



## 2001 CHAPTER 8

### *Licensing of street traders*

#### **Revocation, etc. of street trading licences**

**10.—(1)** A council may at any time revoke a street trading licence if it is satisfied that—

- (a) owing to circumstances which have arisen since the grant or renewal of the licence—
  - (i) the location of the street trading pitch on which the licence holder trades as a stationary trader has become unsuitable, or
  - (ii) the space in the designated street in which the licence holder trades as a stationary trader has become inadequate for him to engage in the trading permitted by the licence without causing undue interference or inconvenience to persons or vehicles using the street; or
  - (iii) the area or areas of the district in which the licence holder trades as a mobile trader have become unsuitable for the licence holder to do so without causing undue interference or inconvenience to persons or vehicles in the area or areas;
- (b) a designating resolution has been rescinded or varied with respect to the street in which the licence holder trades as a stationary trader;
- (c) the licence holder has, without reasonable excuse, failed to avail himself to a reasonable extent of his licence;
- (d) the licence holder has, in connection with an application under section 5 with respect to the licence, made a statement which he knows to be false in a material particular;

- (e) the licence holder is, on account of misconduct or some other reason relating to trading activities that has come to the attention of the council since the grant or renewal of the licence, unsuitable to hold the licence;
  - (f) the licence holder has, without reasonable explanation, failed to pay any fees or charges due to the council under section 15;
  - (g) the licence holder has persistently failed to remove to a place of storage the receptacles used by him for trading; or
  - (h) the licence holder has persistently failed to comply with any condition of his licence.
- (2) A council shall not take any steps to revoke a licence under paragraph (g) or (h) of subsection (1) unless—
- (a) it has notified the licence holder in writing of the conduct on his part that it considers to constitute a failure of a kind mentioned in either of those paragraphs; and
  - (b) the licence holder has thereafter continued or repeated that conduct.
- (3) If the council considers that a licence could be revoked on any of the grounds mentioned in paragraphs (a) to (c) of subsection (1) the council may instead of revoking it, vary its conditions under section 11(1) by—
- (a) reducing the number of days in any week or the period in any one day during which the licence holder is permitted to trade; or
  - (b) specifying—
    - (i) in relation to a licence holder who trades as a stationary trader, a different street trading pitch in the designated street in which he trades, or a street trading pitch in another designated street, or
    - (ii) in relation to a licence holder who trades as a mobile trader, a different area or different areasin which the licence holder may sell articles or things, or supply a service; or
  - (c) restricting the description of articles, things or services in which the licence holder is permitted to trade.