

**Local Government
(Miscellaneous Provisions) Act 1982**

**Street Trading Consent
Application/Renewal – Hawker**



ASHFORD
BOROUGH COUNCIL

A hawker is a trader that does not trade in the same location for longer than 20 minutes and does not return to within 200m of the same location on the same day.

All applicants (and their assistants) must be aged 17 or over

| Applicant 1 | | | |
|--------------------|---|-------|------|
| Title | Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) | | |
| Surname | | | |
| Forenames | | | |
| Date of birth | Day | Month | Year |
| Business Name | | | |
| Current address | | | |
| | | | |
| Post code | | | |
| Telephone number | | | |
| E-Mail Address | | | |

| Applicant 2 | | | |
|----------------------|---|-------|------|
| Title | Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) | | |
| Surname | | | |
| Forenames | | | |
| Your date of birth | Day | Month | Year |
| Business Name | | | |
| Your current address | | | |
| | | | |
| Post code | | | |
| Telephone number | | | |
| E-Mail Address | | | |

| Details of goods to be sold |
|------------------------------------|
| |

| How many stalls/carts/barrows or vehicles do you wish to licence? |
|--|
| |

| Vehicle Details | | | |
|-----------------|--------------|--------------|--------|
| | Registration | Make & Model | Colour |
| Vehicle 1 | | | |
| Vehicle 2 | | | |
| Vehicle 3 | | | |
| Vehicle 4 | | | |

| Trailer / Portable Stall / Barrow / Cart Details | |
|--|-------------|
| Size | Description |
| | |
| | |
| | |
| | |

| Further Information | |
|---|---|
| Please state where your articles will be stored when not being offered for sale. | |
| <p>Have you ever been refused a Street Trading Licence or Consent, or had a Licence or Consent revoked?</p> <p>If YES give details of the local authority and a brief outline of the circumstances.</p> | Yes / No |
| <p>Have you ever been convicted for any offence, including but not limited to:</p> <p>Violence</p> <p>Dishonesty/theft/handling/burglary</p> <p>Consumer protection or fair trading</p> <p>Public Health of food hygiene contraventions</p> <p>Prohibited from running a food business</p> <p>If YES please give details including date and place of offence, nature of the offence and the penalty imposed.</p> <p>Include details of unspent convictions only, see note overleaf.</p> | <p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p> |
| Have you sought the advice of an Environmental Health Service in respect of food hygiene and health and safety matters? If YES please give details. | Yes / No |
| <p>If you are selling food or drink are you registered with an Environmental Health Service as a food business?*</p> <p>If YES please give details:</p> | Yes / No |
| Do you have the right to work in the UK? | Yes / No |

*Registration of food business establishments, including mobile businesses such as market stalls, delivery vehicles and other moveable structures, is required by law.

The establishment is the location or site of your food business. If it is a mobile food business, you must register the location where it is normally stored overnight.

If you have not already registered your food business, you can do so here:

<https://www.gov.uk/food-business-registration>

| Checklist | |
|---|--------------------------|
| Completed application form | <input type="checkbox"/> |
| Fee for each vehicle, stall, etc. (non-refundable) for a 12 month consent | <input type="checkbox"/> |
| Proof of Public Liability insurance (£5m cover) | <input type="checkbox"/> |
| Photograph of trailer/vehicle | <input type="checkbox"/> |

| Data protection, sharing and retention |
|---|
| <p>Ashford Borough Council is the data controller for any personal information collected in this application. Your information will be used to administrate the licence, processing is being conducted relying upon a contractual legal basis. Your data may be shared with other departments within the council for the purpose of improving services, keeping records up-to-date and for the protection of the public fund. It may also share your data with other bodies responsible for auditing public funds for these purposes.</p> <p>You can find further information about data sharing to identify fraud at: www.ashford.gov.uk/transparency/data-protection/data-sharing-to-identify-fraud/.</p> <p>Your information will be retained as long as you hold the licence + 12 years. For more information about your data protection rights please see our data protection pages which can be found at www.ashford.gov.uk or contact the Data Protection Officer, Ashford Borough Council, International House, Dover Place, Ashford, Kent. TN23 1HU</p> |

| Declaration | |
|---|-------|
| <p>I hereby apply for a hawker consent to trade within the Borough of Ashford. If a consent is granted I undertake to comply with the terms and conditions of the consent and acts and regulations relating to street trading.</p> <p>I understand that failure to do so by me or any assistant employed (with or without payment) by me will render both me and such assistant liable to prosecution and may also result in the revocation of the licence.</p> <p>I hereby declare that the information given in this application is correct to the best of my knowledge and belief.</p> | |
| Dated: | _____ |
| Name: | _____ |
| Signed | _____ |

Please note that a different consent is required to trade in Ashford Town Centre, Ashford High Street and Tenterden Market. Please contact Licensing on 01233 331111 for further details.

Please return to Licensing, Ashford Borough Council, International House, Dover Place, Ashford, Kent, TN23 1HU

If you have any queries completing this form please contact Licensing on 01233 331111.

Street Consent Application – Note Regarding Offences

All unspent convictions must be disclosed. Spent convictions are defined in the Rehabilitation of Offenders Act 1974, a note of which follows. If you are in any doubt as to whether a conviction is spent, you should either consult a solicitor or declare it on the application form.

Explanatory Notes on the Rehabilitation of Offenders Act 1974

This Act provides that after a certain lapse of time convictions for criminal offences are to be regarded as “spent”.

An applicant need not disclose spent convictions and the Council may not take them into account when deciding upon an applicant. Sentences of imprisonment exceeding 30 months duration can never be treated as spent and must be disclosed however long ago they were imposed. Certain periods of time that must elapse in other cases before the conviction becomes spent are set out below.

| For custodial sentences Sentence length | New rehabilitation period is period of sentence plus the ‘buffer’ period below which applies from end of sentence |
|--|--|
| 0 - 6 months | 2 years |
| 6 - 30 months | 4 years |
| 30 months - 4 years | 7 years |
| Over 4 years | Never spent |
| For non-custodial sentences | New period (will apply from end of sentence) |
| Community order & Youth Rehabilitation Order | 1 years |
| Fine | 1 years (from date of conviction) |
| Absolute discharge | None |

The periods of time which must elapse in other cases before the conviction becomes spent vary considerably according to the nature of the offence and other circumstances. The commission of a further offence during the rehabilitation period may, for example, extend the rehabilitation period.

Please note that some sentences may be reduced by half if the offender, at the time of sentencing was under 18 years of age.

Further guidance on this subject may be obtained from the Home Office publication “A Guide to the Rehabilitation of Offenders Act 1974”.