

Conditions to Street Trading Consent (ice cream vans) number: WSCT0009

Valid until: 25 May 2022

Only for use with vehicle registration number NH58 VWF



On 1 April 2019 the Suffolk Coastal and Waveney districts are abolished as local government areas and the District Councils are wound up and dissolved. These conditions become the conditions of East Suffolk Council. Any reference to the Council within this document refers to East Suffolk Council.

1. The former Waveney District Council ("the Council") has adopted a scheme in accordance with Sections 2 and 7 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act") to control street trading with effect from 1st August 1999.
2. All Streets in the former Waveney District that are not listed in appendix A ("Prohibited Streets" or Appendix B ("Licence Streets")) are designated by virtue of Council Minute v27-129 as "Consent Streets". For the purposes of this designation, "Streets" includes any road footway, promenade, pavement, public car parks and all other areas adjacent to the said streets for a distance of twenty metres to which the public have access). This means that, under the terms of the 1982 Act, trading is prohibited without a Consent issued by the Council.
3. It is an offence to trade in a Consent Street without a Consent issued by the Council.
4. A street trading Consent ("the Consent") is issued by the Council subject to the following conditions:-
 - The holder of the Consent is the person whose name and address appear on the authenticated, numbered official "Street Trading Consent" issued by the Council.
 - The Consent is valid until the expiry date shown on the Consent certificate.
 - The Consent may be revoked by the Council at any time or surrendered by the Consent holder at any time, providing that the Council shall repay to the applicant that part of the Consent fee considered by the Council appropriate for the unexpired period of the Consent, less an appropriate sum for administrative expenses.
 - The Consent holder must at all times while trading display in a conspicuous position: -
 - The Consent permit disk issued with the Consent; and
 - His trading name
 - The Consent holder shall not carry on his trade in such a way as to cause obstruction of any part of the street in which he is trading or danger to persons using the street.
 - The Consent holder shall not carry on his trade in such a way as to cause a nuisance or annoyance to persons using the street or to occupiers in the vicinity

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- The Consent holder shall not sell any type of merchandise other than:
 - a) ice cream, lollies, soft drinks and confectionery
- The Consent holder shall provide and maintain adequate refuse receptacles for litter resulting from his trading and shall remove all litter resulting from his trading from the street and ensure that the surrounding area is kept clean and tidy particularly when he has finished trading. The Consent holder shall be responsible for any damage to the highway or otherwise resulting from the Consent.
- The Consent holder shall make such provision as is necessary to prevent the deposit in any street of solid or liquid refuse and shall not discharge any wastewater oil or other matter to the street surface or to the surface water drains.
- The Consent holder may trade only during the following periods:
 - b) Monday to Sunday 12:00 to 19:00
- This Consent entitles the holder to trade only in the following locations, marked on the accompanying plan:
 - c) all consent streets within the former district of Waveney excluding North Green, Barnaby Green, Tubby's Green, St Edmund's Green (aka Hospital Green), St James's Green, Church Green, Bartholomew Green East Green and South Green Southwold.
 - d) also excluding St Mary's Street, Priory Lane, Earsham Street, Broad Street, Popson Street, Chaucer Street, Bridge Street, Trinity Street, Wharton Street, Staithe Road, Lower Olland Street, Upper Olland Street & Bardolph Road, Bungay. To also exclude all parts of the A144 and B1062 within Bungay
 - e) On Friday excluding Sheepgate, The Walk, New Market & Market Street, Beccles.
 - f) also excluding Links Road following consultations with Suffolk County Council Highways Team who stated 'that this is not a suitable location for an ice-cream van due to the narrowing road width beyond the entrance to the car park, increasing pedestrians to locate in the highway and thus restricting emergency service vehicles from being able to access North Denes sea front in the event of an emergency'.
 - g) Lowestoft Town Council also excluded trading from North Denes Car Park off Links Road in Lowestoft.
- Any vehicle, stall or container used by the Consent holder in the course of trading under this

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Consent shall be constructed and maintained to the satisfaction of all reasonable requirements of the Council as to its construction, appearance and display of advertisements.

- To this end, the following specific details of construction and appearance shall apply to any stall or container used in conjunction with this Consent:
 - h) trading may not take place other than from a purpose built, self-contained, motorised ice cream van NH58 VWF
- The Consent does not operate as a Consent for any other purpose than to permit the Consent holder to trade in a Consent street in accordance with the conditions imposed. The Consent holder must ensure that he has obtained any other consent, licence, approval or registration required under any other statutory provisions relevant to his trade.
- Trading under the terms of this Consent shall, at all times, be conducted under the direct and personal supervision of the Consent holder or his/her appointed representative.
- Trading under the terms of this Consent shall, at all times, be conducted under the direct and personal supervision of a person at least 18 years old.
- The Consent is personal to the Consent holder and shall not be assigned or transferred to any other person or Company.
- 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 or private statutes, orders, regulations or by-laws.
- The Consent holder, or his/her appointed representative shall immediately produce this Consent if required to do so by a Police Officer or an authorised officer of the Council.
- The Consent holder shall at all times maintain a valid Third Party Public Liability Insurance policy to the satisfaction of the Council's Strategic Director of Community Health and Information Technology and shall produce a valid certificate of such insurance at any time upon the request of that Officer.
- Nothing contained in these conditions shall relieve or excuse the Consent holder or his employee or agent from any legal duty or liability and the Consent holder shall indemnify the Council in respect of all claims, actions, demands or costs arising from the Consent.
- The conditions attached to the Consent may be varied by the Council at any time.
- In these conditions "the Consent" means a Consent issued under Sections 2 and 7 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 "Consent holder" means the person named on the Consent issued by the Council and includes any employee, servant or agent of the Consent holder at least 17 years old, and "the Council" means the former Waveney District Council.

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PROHIBITED STREETS

For the purposes of paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, the following streets within the former Waveney District Council administrative area be designated as Prohibited Streets for the purposes of Street Trading, the effect of such designation being to prohibit any street trading in any of the streets so designated:

General

All of the A12 Trunk Road within the former Waveney District, including service roads and lay-bys excluding the lay-by at Frostenden

All of the A146 within the former Waveney District, including service roads and lay-bys

All of the A1117 within the former Waveney District, including service roads and lay-bys

All parts of car parks owned and/or operated by the former Waveney District Council, whilst being operated as public car parks

All of the B1375 within the former Waveney District, including service roads and lay-bys

Lowestoft

Swimming Pool Road (entire length, both sides)

Whapload Road (entire length, both sides)

Leisure Way (from A12 junction to entrance to Pleasurewood Hills (both sides)

London Road South (entire length, both sides)

Marine Parade (entire length, both sides)

Kensington Road (entire length, both sides)

Kirkley Cliff Road (entire length, both sides)

Claremont Road (entire length, both sides)

Waterloo Road (entire length, both sides)

London Road Pakefield (entire length, both sides)

The Boulevard Oulton Broad (entire length)

Victoria Terrace (entire length, both sides)

Wellington Esplanade (entire length, both sides)

Beccles

Blyburgate (entire length, both sides)

Newgate (entire length, both sides)

The Walk (entire length, both sides)

Ballygate (entire length, both sides)

St Mary's Road (entire length, both sides)

Peddars Lane (entire length, both sides)

Fen Lane (entire length, both sides)

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Southwold

Ferry Road (entire length, both sides)

Southwold Harbour (from the junction with Ferry Road to the junction with Blackshore Road, both sides)

High Street (entire length, both sides)

North Parade (entire length, both sides)

East Street (entire length, both sides)

Parts of the cliff top path from junction with North Parade to junction with Gun Hill (including promenade)

Gun Hill

Godyll Road and Blackshore Road (entire length, both sides)

Halesworth

Market Place (entire length, both sides)

London Road (entire length, both sides)

Saxons Way (entire length, both sides)

Norwich Road (entire length, both sides)