days beginning with the day on which you were notified by the licensing authority of the decision, as provided for in Section 6(5) of the Local Government (Miscellaneous Provisions) Act 1982, Schedule 4.

20) Street Trading Consent –

- a) There is a right of appeal against a decision to refuse the grant or renewal of a street trading consent, or to grant a consent with principal terms different from a consent held previously.
- b) Any appeal shall be made to Manchester City Council Licensing & Appeals Committee and must be commenced within the period of 21 days beginning with the day on which you were notified by the licensing authority of the decision.

Miscellaneous

21) Legislation:

- a) The legislation that governs street trading is Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. Persons granted a street trading licence or consent are advised to ensure that they are fully aware of all legislative requirements. The legislation can be viewed at:
<http://www.legislation.gov.uk/ukpga/1982/30/schedule/4>
- b) Persons making an application should also be aware of the following legislation (and any subsequent revisions):
 - i) Manchester Act 2010
 - ii) Environmental Protection Act 1990
 - iii) The Human Rights Act 1998
 - iv) Food Premises (Registration) Regulations 1991
 - v) Food Safety Act 1990
 - vi) Food Safety (General Food Hygiene) Regulations 1995 (as amended)
 - vii) The Food Safety (Temperature Control) Regulations 1995
 - viii) Health and Safety at Work etc Act 1974 and any regulations made under this Act.
 - ix) The Licensing Act 2003

This list is not exhaustive and there may be other relevant legislation.

22) A person will not require a street trading licence or consent for:

- a) Anything done in a market or fair.
- b) Trading in a trunk road picnic area as defined in s112 of the Highways Act 1980.
- c) Trading as a news vendor (newspapers and periodicals),
- d) Trading which -
 - i) is carried on at premises used as a petrol filling station; or
 - ii) is carried on at premises used as a shop or in a street adjoining premises so used and as part of the business of the shop.
- e) Selling things as a roundsman (e.g. a milkman).

- 23) Trading between 11pm and 5am - any trader that wants to sell hot food and/or hot drinks between 11pm and 5am will also need to submit an application for a licence under the Licensing Act 2003. The two applications will be considered separately and obtaining one does not imply that the other will be granted.

Likewise, any trader that wants to sell alcohol at any time will also need to submit an application for a licence under the Licensing Act 2003. Again, the two applications will be considered separately and obtaining one does not imply that the other will be granted.

- 24) Type of vehicle, trailer or stall - in general terms:

- a) You do not need to buy a vehicle or trading unit until an application has been granted, so you are not out of pocket if your application is refused.
- b) The vehicle, trailer or stall to be used for a street trading licence or consent will be of a high-quality design and build and will add to the quality of the street scene.
- c) Any vehicle, trailer or stall that is to be used in the city centre will be of an agreed design and colour.
- d) An authorised officer of the Council will inspect the unit prior to any consent or licence being issued.
- e) Applicants should seek advice from the Council as to their choice of vehicle, trailer or stall before buying it or submitting an application. See contact details at the end of this guidance.

- 25) Privately owned land and public parks:

- a) Trading on privately owned land will usually require a Street Trading Licence or Consent. Persons wanting to trade from private land should seek advice from the Licensing Premises Team before submitting an application. See contact details at the end of this guidance.
- b) A Street Trading Licence or Consent will be required in respect of any street trader operating in a park or public open space in Manchester as these are likely to fall within the definition of a street. Any such trader will also require authority from the relevant Council department (such as Leisure Services).
- c) Where a public park or other open space is being used as a venue for a concert or similar event (where access is restricted to members of the public who have a ticket or have otherwise paid to access the event) a street trading licence or consent is not required within the event area. Persons wanting to trade at such events should contact the event organiser.

- 26) Temporary Licences and Consents:

- a) Temporary street trading licences or consents are possible, subject to consultation with key organisations. Street traders will not normally be granted permission to operate as part of a market.

- 27) Advertisements on Street Trading Stalls/Units:

- a) Street trading licence or consent holders wanting to advertise on or from their stall or unit must have written permission from the Licensing Premises Team before any advertisements are displayed.
- b) The use of advertising 'A' boards is not allowed.

28) Causing Damage:

- a) Any damage caused to pavement flagstones or other surfaces as a result of street trading activity will result in the trader responsible for such damage being charged.

29) Using a Loudspeaker:

- a) In relation to any street trader who uses a loudspeaker to advertise in the course of their business, the provisions of section 62 of the Control of Pollution Act 1974 will apply. The use of loudspeakers for this purpose will only be permitted between the hours of 12 noon and 7pm.

30) Power Supply:

- a) The Council will normally expect a street trader to have their own power and water supply as part of a self-contained unit. Written permission must be sought from the City Council before any external power source can be used.

31) External Power Sources:

- a) Any costs related to the use of any external power source will be borne by the licence or consent holder.
- b) Any generator and/or electrical equipment, including switchgear, must be satisfactorily barriered to prevent unauthorised access or interference.
- c) Generators –
 - i) Any generator being supplied shall have a certificate to show that it is electrically safe.
 - ii) Generators shall be positioned so as to reduce the length of cabling required to an absolute minimum and to minimise nuisance to local residents or businesses from noise or fumes. Where required, silenced generators or acoustically insulated generators should be sourced.
 - iii) Fuel for generators shall be stored safely in a suitable container at least 12 metres away from electrical or other sources of ignition and away from potential interference by others.
 - iv) A 2kg dry powder fire extinguisher shall be provided for any generator and all generator exhausts and moving parts shall be suitably guarded to prevent injury to others.
 - v) The Health and Safety Executive event safety guide HSG 195 gives detailed guidance on the use of generators and states: "Electrical power to catering operations should, wherever possible, be provided by the site electrical supply".
 - vi) Where petrol generators are used, a specific risk assessment (detailing how relevant hazards, i.e. fire, explosion, refuelling, segregation, fumes etc. are controlled) must be provided by the applicant.

32) Single Use Plastic Ban

A new ban on Single Use Plastic items came into effect on 1 October 2023. Plastic cutlery, containers, plates, bowls and trays are all included in the ban. More information is available at: <https://gmgreencity.com/singleuseplasticban/>

Contact details:

Address: Premises Licensing Team, Manchester City Council, Level 1 Town Hall Extension, Albert Square, PO Box 532, M60 2LA
Tel Number: 0161 234 5004 (call centre)
Email: premises.licensing@manchester.gov.uk

For information regarding registering a food business in Manchester please contact:

Address: Manchester City Council, Environmental Health, 1 Hammerstone Road, Manchester, M18 8EQ
Tel Number: 0161 234 5004
Email: envh.licensing@manchester.gov.uk

Contact information for parks and open spaces can be obtained at the following website:
www.manchester.gov.uk/a_to_z/service/1068/parks_and_open_spaces

Annex A

Prohibited Streets

Hulme, Ardwick, Moss Side

Oxford Road (except for the pavement area immediately in front of Grosvenor Park).

Bradford, Ancoats & Clayton

Hulme Hall Lane and Alan Turing Way (from the Rochdale Canal to Pottery Lane), Ashton New Rd, Mill Street, Wilson Street [from Holroyd Street to Clayton Lane], Clayton Lane, Croft Street, Simpson Street, Score Street, Quinn Street, Corbet Street, Colliery Street, Barking Street, Rowsley Street, Philips Park Road, Edwin Road, Cambrian Street (from Ashton New Rd to junction of Philips Park Road), Grey Mare Lane, Butterfly Street, Sledmere Close, Howarth Street, Brookshaw Street, Bronx Street, New Viaduct Street, Albert Street, Palmerston Street (from Albert Street to the junction of Viaduct Street), Councillor Street, Orme Street, Darley Street, Hulme Hall Lane and Alan Turing Way (from the Rochdale Canal to Pottery Lane), Ashton New Road (to the junction of Edge Lane), Briscoe Lane (from Alan Turing Way to Ten Acre Lane), Bradford Road (from Alan Turing Way to Barking street), Riverpark Road, Clayton Lane, New Viaduct Street, Gwelo St, Linfield Street, Bank Street, Fairclough Street, Stuart Street, Stuart Street East, Gibbon Street, Archer St, Clague St, Kinloch St, Willdale Close, Still Water Drive, Side St, Cantrell St, Aintree St.

Cheetham

Trinity Way from A56 junction – Cheetham Hill Rd Junction (including the junctions themselves). Cheetham Hill Rd A665 Park St to Millar St. Dutton St to Park St and Robert St. Park Street to Shaw St, A56 Trinity Way to Chapel St. Hunts Bank, Walkers Croft, Victoria Station Approach up to Corporation St.

Wythenshawe

All streets within the area bounded by Simonsway, Brownley Road, Poundswick Lane and Crossacres and where the said area is bounded by a street the designation includes the whole of the street throughout the length thereof which forms the boundary and including all forecourts, roads, footways or other areas adjacent to the streets, referred to in this resolution for a distance of 30 metres.

Deansgate and Piccadilly

The area known as St Ann's Square and Exchange Street from the junction of St Ann's Square with St Ann's Street along its length and including Exchange Street along its length to its junction with St Mary's Gate and where the said area is bounded by a street throughout the length thereof which forms the boundary.

The area known as King Street from Cross Street along its length to Deansgate and where the said area is bounded by a street throughout the length thereof which forms the boundary.

Market Street and St Mary's Gate.

Piccadilly.

New Cathedral Street.

Exchange Square.

The areas known as:

'Piccadilly Gardens' defined as the area bounded by Piccadilly, Portland Street, Parker Street and tree line along Mosley Street back to the junction with Piccadilly;

'St Peter's Square' and 'Albert Square': encompassed by Princess Street at its junction with Albert Square, Mosley Street, Oxford Street, Mount Street along its length, Lloyd Street to its junction with Albert Square and Albert Square returning the junction with Piccadilly;

'Cathedral Gardens' defined as the area bounded by Long Millgate, Todd Street, Corporation Street, Fennel Street along its length to the junction with Long Millgate;

'Lincoln Square' defined as the area encompassed by Brazennose St along its length and bounded by Mulberry Street and Queen Street.

Licence Streets

Deansgate, Piccadilly, Cheetham

All streets within the area bounded by the River Irwell, Regent Road, Dawson Street, Egerton Street, Mancunian Way, London Road, Travis Street, Sheffield Street, a line drawn between the junction of Baird Street and Sheffield Street and the junction of Sparkle Street and Chapeltown Street, Sparkle Street, Store Street, Great Ancoats Street, Redhill Street, Bengal Street, Oldham Road, Thompson Street, Rochdale Road, Gould Street, Dantzic Street, Victoria Station to Miles Platting Railway line, Cheetham Hill Road and Trinity Way (formally New Bridge Street) and where the said area is bounded by a street the designation includes the whole of the street throughout the length thereof which forms the boundary and including all forecourts, roads, footways or other areas adjacent to the streets referred to in this resolution for a distance of 30 metres but excluding any land or streets in the ownership or control of the British Railways Board, such area being indicated in the plan.

Consent Streets

Any street not identified as a prohibited street or a licence street can be considered for applications for a Street Trading Consent.

Food businesses

You are required by law to register your food business with the local authority in order to store, prepare, distribute or sell food on premises. Premises include restaurants, cafes, hotels, shops, canteens, market stalls, mobile catering vans, food delivery vans and businesses run from home.

If it is a new food business you must register your business 28 days prior to opening.

Registration is free and can be completed online at:

http://www.manchester.gov.uk/directory_record/72530/food_-_premises_registration

You do not need to renew the registration unless there are any important changes, like a change in the operator's name or the type of food business.

Registration cannot be refused and you can continue with your business as soon as you have submitted your registration form.