

PERMISSION TO TRADE ON TOWN COUNCIL LAND

The Town Council's Byelaws relating to Pleasure Grounds, Public Walks and Open Spaces dated 2/3/1995 state:

6. Trading

No person shall in the ground, without the consent of the Council, sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article.

Note: in the Byelaws 'the ground' is defined as:

Chelmer Valley Open Spaces,
Doctor's Pond,
Parsonage Downs,
Talberds Ley,
The Downs,
The Recreation Ground (between The Causeway and Church End),
Threaders Green,
Oakroyd Avenue Play Area,
Lime Tree Hill

This policy will also apply to Castleden Meadow and the David Cock Bequest Lane, which were acquired after the Byelaws were written, and any other open spaces which are subsequently acquired.

The Council may receive requests from traders wishing to trade on the grounds and the Council will consider each request on a case-by-case basis.

All traders must firstly make their request to trade in writing (letter or email) to the Town Clerk. The request must contain the following information:

- i) Days of the week they wish to trade.
- ii) Hours of trading.
- iii) How long they want to trade for.
- iv) What is being sold.
- v) Size of mobile unit.
- vi) Any ancillary equipment/vehicles.

Each trader will be asked whether they comply with the following criteria before the request is processed further:

- a) Food, drink and refreshments only to be sold.
- b) The following documentation is to be provided prior to trading taking place:

- i) Third party public liability insurance of £5,000,000
 - ii) License to trade from Uttlesford District Council¹ (if adopted by the responsible authority)
 - iii) Food hygiene certificate
 - iv) Risk assessments (as applicable):
 - a. Food safety
 - b. Health and safety
 - c. COSHH
 - d. Fire safety
 - v) Evidence of a Food Safety Management System/Due Diligence System in place by the vendor/trader.
- c) The following certification is to be provided before commencement of trading:
- a. Electrical (periodic inspection and PAT)
 - b. Gas safety certificate
- d) Only quiet running generators are to be used.
- e) No adverts, signboards, posters.
- f) No alteration to the grounds.
- g) Keep and leave the trading area free and clear of rubbish and ensure accessways are unobstructed.
- h) Payment of £50 or 20% of anticipated turnover will be required in advance of trading.

If the trader complies with the above, the request will be taken to the full Council or to the Downs and Commons Committee if the Council agrees to delegate the decision.

Adopted by Full Council 4th April 2024
Revised by the Finance and Policy Committee 14th November 2024
Approved by Full Council 9th January 2025

¹ West Berkshire DC vs Paine 2009. This case determined that if the trading took place in an area where the public had access without payment (even if the public did not go there) it was a street and would require a license to trade there.)