Street Trading Policy
2027 – 2030

Statement of street trading policy



Westminster City Council
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City of Westminster

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1. Purpose, Scope and Status of the Policy

1.1 This policy sets out Westminster City Council's overarching approach to the licensing, management, regulation and development of street trading in Westminster under the City of Westminster Act 1999 ("the Act"). It applies to council-managed markets, isolated pitches, temporary and event trading, exhibitions, and other specialist or site-specific trading arrangements regulated under the Act.

1.2 The policy supports the Council's wider aims to ensure that street trading in Westminster is lawful, safe, fair, well managed, accessible, inclusive, sustainable and responsive to place. It is intended to support the delivery of Westminster's wider objectives for market transformation, public realm quality, cleaner and safer streets, entrepreneurship, community participation, and value for money. Markets, isolated pitches and other suitable trading locations may, where appropriate, contribute to cultural access, local identity, creative enterprise, neighbourhood vitality and place shaping, alongside their commercial function.

1.3 This document provides the Council's overarching framework for applications, allocations, variations, conditions, fees, market management, compliance, review and enforcement. It should be read alongside the supporting documents listed at section 5.5.

1.4 Where a separate licensing or permission regime applies, such as under other highways or public realm legislation, this policy should be read in alongside that regime and should not be treated as a substitute for it.

1.5 In applying this policy, the Council will also have regard to relevant adopted corporate strategies where they are material to the role, timing, management or character of a market or trading location. This includes, where applicable, Westminster's Cultural Strategy 2026–2031 and Westminster After Dark 2025-2040, as well as any other adopted place-based or service strategies that may be material.

1.6 For clarity, this policy is structured in three strands:

- **Part A:** General provisions, which apply across all street trading regulated by the Act.
- **Part B:** Isolated pitch provisions, which apply only to those forms of trading; and
- **Part C:** Market provisions, which apply only within council-managed markets.

This structure is intended to make clear which policies apply borough-wide and which apply only to particular trading formats or locations.

1.7 This policy does not remove the council's discretion under the Act. Each application, variation, allocation, review, enforcement decision or other matter will be considered on its own facts and merits. Where the Council departs from this policy, it will normally record the reasons for doing so in the relevant decision record.

1.8 In the event of any inconsistency, the Council will normally apply the following order of precedence unless the context requires otherwise:

- the Act and any other applicable legislation;
- any relevant designation or specifying resolution;
- any prescribed standard conditions and any licence-specific, temporary or event conditions;
- the Council's published fee schedule, where relevant to charges;
- this policy;
- any adopted Market Strategy or other adopted strategy; and
- any market operation plans, pitch plans, trader handbooks, prospectuses, event briefs or other operational guidance.

1.9 The Council will keep this policy under review and may amend or replace it where necessary to reflect legislative changes, operational needs, strategic objectives or consultation feedback.

2. Strategic context

2.1 Street trading in Westminster is not regulated in isolation. Council-managed markets, isolated pitches, exhibitions, temporary trading and event trading all form part of the Council's wider work on inclusive growth, fairer neighbourhoods, public realm quality, cleaner and safer streets, high streets and local centres, community cohesion, climate and sustainability, accessibility and equality, place management, and the effective use of public space.

2.2 Westminster's six council-managed street markets are supported by a separate Market Strategy and wider transformation programme. However, the city also requires a clear and consistent policy framework for markets, isolated pitches, exhibitions, temporary trading and other non-market street trading, so that decisions across the wider street trading network are made lawfully, consistently and in a way that reflects current place, licensing, public realm and management objectives.

2.3 This policy is intended to support the Council's wider strategic aims by:

- Providing a clear and consistent framework for all forms of street trading regulated under the Act;
- Supporting the delivery of the market strategy and the wider transformation programme for Westminster's markets, while also establishing a coherent approach for non-market trading locations;
- Promoting street trading that is safe, inclusive, well managed, accessible, sustainable and responsive to local place and public realm context;
- Supporting stronger market and site identity, communications and digital presence, including clearer public information and trader-facing guidance;
- Providing a policy basis for infrastructure, management and environmental improvements, including matters such as layout, demarcation, signage, seating, lighting, utilities, waste facilities and other operational enhancements where appropriate;
- Supporting trader development, business support and lower-barrier entry routes where these are consistent with the Council's wider objectives and lawful charging framework;
- Enabling themed events, pilot activity, activation and seasonal trading where these are appropriate to the location and compatible with surrounding uses and the public realm;
- Supporting a more transparent and evidence-based approach to fees and charges, including lawful cost recovery, commodity impacts, operational demands and value for money;
- Embedding a clearer city-wide approach to designation, de-designation, temporary relocation, suspension and public realm management; and
- Improving monitoring, annual review, consultation, trader engagement and the quality of evidence used in decision-making.

2.4 In applying this policy, the Council may have regard to the economic opportunity, cultural and community benefit, public safety, accessibility, environmental sustainability, effective place management and the fair and lawful use of public space. Cultural or community benefits may be treated as a relevant positive factor where supported by the circumstances of the case, but they do not remove the need to assess amenity, accessibility, safety, pedestrian movement, heritage and public realm impacts in the round. This includes having regard to the different roles of Westminster's markets and trading locations, the needs of residents, businesses, visitors and traders, and the Council's wider equality, sustainability and value-for-money objectives.



3. Legal and decision-making framework

3.1 Street trading in Westminster is regulated by the City of Westminster Act 1999 ("the Act"). The Council will apply the Act, together with any other relevant legislation and adopted Council procedures, when determining applications, varying or reviewing licences, prescribing or applying conditions, setting and recovering fees and charges, taking enforcement action, and dealing with objections, representations, hearings and appeals.

3.2 Street trading licences may only be granted where lawful under the Act and in accordance with any relevant designation or specifying resolution. Permanent, temporary, event and other time-limited trading arrangements must all comply with the legal framework established by the Act and any applicable conditions or operational requirements. Where the Act requires full personal use or other statutory obligations, those obligations will continue to apply.

3.3 This policy is also informed by other legal and regulatory regimes that may apply to street trading or traders, including legislation and controls relating to planning, highways, traffic management, public realm, environmental health, food safety, waste and cleansing, health and safety, licensing, equalities, consumer protection, nuisance and anti-social behaviour.

3.4 The grant of a street trading licence, consent, approval or allocation under the Act does not remove or reduce the need to obtain any separate permission, consent, registration or approval that may be required under another legal regime. This may include but not limited to planning permission, advertisement consent, food business registration, highway approvals, a Temporary Event Notice (TEN), or any other permission required by law.

3.5 This policy does not create a private right or legitimate expectation to a licence, pitch, variation, relocation, designation, de-designation, renewal, event opportunity or market space. Nor does it remove or reduce any right to object, make representations, request a review or pursue an appeal where such a right exists under statute or the Council's lawful procedures.

3.6 The Council will consider each matter on its own facts, merits and local context and will seek to make decisions lawfully, fairly, proportionately, consistently, transparently and on the basis of relevant evidence. Significant decisions will be recorded in accordance with Council procedures.

3.7 Westminster's markets, isolated pitches, exhibitions, and temporary trading opportunities differ materially in role, place context, public realm setting, customer base, accessibility considerations, operational demands, waste profile, compliance burden and trading potential. For strategic and delivery purposes, Westminster may distinguish between routine everyday trading locations, curated market locations, culture-led or activation locations, and special-event or non-market-space locations used only for temporary approved events. These categories help the Council determine the appropriate scale of trading, activation, operating controls and site management for each location.

3.8 The Council will also have due regard to its duties under the Equality Act 2010, including the need to eliminate discrimination, advance equality of opportunity and foster good relations. Equality impacts, accessibility considerations and the need for reasonable adjustments will therefore be relevant to policy implementation, decision-making and review where appropriate.

3.9 Appendix 2 to this policy summarises Westminster's governance and procedures framework for street trading, including application validation, consultation, decision routes, reviews, hearings, appeals and enforcement escalation. It supports this policy but does not replace the Act, the Council's Constitution or any other legal requirement.

3.10 Appendix 3 summarises the Council's food-trading evidence and compliance expectations. It is not exhaustive and may be supplemented by standard conditions, licence conditions, trader handbooks, event briefs, market operation plans or specific officer requirements where appropriate.

4. Strategic objective and direction

4.1 Westminster's street trading network includes six council-managed street markets, a separate estate of designated isolated pitches, and a range of temporary, event, exhibition and other licensed street trading activities. These uses perform different economic, social and place-based roles and should not be managed as though they are interchangeable as doing so risks undermining their unique functions and local benefits.

4.2 To deliver a modern, inclusive and well-managed street trading service, the Council's strategic objectives are to:

- Support street trading that meets local needs, contributes positively to Westminster's streets, centres and public realm, and attracts visitors where appropriate.
- Balance commercial resilience and financial sustainability with community, cultural and social value.
- Support cleaner, safer, more welcoming and better managed street trading environments.
- Improve the fit between location, commodity offer, market role, public realm context and customer demand.
- Increase appropriate occupancy and activity, while reducing avoidable duplication, underuse and poor market or pitch fit.
- Manage isolated pitches, and other non-market trading locations actively so that only sites that remain suitable, workable, publicly acceptable and policy-compliant continue in use.
- Raise standards of presentation, cleanliness, compliance, accessibility, trader professionalism and customer experience.
- Support a more inclusive, accessible and environmentally responsible street trading service.
- Create clearer market and site identities and a stronger basis for investment, communication, promotion and place management.
- Support lower-barrier routes into trading and enterprise where appropriate, alongside clearer expectations for compliance and performance.
- Ensure that fees, charges, conditions and other controls are transparent, evidence-based, proportionate and aligned with lawful cost recovery and value for money; and
- Improve the quality of data, monitoring, consultation, trader engagement and periodic review used to inform decision-making.

4.3 Westminster's approach to its market network is differentiated and vision-led. Each council-managed market has an adopted role and vision set out in the Market Strategy. The Council will use that adopted strategy, together with any relevant market operation plan, prospectus or market-specific guidance, when making market decisions under this policy. Those roles may be refined through future review.

4.4 Outside the council-managed markets, the Council will generally take an evidence-based and location-led approach. Isolated pitches, exhibition sites and other non-market trading opportunities should only be introduced, retained or expanded where they remain active, spatially workable, publicly acceptable, and compatible with Westminster's planning, highways, servicing, accessibility, safety, public realm and place management objectives.

4.5 These strategic roles and objectives are relevant because the Council will use them, where appropriate, when considering applications, allocations, variations, vacancy filling, commodity changes, licence reviews, event programming, temporary trading opportunities, fee structures, promotion, investment priorities, and any review of pitch or site suitability.

4.6 In applying these objectives, the Council will seek to ensure that street trading continues to function as a public benefit as well as a regulated commercial activity: supporting local identity, fair access to opportunity, healthier and more inclusive neighbourhoods, and the effective stewardship of Westminster's public spaces.

4.7 These objectives are not exhaustive and may be supplemented by more detailed guidance, including market operation plans, trader handbooks, conditions, and location specific management requirements.

5. Policy architecture, licence types and general principles

5.1 Licence Types and Trading Arrangements

Westminster will normally distinguish between the following street trading arrangements:

- Street trading licences for designated market pitches, isolated pitches, or other designated pitches intended for regular use, where the Council considers longer-term occupation appropriate and lawful under the Act.
- Temporary licences for time-limited trading, including seasonal trading, event trading, activation programmes, pilot activity, temporary relocation, vacancy backfill, testing of new formats, and other short-term or transitional arrangements.
- Approved casual trader registration, which is the Council's gateway list for traders seeking casual bookings and, unless the Council decides otherwise, market event trading opportunities.
- Specialist or site-specific trading arrangements, including exhibition and other location-specific activities where the Council has adopted a distinct operating framework under the Act.
- Supporting approvals or services, including approvals for assistants, approved receptacles, electricity, storage, utilities and other operational arrangements associated with lawful street trading.

This structure is intended to make clear which policies apply borough-wide and which apply only to particular licence types, locations or trading formats.

The Council may publish or adopt additional operational documents from time to time. The main supporting documents are listed at section 5.5. Those documents do not replace this policy but provide the detailed operational guidance needed to apply it on the street.

5.2 General Principles Applying across Westminster Street Trading

This section sets out the core principles that apply to all forms of street trading in Westminster. These principles underpin the Council's approach to licensing, management and enforcement under the Act, and ensure that trading activity is lawful, fair, consistent and responsive to local context:

- Licences, registrations and approvals are personal to the trader or operator concerned, and no person has any right to sublet, assign, broker, transfer or otherwise commercially exploit a pitch, licence or period of use unless the Act or the Council expressly provides otherwise.
- The Council will only use group, managed, event or collective trading arrangements where it is satisfied that the structure is lawful, transparent, and that responsibility, control and accountability are clear.
- The Council may take account of compliance history, arrears, attendance, underuse, previous conduct, market fit, and previous engagement with Council requirements when assessing applications, variations, renewals, rebookings or requests for additional opportunities.
- No trader has a right or legitimate expectation to a pitch, licence, renewal, variation, relocation, casual booking, event opportunity or other trading permission simply because they have traded previously or because space is available.
- All trading must remain within the approved pitch or site footprint, and any queueing, demonstrations, product sampling, display, seating or ancillary activity must also be managed within that footprint unless expressly authorised otherwise.
- All trading must be operated in a way that protects pedestrian movement, accessibility, sightlines, servicing, emergency access, neighbouring premises, amenity and the wider public realm.
- The Council may use temporary licences, pilots, themed events, seasonal trading, shared pitch arrangements, dual licensing and day-part models where it considers that appropriate in order to test, activate or better manage trading opportunities.
- The Council will seek to ensure that street trading remains safe, inclusive, accessible, sustainable and well managed, and that decisions support the wider aims of market transformation, public realm quality, equality, value for money and effective place management; and
- The Council may publish and update supporting operational requirements from time to time in order to reflect local conditions, site constraints, public realm changes, service improvements, environmental requirements or the adopted role of a market or trading location.

5.3 Equality, Accessibility, Reasonable Adjustments and EqIA

The Council will apply this policy in a way that is consistent with the Equality Act 2010 and the Public Sector Equality Duty. In doing so, the Council will have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.

Equality, accessibility and inclusion considerations will be taken into account when designing, consulting on, implementing and reviewing changes to licensing, allocations, layouts, access, hours, infrastructure, communications, events, fees, market management, compliance and enforcement.

The Council's Street Trading Equality Impact Assessment (EqIA) will be treated as a live document and kept under review as evidence, consultation findings, trader feedback, operational learning, monitoring data and policy proposals develop.

The Council will seek to ensure that its street trading service is as accessible and inclusive as reasonably practicable. This includes seeking to provide clear information, accessible formats, proportionate translation or interpretation support where appropriate, and digital and non-digital routes for engagement and service access.

Reasonable adjustments may be requested in relation to applications, consultations, communications, hearings, inspections, site visits, on-street arrangements, payment processes, compliance activity, and any other part of the Council's street trading service where an access need arises. Requests will be considered on a case-by-case basis in accordance with the Council's legal duties and the circumstances of the case.

The Council will also seek to ensure that market and trading environments are designed, managed and reviewed in a way that supports accessibility, dignity, safety and inclusive participation for traders, residents, workers and visitors.

5.4 Data, Privacy, Digital Services and Communications

The Council may use online forms, digital document submission, email, text messaging, websites, trader handbooks, digital payment systems, newsletters and other digital tools to administer and improve the street trading service.

The Council will seek to modernise service delivery while ensuring that digital services do not create unnecessary barriers. Assisted or non-digital routes will be made available where a person cannot reasonably access online services or where this is otherwise necessary to support accessibility and inclusion.

A privacy notice will explain how personal data is collected, used, retained and shared. Information may be shared with other Council teams, contractors, regulators, enforcement bodies or delivery partners where this is lawful, necessary and proportionate for the administration, regulation, improvement or enforcement of street trading.

The Council will process personal data in accordance with the Data Protection Act 2018, ensuring that all processing activities have a lawful basis and are necessary, proportionate and secure. In developing digital services and communication routes, the Council will have regard to accessibility, inclusion, user experience, service efficiency and value for money.

Applicants, licence holders and registered traders must keep their contact details up to date and take reasonable steps to monitor communications relating to their application, licence, pitch, booking, event, fees, compliance requirements or market operations.

The Council may publish service updates, operational notices, consultations, fee information, market guidance and other relevant information through digital channels, but will seek to do so in a way that remains clear, proportionate and accessible.

5.5 Supporting Documents and Operational Hierarchy

This policy is supported by the Council's standard conditions, licence-specific or temporary conditions, fee schedules, market operation plans, pitch plans, prospectuses, event briefs, trader handbooks, design standards and any site-specific guidance applying to exhibitions, or other specialist trading categories. Where appropriate, market operation plans, pitch plans, prospectuses, event briefs or other market-specific guidance may also set out the intended local role, cultural contribution, activation priorities, partnership approach and event principles for a market or site type, provided they remain consistent with this policy and any adopted Market Strategy.

Supporting documents do not replace the Act or this policy but provide the more detailed operational framework needed to apply them consistently, safely and effectively in practice.

Supporting documents may be updated from time to time to reflect operational experience, market management needs, public realm changes, service improvements, legislative changes, or the adopted role and vision of a market or site. Where appropriate, such updates may be subject to consultation or other approval processes.

Where a matter is covered by both this policy and a more specific lawful document, the more specific requirement will normally apply to the licence type, market, site or activity concerned.

In the event of inconsistency, the order of precedence at section 1.8 will apply unless the context requires otherwise.

5.6 Policy Application Matrix

Policy strand	Applies to	Main matters
Part A – General street trading provisions	All street trading regulated under the Act, unless a more specific policy applies	City-wide baseline framework covering legal status, licence types, equality and accessibility, consultation and decision-making, fees and charges, conditions, temporary trading, design and public realm expectations, waste and sustainability, data and communications, conduct, compliance, review and enforcement.
Part B – Isolated pitch and other non-market site provisions	Designated isolated pitches, exhibition sites and other fixed non-market trading locations	Designation and site suitability, vacancies and allocations, non-use and underuse, kiosk and site-specific controls, location fit, public realm and amenity protection, accessibility, suspension or relocation, and de-designation or removal where appropriate.
Part C – Market policies	Council-managed street markets	Market role and vision, curation and commodity mix, allocations and vacancy filling, casual and event trading, day-part or dual-use arrangements, layouts and operation plans, branding and identity, shared services and utilities, trader support, management expectations, and market-specific review and performance.

Together, the three strands are intended to ensure that Westminster's street trading service is applied in a way that is lawful, consistent, place-sensitive, accessible, well managed and aligned to the Council's wider objectives for market transformation, public realm quality, inclusion, sustainability, community benefit and value for money.



6. Part A – General street trading provisions

This Part applies across Westminster street trading unless a more specific rule in Part B or Part C applies.

6.1 Policy ST-G1 – Design, Presentation and Advertising

Only stalls, receptacles, vehicles, trailers, tables, covers, counters, display systems, signs and other trading infrastructure approved by the Council may be used. All trading infrastructure and customer-facing material must be safe, durable, visually appropriate, easy to maintain, fit for purpose, accessible where relevant, and compatible with Westminster's public realm, place, accessibility and design objectives.

How the Council will apply this policy:

G1.1 All trading infrastructure, stock, signage and customer-facing material must remain within the approved pitch or site footprint unless the Council has expressly approved an alternative arrangement through a layout, condition, event brief, operation plan or specialist design.

G1.2 Temporary additions that create clutter, overspill, poor presentation, obstruction or an untidy street scene will not normally be approved.

G1.3 Damaged stalls, torn fabric, poor-quality coverings, loose tarpaulins, taped-up repairs, exposed weights, unstable furniture or visibly poor presentation may trigger compliance action.

G1.4 Advertising on the highway must be limited to what is necessary for lawful trading. Free-standing signs, A-boards or similar items will not normally be permitted unless expressly authorised.

G1.5 Queue management, barriers, product sampling, demonstrations and ancillary displays must be designed and managed so that they do not obstruct pedestrian movement, reduce accessibility, create unmanaged congregation or adversely affect neighbouring premises or the wider public realm.

G1.6 Infrastructure and layout choices must support accessibility, clear pedestrian routes, emergency access, servicing, cleansing operations, sightlines and safe market or street operation.

G1.7 Food traders must ensure that canopies, counters, sneeze screens, cooking arrangements, fire precautions, electrical or gas equipment and any ventilation or extraction arrangements are suitable for the operation and safe for the public highway.

G1.8 The Council may require consistent colours, branding zones, valances, signage formats, menu-board standards, side-screen treatments, lighting approaches or other presentation controls in particular locations, projects, markets or event settings.

G1.9 Traders must comply with any applicable design standards, operation plans, trader handbooks, event briefs or other lawful operational guidance issued by the Council for the location concerned.

G1.10 Traditional Heritage Kiosks are the minimum standard acceptable to the Council for semi-permanent receptacles.

G1.11 Where planning permission, advertisement consent or any other separate approval is required, the trader remains responsible for securing it. Street trading approval does not remove that requirement.

6.2 Policy ST-G2 – Fees, charges, utilities and waivers

Westminster's fee structure will be lawful, transparent, evidence-based and appropriately differentiated. Fees, charges and utility arrangements will be set in a way that reflects the licence type, trading model, market or site context, and the reasonable costs properly attributable to the service.

How the Council will apply this policy:

G2.1 Application fees, registration fees, daily or periodic charges, booking charges and service charges will be treated as separate fee families and set in accordance with the Act and wider public law principles.

G2.2 Fees may vary by market, isolated pitch, exhibition site, location, day, commodity, licence type, trading model or service level where that distinction is justified.

G2.3 Food and higher-impact trading categories may attract higher charges where justified by greater compliance, cleansing, waste, utility or wider management costs.

G2.4 Separate charges may be made for approved casual trader registration, temporary licences, event participation, utilities, electricity use, storage, waste, receptacles, or other managed services where lawful and appropriate.

G2.5 In setting fees and charges, the Council will seek only to recover its reasonable costs in accordance with the Act and applicable legal principles, while continuing to seek value for money through efficient service design, periodic review of procedures, and effective procurement and commissioning.

G2.6 Fees and charges will be set through the Council's published fee schedule and any supporting lawful process required by the Act or the Council's decision-making framework.

G2.7 The Council will review fees annually through the fee schedule, subject to the Act and any consultation, notice or decision-making requirements.

G2.8 Where the Council provides electricity, water, storage, refuse facilities, receptacles or other services outside the basic licence fee, the trader may be charged separately for those services. Where works by internal departments or external contractors materially affect trading operations, the Council may also seek lawful recharges for officer time or operational input where appropriate.

G2.9 Power supplies must be used safely, only for approved loads, and in accordance with electrical guidance, licence conditions and operational requirements. Alternative electricity arrangements may only be used with the Council's approval and where they do not create obstruction, visual clutter or safety risks.

G2.10 The Council may move towards electric-first and lower-emission trading models where infrastructure, market or site plans, public realm constraints, cost recovery and wider policy objectives allow.

G2.11 The Council will not normally waive fees simply because a trader does not trade or is unable to trade for personal reasons. However, where a trader is prevented from trading through no fault of their own because of pitch damage, works, obstruction, a special event, operational closure, public safety issues or a comparable cause, the Council may consider relocation, waiver, refund or temporary licence adjustment at its discretion. Matters relating to reasonable adjustments, attendance treatment or certified absence will be considered under the relevant policy or operational framework.

G2.12 Fees or charges for charitable, civic, community, start-up, pilot or targeted support activity may only be waived, reduced or discounted where that is lawful, transparent, time-limited, policy-led and expressly approved. The Council will not normally use informal or open-ended fee concessions as a substitute for targeted support.

G2.13 Licensed traders will be invoiced every 4 weeks, and the trader shall pay the Fees in full either within 30 days of the date of the invoice or by Direct Debit. Failure to pay fees and charges on time may result in the temporary licence not being renewed or alternatively a referral of the licence being made to the Licensing Officer Panel for revocation of the licence.

G2.14 Licensed traders who are called before the Licensing Officer Panel for their first occasion of non-payment of fees and charges may be given the option of paying all future fees and charges by direct debit (or automated, recurring payment method) instead of having their licence revoked.

G2.15 The Council will waive fees where a licence holder notifies the authority of their intention to take pregnancy, maternity, paternity and adoption leave. To qualify for a fee waiver, the licence holder must provide a minimum of 28 days' notice prior to the commencement of pregnancy, maternity, paternity and adoption leave. The fee waiver will apply only where the licence holder (or any registered assistant) is not trading during the period of leave. On returning to trading, the licence holder must notify the Council promptly to ensure that applicable fees and charges are reinstated without delay.

6.3 Policy ST-G3 – Waste, cleansing, sustainability and good-neighbour standards

Every Westminster market and street trading pitch must operate as a good neighbour. Traders are expected to minimise waste, manage it properly, keep their area clean, reduce unnecessary emissions and avoid negative impacts on neighbouring premises, the wider street and the public realm.

How the Council will apply this policy:

G3.1 Traders must keep their pitch or site and its immediate operational area clean, tidy and well managed throughout trading and at pack-down.

G3.2 All waste must be separated, stored and presented in the way the Council directs. Traders must use designated waste arrangements where provided or make lawful alternative arrangements where they are not. Commercial waste must not be placed in public litter bins.

G3.3 Fresh produce and hot-food traders, in particular, must manage packaging, spillages, organic waste, cooking oil, smoke, odour and cleaning water in a way that protects the public realm. Oils, fats, grease, wastewater and similar liquids must not be discharged into gullies, drains or onto the highway.

G3.4 The Council may introduce market-specific or location-specific waste and cleansing rules, including timed collections, container standards, recycling requirements, low-waste packaging controls, evidence of lawful disposal, or restrictions on particular materials or practices.

G3.5 In assessing standards, suitability and future opportunities, the Council may take into account not only waste generated on the pitch itself but also wider pitch-related or market-related litter, grease, odour, smoke, noise or packaging impacts.

G3.6 Where the Council provides enhanced cleansing, waste, recycling or related environmental services, the cost may be reflected in the fee structure or another lawful service charge.

G3.7 The Council may encourage, require or prioritise lower-waste, reuse, refill, repair, plastic-reduction, electric and lower-emission trading models where these are lawful and compatible with the location and operating context. Trader's vehicles must not idle unnecessarily.

G3.8 Traders must not obstruct shopfronts, create unmanaged queues, leave stock or waste on the highway outside permitted areas, or otherwise interfere with neighbouring access, amenity, safety or the wider street environment.

6.4 Policy ST-G4 – Casual, temporary and event trading

Westminster will use casual and temporary licensing proactively to support activation, trial trading, vacancy backfill, themed markets, pilots, seasonal trading, relocation and events, while maintaining clear control over location suitability, public realm impact and management standards.

How the Council will apply this policy:

G4.1 The Council may maintain an approved casual trader register. A trader seeking an event-trading pitch within a Westminster market must normally already be on that register before the opportunity will be considered, unless the Council has expressly invited the trader or organisation for a defined event, partnership, programme or pilot purpose.

G4.2 Approved casual trader registration does not guarantee a pitch, a booking, a renewal or future permanent opportunities.

G4.3 Casual bookings may be allocated by reference to market need, location suitability, event brief, market or site vision, commodity balance, attendance record, conduct, infrastructure fit, public realm sensitivity, accessibility, neighbour impact or wider place objectives.

G4.4 The Council may use temporary licences for pilots, visiting markets, seasonal activity, themed trading, start-up programmes, relocation arrangements, vacancy backfill, activation projects or other time-limited opportunities.

G4.5 Temporary and event traders are expected to meet the same standards of safety, presentation, cleanliness, compliance, accessibility and professionalism as regular traders.

G4.6 Event or temporary trading proposals will be assessed against the suitability of the specific location, crowd management, utilities, waste, accessibility, neighbour impact, public realm sensitivity, market or place objectives, and any event brief, operation plan or site-specific requirements.

G4.7 Managed events or programmes involving multiple traders will only be permitted where the Council is satisfied that the structure is lawful under the Act and that responsibility for compliance, fees, waste, utilities, public safety and trader conduct is clear.

G4.8 A temporary arrangement, pilot, event use or relocation does not create any automatic pathway or right to a permanent pitch, designation or longer-term trading opportunity.

G4.9 Where temporary trading is proposed on a location not already used for that activity, the Council may only proceed where there is a lawful route under the Act or other applicable legislation, and where the proposal is compatible with the public realm, surrounding uses, accessibility, safety and any site-specific operational requirements.

6.5 Policy ST-G5 – Trader conduct, compliance, safety and business support

Westminster's markets and other street trading locations must be safe, fair, inclusive and professional. The Council expects traders to operate lawfully, courteously and to a standard that protects the public, neighbouring premises and the reputation of Westminster's wider street trading network.

How the Council will apply this policy:

G5.1 All traders must comply with licence conditions, standard conditions, lawful officer directions and any market, event or location rules that apply to them.

G5.2 Food traders must meet all relevant Environmental Health, food safety and hygiene requirements and must maintain the documentation and evidence reasonably required by the Council. Appendix 3 summarises the main types of food-trading evidence and compliance material that may be required.

G5.3 The Council may apply different levels of compliance scrutiny to different commodities or activities, with hot food and other higher-risk trading generally carrying greater monitoring and evidence requirements.

G5.4 Depending on the commodity, equipment and location, the Council may require the types of evidence summarised in Appendix 3, together with any additional proportionate information needed to assess safety, compliance, market fit or operational suitability.

G5.5 Westminster has zero tolerance for harassment, discrimination, victimisation, abusive or threatening behaviour, hate-related behaviour or serious intimidation. The Council may take account of conduct towards the public, neighbouring traders, neighbouring premises, officers, contractors or partners when assessing applications, rebookings, renewals, variations or enforcement action.

G5.6 Applicants, licence holders and registered traders must keep their contact details up to date and must respond promptly to reasonable communications relating to their licence, pitch, event, fees, compliance requirements, consultation or market operations.

G5.7 Traders must notify the Council as soon as reasonably practicable of any serious incident linked to the pitch or trading operation, including fire, gas or electrical incidents, significant spills, serious injury, major public safety concerns or serious criminal activity.

G5.8 The Council may take account of account arrears, poor conduct, abusive behaviour, repeated non-compliance, lack of cooperation, public safety concerns, unreliable attendance, informal brokering or subletting, or failure to operate in line with the approved format or commodity when assessing applications, rebookings, requests for change or enforcement action.

G5.9 The Council will aim to support traders through practical and proportionate business support, including short-form advice on sales, digital promotion, merchandising, compliance and route-to-market development. However, applicants and licence holders remain responsible for securing any planning permission, advertisement consent, food registration, utility approval or other consent required outside the street trading regime.

6.6 Policy ST-G6 – Engagement, governance, enforcement, monitoring and review

Westminster will manage street trading through regular engagement, visible standards, lawful and fair decision-making, robust monitoring and proportionate enforcement.

How the Council will apply this policy:

G6.1 The Council may hold regular market forums, trader meetings, stakeholder sessions or engagement exercises, either market by market, by trader category, by site type or city-wide. When preparing market-specific plans, activations or improvement proposals, the Council may also work with traders, residents, BIDs, cultural organisations, community groups, schools, libraries, health partners, local venues and local businesses where that is appropriate to the place and proposal.

G6.2 The Council may publish or maintain the supporting documents listed at section 5.3, including trader handbooks, operation plans, fee schedules and evidence checklists, to support the application of this policy and the day-to-day management of the service.

G6.3 Westminster will maintain regular dialogue with traders on performance and day-to-day operation and will use trader feedback, alongside formal performance data, consultation findings and operational learning, to inform service improvements, policy development and operational changes.

G6.4 The Council may monitor performance using indicators such as occupancy, pitch usage, vacancy duration, economic performance, fee income, arrears, compliance, complaints, local feedback, partnership activity, activation or animation delivered, waste impacts, public safety issues, customer or visitor information, trader diversity, accessibility and equality-related feedback, environmental performance and digital reach and wider place impact where relevant.

G6.5 Where appropriate, monitoring of markets and the wider service will be aligned with the monitoring and performance measures in the Market Strategy and the live street trading EQIA. Equality impacts, accessibility issues and the need for reasonable adjustments will be kept under review.

G6.6 The Council may recognise and promote good practice and may also take a firmer approach to persistent poor standards or repeated non-compliance. Where appropriate, matters may be referred to the Licensing Officer Panel, Licensing Sub-Committee, Licensing Committee, Cabinet Member, officers of other services or any other lawful decision-maker.

G6.7 The Council may review this policy, any appended strategies, the fee schedule, the trader handbook, operation plans, site guidance and the street trading EQIA from time to time. Where relevant, review may have regard to occupancy, compliance, economic performance, local feedback, partnership activity, animation and wider place impact, alongside equality, accessibility and operational evidence. Where future changes require formal consultation, the Council will consult in accordance with the relevant legal and policy requirements.

G6.8 Westminster will seek to secure compliance early, proportionately and fairly, but will escalate where necessary. Enforcement may include advice, warnings, review, variation, refusal, suspension, revocation, prosecution or any other lawful step. The Council may also work with other services, regulators or enforcement partners where that is necessary and appropriate.



7. Part B – Isolated pitch policies and specialist non-market site policies

This Part applies only to designated isolated pitches, exhibition sites, and other fixed non-market street trading locations. It should be read alongside Part A, any relevant site-specific guidance, and any applicable licence conditions, operation plans or temporary arrangements.

7.1 Policy ST-I1 – Designation, de-designation and isolated pitch suitability

The Council may designate, review, vary, suspend or de-designate isolated pitches where this is needed to protect safety, accessibility, public realm quality, planning and highways objectives, amenity, and the proper management of the street. Westminster will not ordinarily designate new isolated pitches except in exceptional circumstances and where there remains a clear strategic, operational and place-based case for doing so.

How the Council will apply this policy:

I1.1 The Council will maintain an up-to-date record of designated street trading pitches, including isolated pitches that are currently occupied, vacant, suspended, under review or available only for temporary relocation or other time-limited use.

I1.2 The Council will not ordinarily designate new isolated pitches except in exceptional circumstances and only where it is satisfied that the location is compatible with the public realm, accessibility, planning, highways, servicing, amenity, safety, environmental and place-management objectives of the area.

I1.3 The Council may, subject to the appropriate statutory procedures, review, vary or de-designate isolated pitches where it concludes that they are no longer suitable, necessary, workable or publicly appropriate for street trading.

I1.4 An isolated pitch may be considered unsuitable where, for example:

- It has not been actively used for trading for more than six months.
- Pedestrian flow, highway conditions, security arrangements, servicing patterns or surrounding uses have materially changed.
- Public realm works, development, accessibility issues or congestion pressures make continued use inappropriate.
- The pitch no longer performs a useful local role or is no longer acceptable in townscape, heritage, planning or amenity terms; or
- The Council reasonably concludes that the site no longer provides a safe, workable or policy-compliant trading opportunity.

I1.5 The Council's decision will not be prejudiced by any argument that the pitch has previously been used for street trading or was previously considered suitable.

I1.6 In applying this policy, the Council will usually consult relevant services and stakeholders, which may include Highways, Planning, Environmental Health, the Police, affected licence holders, relevant landowners, trader representatives and others where appropriate.

I1.7 Where the Council concludes that an isolated pitch should be retained but altered, it may re-site, re-shape, re-orientate, reduce, combine or otherwise vary the pitch footprint if this improves pedestrian flow, accessibility, servicing, public realm quality, operational safety or neighbour amenity.

I1.8 Where a replacement or relocation site is needed, the Council may identify a new permanent or temporary site for designation or short-term use if that is lawful, justified, and supported by the relevant public realm, planning, highways and operational assessment. Any temporary location will not exceed a maximum of 5 years.

I1.9 Where a scheme is approved and implemented which includes the relocation, reorientation or increase/decrease in pitch size, this will initiate the formal licensing process to make the necessary changes to the pitch in question in order to facilitate the approved scheme. Changes to existing pitches will be subject to consultation.

I1.10 Where a development or public realm scheme is proposed by a private or non council commercial organisation, the scheme owner is responsible for engaging directly with affected street trader(s). Where an approved scheme requires the temporary relocation, reorientation or alteration of a pitch, including any increase or reduction in pitch size, this will trigger the temporary relocation process required to implement those changes. Any proposed temporary amendments to existing pitches will be subject to consultation.

I1.11 Where a street trading pitch becomes temporarily unsuitable for street trading purposes and alterations such as those described at I1.7 are not possible, the Council will offer any available vacant pitch on the list of designated pitches to a displaced trader (if available) or the Council will consider reasonable requests for alternative locations to determine whether these will be suitable for Street Trading. Displaced traders may also be offered a vacant pitch within one of the street markets.

I1.12 There shall be no requirement on the Council to ensure that the alternative pitch is equivalent to the pitch which has become unsuitable, in terms of trading conditions, footfall etc.

I1.13 Where an available pitch is accepted for the purposes of temporary relocation, the Council may, modify goods or other trading conditions as it sees fit under the circumstances.

I1.14 If it is not possible to identify a suitable site for relocation or the licensed trader does not move to an alternative pitch, they will be expected to suspend trading activity whilst the original pitch remains unsuitable. In such cases, the licence holder will be entitled to a waiver of charges.

I1.15 Where an alternative pitch offered by the Council is rejected, there shall be no requirement on the Council to identify or designate any further alternative pitch locations, and it will not accept any request to do so.

I1.16 Where the licence holder does not suspend trading and the stall is not removed, the licence holder will be in breach of the conditions of their street trading licence. The Council may then arrange for the removal of the stall to a place of storage in accordance with its powers under section 149 of the Highways Act 1980. In such circumstances the stall will not be returned to the licence holder until the costs of removal and storage are met in full.

I1.17 The Council may periodically review the continuing suitability of isolated pitches as part of wider public realm, licensing or service review activity, and may take account of changing local circumstances, operational experience and feedback.

7.2 Policy ST-I2 – Isolated pitch vacancies, allocation and curation

Vacancies and new opportunities relating to isolated pitches will be evidence based and managed strategically. The existence of a vacant pitch does not mean it must be re-let. Westminster will curate isolated pitch opportunities by reference to public realm fit, operational suitability, commodity appropriateness, local demand, and the continuing case for the pitch itself.

How the Council will apply this policy:

I2.1 Where an isolated pitch becomes vacant, the Council may choose to re-let it, use it temporarily, hold it vacant pending review, vary it, reduce it, combine it with another pitch, use it for relocation, or pursue de-designation.

I2.2 Applications for isolated pitch opportunities will be assessed against:

- Location suitability.
- Pedestrian flow and accessibility.
- Security and safety.
- Commodity and trading-format fit.
- Planning and public realm sensitivity.
- Neighbour and servicing impacts.
- Quality of proposal.
- Likely contribution to the street or local centre; and
- The applicant's compliance history, reliability and conduct where relevant.

I2.3 Date order alone will not determine who is offered an isolated pitch. The Council may use an expression of interest process, shortlist, interview, scoring exercise or other proportionate method to identify the proposal best suited to the location.

I2.4 The Council may refuse to advertise or re-let an isolated pitch where it reasonably concludes that the site is better retained for temporary relocation, review, redesign, public realm works, operational flexibility or de-designation.

I2.5 Except in cases where licence succession applies, a person does not gain any right or legitimate expectation to an isolated pitch because the site has previously been licensed, temporarily occupied, historically traded from, or included in any previous allocation exercise.

I2.6 Where a proposal seeks to move, expand, combine or materially change an isolated pitch or its commodity, the Council will assess that request against the same location-fit, public realm, accessibility, safety and operational criteria as for a fresh opportunity.

I2.7 The Council may prioritise proposals that improve local fit, reduce avoidable duplication, support local need, strengthen the quality of the street environment, or better align the pitch with current place and management objectives.

7.3 Policy ST-I3 – Attendance, personal use, non-use and temporary re-letting at isolated pitches

Licensed isolated pitches are expected to be actively and personally used. Westminster will support genuine exceptional absence where appropriate, but an isolated pitch is not a dormant asset that can be held indefinitely without active use.

How the Council will apply this policy:

I3.1 Licences for isolated pitches are personal and the licence holder must make full personal use of the licence in accordance with the Act and the standard conditions.

I3.2 A licence holder may not sublet, broker or otherwise grant another person the use of a Westminster isolated pitch unless the Council has expressly authorised a lawful arrangement for a limited period.

I3.3 The licence holder remains responsible for the proper use of the pitch, compliance with conditions and the conduct of any assistants, staff or persons acting on their behalf.

I3.4 Licence holders should notify the Council in advance where, for whatever reason, they do not intend to make use of the licence and should, where possible, give appropriate notice of their intention to resume trading.

I3.5 The Council may maintain attendance and active-use records for each isolated pitch and may use those records when assessing absence requests, variations, future opportunities, suitability reviews or enforcement action.

I3.6 Where no prior notification has been received and the Council is satisfied that an isolated pitch has not been actively used for three weeks or more, it may temporarily re-let the pitch or otherwise use it for a temporary arrangement where that is lawful and operationally appropriate.

I3.7 Temporary re-letting of an isolated pitch will not normally be used where a semi-permanent or otherwise non-removable receptacle is in place on that pitch, unless the Council considers a different lawful arrangement appropriate.

I3.8 Persistent non-use, repeated partial use, unreliable attendance or failure to trade the authorised pattern may lead to warning, review, reduced operating hours, refusal of future changes, or a broader review of whether the pitch should remain designated.

I3.9 In applying this policy, the Council may recognise exceptional circumstances, including sickness, disability, pregnancy and maternity, adoption, caring responsibilities, bereavement or other serious personal circumstances. The Council may publish guidance on approved absence, evidence requirements and how long a pitch may normally be retained in such circumstances.

I3.10 When assessing full personal use and active attendance, the Council may require documentary evidence and may have regard to the Act, the standard conditions, attendance records, compliance history and any other relevant material. Where an access or equality issue arises, the Council will consider reasonable adjustments where appropriate.

7.4 Policy ST-I4 – Isolated pitch operation, kiosks, hours, commodities and public realm controls

Outside council-managed markets, isolated pitches will generally be controlled more tightly because they are located on open streets without shared market closures, shared servicing or dedicated on-site market supervision. Isolated pitch and non-market trading must therefore remain compact, high quality, well managed, uncluttered and demonstrably compatible with the surrounding street.

How the Council will apply this policy:

I4.1 Licences for isolated pitches will not normally be granted or varied beyond hours that are appropriate to the surrounding retail, residential, servicing, public realm, accessibility and security context of the location.

I4.2 When setting or varying hours outside markets, the Council may consider crime and disorder, anti-social behaviour, cleansing and servicing requirements, noise and nuisance, transport or interchange pressures, public safety, security, neighbour amenity and the wider character of the area.

I4.3 Late-night isolated pitch or open-counter trading will generally be discouraged in locations where it is likely to encourage nuisance, unmanaged congregation, crime and disorder, or conflict with servicing, cleansing, accessibility or public realm requirements.

I4.4 Applications for the provision of hot food and drinks between 23:00 and 05:00 will not be granted without the corresponding authorisation under the Licensing Act 2003.

I4.5 Applications for new commodities or changes of commodity at isolated pitches will be assessed against a location-fit test. The Council may consider nearby retail uses, frontage character, local need, ground-floor activity, public realm sensitivity, waste, odour, smoke, noise, queues and whether the offer is appropriate to the immediate street and surrounding uses.

I4.6 Customer queueing, ancillary displays, product sampling or demonstrations must be managed strictly within the approved pitch limits and must not create unreasonable obstruction, unsafe congregation or undue neighbour impact.

I4.7 Customer seating or tables are not permitted at isolated pitches unless the Council has expressly authorised them in writing through the relevant street trading, planning or other required process.

I4.8 Stock must not spread onto the pavement. Advertising must be minimal, proportionate and normally limited to approved fascia, menu or price information. Excessive advertising illuminated advertising or free-standing advertising infrastructure will generally be resisted unless expressly authorised.

I4.9 The licence holder remains responsible for making lawful arrangements for the storage and removal of commercial waste and, where relevant, waste oil, food liquids or other by-products of trading. Evidence of lawful disposal arrangements may be required on request.

I4.10 The licence holder must take particular care to protect access to neighbouring premises and the safe operation of the public realm and must comply with any reasonable directions given by an authorised officer in relation to temporary works, emergencies, accessibility, pedestrian flow, servicing, neighbour impact or public safety.

I4.11 New or replacement kiosks and receptacles must be compatible with Westminster's Streets and Spaces guidance, and any other relevant design or place-based guidance. Semi-permanent kiosks will generally be resisted unless there is a clear and exceptional case. Clusters of smaller stalls or structures will also generally be resisted where they create clutter or undermine the public realm.

I4.12 A single, well-designed and well-located structure may be preferable to multiple smaller elements where it reduces clutter and can be removed, managed and serviced safely. However, the Council will expect any such structure to demonstrate clear public realm and operational benefits.

I4.13 Non-temporary kiosk or structures may require planning permission, advertisement consent or other approval. Street trading approval does not remove that requirement.

I4.14 Power supplies, cabling and associated infrastructure must be safe, fit for purpose, as unobtrusive as practicable, and must not create trip hazards, obstruction or visual harm. The Council will endeavour to

move toward electric-first and lower-emission arrangements where infrastructure, safety and public realm considerations allow. Alternative supplies, including generators or fuel-based systems, may be refused where they are visually intrusive, polluting or operationally unsafe.

7.5 Policy ST-I5 – Specialist categories: exhibitions, other site-specific non-market trading

Certain non-market street trading activities, including art exhibitions and other specialist location-based trading arrangements, require a more specific and curated approach than ordinary isolated pitches. Westminster will manage these categories by reference to the character, heritage, visibility, public realm sensitivity, cultural role and operational constraints of the site concerned, together with any adopted site guidance, prospectus, operation plan, code of conduct or licence conditions.

How the Council will apply this policy:

I5.1 The Council may identify, manage, vary, suspend or discontinue specialist non-market trading sites, including exhibition sites where this is needed to protect public realm quality, accessibility, amenity, heritage, safety, place function or effective site management.

I5.2 The Council may publish or maintain site-specific guidance, pitch plans, prospectuses, event briefs, trader handbooks, operation plans, codes of conduct or quality requirements for exhibitions and other specialist site categories. Those documents do not replace this policy but provide the more detailed framework needed to manage those sites properly. Where specialist-category guidance exists, applicants and licence holders will normally be expected to demonstrate that their proposal is consistent with that guidance.

I5.3 Applications, renewals, variations and allocations for specialist non-market sites may be assessed by reference to:

- The suitability of the site and surrounding public realm.
- The nature and quality of the proposed goods, artwork or service.
- The fit between the proposal and the character of the location.
- Accessibility, pedestrian flow and public safety.
- Visual quality, presentation and display standards.
- Likely impact on neighbouring uses and local amenity.
- Compliance history, conduct and reliability; and
- Any site-specific guidance or adopted operational requirements.

I5.4 Date order alone will not determine who is offered a specialist non-market opportunity. The Council may use an expression of interest process, shortlist, interview, portfolio review, sample work review, trial period, scoring exercise or other proportionate assessment method where this is appropriate to the site and category.

I5.5 The Council may restrict the number, format, layout, display method, trading hours, signage, equipment or category of goods or services permitted at a specialist site where this is necessary to protect the public realm, maintain site quality, avoid clutter, support accessibility, or preserve the intended role and appearance of the location.

I5.6 For exhibition sites, the Council may require evidence that the licence holder is personally providing the artistic service and that any work displayed or offered is consistent with the standards and character expected for that site.

I5.7 For exhibition sites, the Council may require that works displayed or offered are lawful, suitable for public display, appropriately presented, and compatible with any site-specific quality, design or operational requirements.

I5.8 A trader does not gain any right or legitimate expectation to continue occupying, expand within, or be reallocated to a specialist site simply because the site has been used historically or previously licensed.

I5.9 The Council may vary, suspend, relocate or decline to refill a specialist site where works, events, public realm changes, security concerns, accessibility issues, heritage considerations, or wider place-management objectives make that necessary.

I5.10 Traders operating from exhibition sites, or other specialist non-market locations must comply with Part A, any relevant standard conditions, and any site-specific lawful requirements applying to that category or location.

7.6 Policy ST-I6 – Relocation, displacement and long-term arrangements

The Council may temporarily relocate, vary or suspend isolated pitches and other specialist non-market street trading sites where this is needed because of works, events, changed street conditions, safety requirements or wider public realm objectives. Westminster will not ordinarily create new long-term isolated pitch arrangements unless there remains a strong and exceptional case for doing so.

How the Council will apply this policy:

I6.1 Where a designated isolated pitch becomes temporarily unsuitable for trading, the Council may agree minor changes to the size, orientation, position, goods, hours or conditions of the pitch if that is sufficient to keep the trader operating lawfully and safely.

I6.2 Where minor changes are not possible, the Council may offer a suitable vacant pitch on the designated list, a temporary relocation site, or another lawful temporary arrangement. There is no requirement on the Council to ensure that an alternative pitch is equivalent, adjacent or commercially identical to the pitch affected.

I6.3 Where a trader accepts a temporary relocation, the Council may temporarily modify goods, hours, layout, equipment or other conditions and may consider fee adjustments, waivers or other temporary arrangements where justified.

I6.4 Where a trader rejects a pitch or arrangement offered for temporary relocation, the Council will not normally be required to identify a further site or keep the original pitch available indefinitely.

I6.5 If it is not possible to identify a suitable site for relocation, or if the licensed trader does not move to an alternative arrangement when required, the Council may require the pitch to cease trading temporarily and may require the removal of the stall, receptacle or associated equipment.

I6.6 Where the licence holder does not suspend trading or remove a stall or receptacle when lawfully required, the Council may take any lawful step available to secure compliance and may seek to recover its costs where the law permits.

I6.7 Where a development or public realm scheme is proposed by a private or non council commercial organisation, the scheme owner is responsible for engaging directly with affected street trader(s) or their representatives. Where an approved scheme requires the permanent removal, relocation, reorientation or alteration of a pitch, including any increase or reduction in pitch size, this will trigger the formal process required to implement those changes. Any proposed amendments to existing pitches will be subject to consultation.

I6.8 No person has a right or legitimate expectation to be offered a permanent isolated pitch because a site has historically been designated, temporarily used, or used as a relocation site.

I6.9 In applying relocation and long-term arrangements, the Council will apply the general presumption in Policy ST-I1 that new permanent isolated pitches will not ordinarily be designated or offered unless exceptional circumstances justify otherwise.

I6.10 Where an existing permanent isolated trader is displaced because their pitch no longer has enough space for trading, has become unsuitable, or has been de-designated, the Council may work with relevant services, the licence holder and other interested parties to identify an alternative site if one exists, but there is no duty to provide a like-for-like replacement.

I6.11 In managing relocation and displacement, the Council will seek, where reasonably practicable, to give appropriate notice, communicate clearly with affected traders and coordinate with internal teams or external promoters of works so that disruption is managed fairly, lawfully and proportionately.



8. Part C – Market policies

This Part applies only within Westminster's council-managed street markets. It should be read alongside Part A, the adopted Market Strategy, and the relevant market operation plans, pitch plans, prospectuses, event briefs and trader handbooks.

8.1 Policy ST-M1 – Market visions, operation plans and pitch mix

Each Westminster market has an adopted role and vision. The Council will manage markets actively so that pitch mix, events, branding, investment, recruitment, infrastructure, business support and operating decisions support the intended character, function and long-term resilience of the market concerned.

How the Council will apply this policy:

M1.1 The Council will use the adopted role and vision of each market when determining vacancies, commodity changes, pitch mix, events, promotions, infrastructure, investment priorities, trader support and applications for change.

M1.2 The Council may publish market operation plans, pitch plans, prospectuses, seasonal calendars, event briefs, trader handbooks, design standards or other market-specific documents to support the delivery of each market vision.

M1.3 The Council may use pitch mix planning and active curation to reduce unnecessary duplication, improve the balance of offers, support local need, strengthen customer choice, and reinforce the distinct identity of each market.

M1.4 The Council may support themed trading, pilots, later-day offers, activation programmes, cultural or community-facing activity, and place-making initiatives where these strengthen the role of the market and can be delivered lawfully, safely and in a way that is compatible with the public realm.

M1.5 The Council may use the market vision and operation plan to inform decisions on layout, branding, shared infrastructure, communications, utilities, business support, sustainability measures and the management of common spaces.

M1.6 Where market conditions, customer demand, equality and accessibility needs, public realm conditions, or wider place objectives change, the Council may refresh the operation plan, pitch plan or curation approach for the market concerned.

8.2 Policy ST-M2 – Market vacancies, allocation and permanent opportunities

Market vacancies and new opportunities will be filled or used in a way that supports the adopted role, need, quality and commercial resilience of each market. The Council will prioritise fit, quality, market need and long-term market health over rigid queue-based allocation.

How the Council will apply this policy:

M2.1 Vacancies and new opportunities may be filled on a permanent, temporary, casual, pilot or event basis according to the needs of the market and the nature of the opportunity. The Council will not ordinarily offer new permanent market licences and may keep opportunities in temporary or flexible use where this better supports the market vision, commodity mix, activation programme, trader opportunity or wider operational needs of the market.

M2.2 In applying the general casual and event trading gateway in Policy ST-G4, the Council may use market event opportunities selectively so that they support the adopted market vision, the purpose of the event or programme, and the needs of the market concerned.

M2.3 Date order alone will not determine who is offered a market pitch. The Council may shortlist or interview applicants, require trading proposals, menus, product descriptions, presentations, trial periods, scoring exercises or other proportionate assessment methods and may take account of:

- Market fit.
- Quality and distinctiveness of offer.
- Presentation and professionalism.
- Experience and readiness to trade.
- Equality and accessibility considerations.
- Likely contribution to the market; and
- Compliance history, conduct or reliability where relevant.

M2.4 The Council may decide not to fill a vacancy immediately where it reasonably concludes that the pitch should be held for a broader market review, reconfiguration, commodity shift, public realm scheme, seasonal use, temporary activation or other strategic purpose.

M2.5 The Council may refuse, not shortlist, or offer an alternative arrangement to an applicant where it reasonably concludes that another proposal is a better fit for the market's vision, customer base, equality and accessibility considerations, operating conditions or long-term development.

M2.6 Where a market, market day or trading period is fully occupied, or close to full occupancy, the Council may review whether additional demand should be accommodated through day-part use, temporary use, future vacancy planning or, where one trader operates two neighbouring pitches, by reducing that arrangement to one pitch where this would better support trader opportunity, commodity variety, customer choice, accessibility or market fit.

M2.7 No person has a right or legitimate expectation to a permanent market pitch because they have traded temporarily, casually or through an event or activation programme.

M2.8 Where the Council decides to offer a permanent market opportunity, it will do so only where this is operationally justified, consistent with the adopted market vision, and preferable to temporary, casual, pilot, activation or day-part arrangements, using a process the Council considers lawful, proportionate and appropriate to the opportunity.

8.3 Policy ST-M3 – Market attendance, underuse, reletting and dual licensing

Westminster expects licensed market pitches and trading periods to be actively and properly used. The Council will support genuine exceptional absence where appropriate, but will also use reletting, temporary backfill and day-part tools to avoid unnecessary underuse of valuable market space.

How the Council will apply this policy:

M3.1 The licence holder remains responsible for the proper use of the pitch, compliance with conditions and the conduct of any assistants or staff

M3.2 The Council may maintain attendance and active-use records for each market pitch and may use those records when assessing variations, day-part use, requests for change, future opportunities or enforcement action.

M3.3 The Council may distinguish between occasional unavoidable absence and a pattern of persistent non-use, partial use or unreliable attendance that weakens the market, reduces customer confidence or restricts trader opportunity.

M3.4 Where a trader is repeatedly absent or uses substantially fewer days or hours than licensed, the Council may issue a warning, review the arrangement, reduce the authorised days or hours, introduce temporary backfill, or determine that a different trading model would better serve the market.

M3.5 The Council may operate a temporary re-letting, casual backfill or event-use policy for unused periods in order to maintain occupancy, customer offer, market vitality and value for money.

M3.6 The Council may recognise exceptional circumstances, including sickness, disability, pregnancy and maternity, adoption, caring responsibilities, bereavement or other serious personal circumstances, and may publish guidance on how long a market pitch may normally be retained during approved absence. Reasonable adjustments will be considered where appropriate.

M3.7 Dual licensing, day-part use or split-day use is discretionary, not a right. Where lawful and operationally justified, the Council may use split-day or shared-period models to increase use of a market location, widen trader opportunity and support the adopted role of the market.

M3.8 Any split-day or shared-use model must have clear start and finish times, handover, set-up and break-down periods, cleaning requirements, equipment arrangements and responsibility for compliance.

M3.9 The Council may refuse dual licensing or split-day use where it would create confusion, overlap, stock or equipment disputes, unreasonable management burden, customer confusion, accessibility problems or avoidable operational risk.

M3.10 A permanent or regular market licence holder may not sublet, broker or otherwise grant another person the use of a Westminster market pitch unless the Council has expressly authorised a lawful arrangement.

8.4 Policy ST-M4 – Market layouts, trading days, hours and day-part operation

The Council may vary market layouts, pitch sizes, orientations, trading days and trading hours where this is needed to improve pedestrian safety, accessibility, public realm quality, market performance, servicing, activation and effective place management. Markets are dynamic places and the operating model may change over time.

How the Council will apply this policy:

M4.1 Detailed market hours may be set out in market operation plans, pitch plans, conditions, event briefs or annual fee and licence documentation.

M4.2 The Council may support different operating windows for different markets, days, trader categories or pitch types where that allows the market to better reflect demand, place function, customer behaviour or management needs.

M4.3 The Council may support later-day or evening activity where it strengthens the role of a market and can be delivered lawfully, safely and in a way that is compatible with local amenity, transport, cleansing, staffing and public realm conditions.

M4.4 A request to extend hours will not normally be granted simply because a trader wants it. The Council may consider customer demand, residential amenity, cleansing, safety, staffing, servicing, accessibility, market fit and the operation of any relevant traffic management or highways arrangements.

M4.5 A request to reduce hours or days may be granted where it improves clarity, reflects genuine operating need, supports trader viability, or enables day-part use, temporary backfill or a better market arrangement.

M4.6 Specific arrangements relating to set-up, take-down, vehicular access, loading, unloading, road use and temporary traffic management may be detailed in conditions, operation plans, event briefs, pitch plans or other market-specific documents.

M4.7 Existing market pitches may be re-sited, re-shaped, re-orientated or increased or decreased in size to allow for better pedestrian flow, cleaner layouts, improved accessibility, seating, shared services, infrastructure, utilities, public realm improvements or more effective curation.

M4.8 Where a public realm scheme, market project or works programme is proposed, the Council will consider the best way to accommodate existing traders, but there is no guarantee that every trader can remain in exactly the same location, footprint, day or arrangement.

M4.9 Where a market pitch becomes temporarily unsuitable for trading, the Council may offer minor changes to the pitch or temporary relocation within the market or, where appropriate and lawful, elsewhere in the market network.

M4.10 There is no requirement on the Council to ensure that an alternative market pitch is equivalent to the pitch that has been affected.

8.5 Policy ST-M5 – Market goods, commodities, branding and customer presentation

Westminster will regulate market commodities and customer presentation strategically. Markets need enough flexibility to evolve, but flexibility should not result in unmanaged duplication, declining quality, loss of identity, poor customer experience or a mismatch between the market and its location.

How the Council will apply this policy:

M5.1 The Council may group commodities into broad categories for policy, curation and fee purposes, including non-food, fresh produce, food to go, hot food, drinks, specialist retail, services, repair or other categories it considers appropriate.

M5.2 Applications for new commodities or changes of commodity will be assessed against the market vision, commodity balance, customer demand, quality of offer, equality and accessibility considerations, sustainability objectives and likely operational impacts.

M5.3 The Council may take a firmer approach to categories that are already over-represented in a market, especially where repetition reduces variety, weakens the market's role, harms customer experience or creates avoidable environmental or management pressure.

M5.4 The Council may positively encourage commodities that support healthy eating, fresh food access, artisan production, local enterprise, repair and reuse, cultural activity, community benefit, or other adopted place or public health objectives.

M5.5 The Council may require detailed product descriptions, menus, price points, photographs, examples of stock, service descriptions or sample branding to assess whether an application is a good fit for the market.

M5.6 Changes that would materially worsen waste, litter, odour, smoke, noise, queuing, accessibility issues or wider compliance or public realm pressures may be refused.

M5.7 The Council may maintain information about currently licensed goods and services by market and may use that information to shape future recruitment, vacancy management and curation decisions.

M5.8 The Council may require consistent branding, menu-board formats, signage zones, valances, side-screen treatments or presentation rules within a particular market, programme or project to improve legibility, quality and public appearance.

M5.9 Advertising infrastructure related to market trading on the highway should be kept to the minimum necessary and should not obstruct movement, reduce accessibility or harm local amenity.

M5.10 Market-specific commodity direction may be set out in operation plans, pitch plans, prospectuses or event briefs and may change over time as the market develops.

8.6 Policy ST-M6 – Market services, infrastructure and market-specific management

Markets benefit from shared management, shared services and common infrastructure. Westminster will use those shared systems to improve safety, accessibility, presentation, trader experience, environmental performance and the resilience of each market.

How the Council will apply this policy:

M6.1 The Council may prescribe or approve different types of stall, receptacle, vehicle, structure or equipment for different markets, pitch types or trading categories.

M6.2 Where the Council has invested in common infrastructure such as demarcation, tie-down points, sockets, seating, planters, signage, bollards, storage, power supplies or other shared assets, traders must use the space in a way that respects, protects and does not damage that investment.

M6.3 The Council may provide or arrange electricity, water, refuse facilities, recycling, storage, common equipment or other managed services for markets and may recover the cost of doing so through lawful charges.

M6.4 Market-specific electrical guidance, managed load limits, sustainability requirements or infrastructure rules may apply. Traders must use those systems safely, efficiently and only for approved purposes.

M6.5 Where the Council provides enhanced cleansing, waste, recycling, security, utilities or other shared services, traders must comply with the relevant operating rules for those services.

M6.6 The Council may use shared infrastructure, common branding, design standards and market-specific communications to strengthen the identity, legibility and customer experience of individual markets.

M6.7 The Council may differentiate fees, services, service standards, infrastructure provision, management arrangements and support from market to market where that reflects real differences in operating conditions, need, vision and available resources.

M6.8 The Council may manage markets through market-specific forums, trader meetings, briefings, operation plans, event briefs, prospectuses and trader handbooks in order to maintain an active, place-based and responsive management model.

M6.9 The Council may combine infrastructure, curation, trader support, communications and operational management in a market-specific way where this is needed to support the long-term development and resilience of the market concerned.





Appendix 1: Conditions, Management and Enforcement

A1.1 General

1. Street trading licences are granted subject to standard conditions, any additional or modified licence conditions, and any lawful written approvals, plans, briefs or directions applying to the relevant pitch, site, market or trading arrangement. Compliance with those requirements is necessary to secure safe, fair and orderly trading, protect the public realm and neighbouring uses, and support the proper management of Westminster's markets and pitches.
2. The Council's primary aim is to secure compliance and prevent harm. Enforcement is therefore intended first to stop or remedy breaches quickly and, where appropriate, assist traders in returning to compliance. However, formal action will be taken where breaches are serious, deliberate, repeated, unsafe, dishonest, obstructive, harmful to amenity, or where a trader fails to respond appropriately to earlier intervention.
3. The Council will use a broad range of informal, operational, licensing, civil and criminal enforcement tools, selecting the action or combination of actions most appropriate to the facts of the case.
4. Nothing in this policy limits the Council's ability to use any power or remedy available to it in law.

A1.2 Enforceable Requirements and Trading Rules

1. The enforceable requirements applying to a trader may include:
    a. The licence itself.
    b. The standard conditions.
    c. Any additional, modified or site-specific licence conditions.
    d. Any market operating plan, pitch plan, event brief, written approval, operational instruction or direction that is incorporated into, permitted by, or issued under the licence or standard conditions; and
    e. Any relevant statutory requirement or consent applying to the trading activity.
2. For the avoidance of doubt, strategy and policy documents do not of themselves form part of a licence condition unless expressly incorporated into the licence, the standard conditions, or another lawful written approval or direction.
3. The City of Westminster Act 1999 and other relevant legislation create offences and provide for refusal, variation, revocation, prosecution, fixed penalty notices and other enforcement action in appropriate cases.

A1.3 Management and Monitoring Arrangements

1. The Council will maintain arrangements for the inspection and management of licensed traders and the enforcement of unlicensed street trading. Authorised officers may visit pitches and markets to monitor attendance, supervision, commodity mix, set-up, timings, safety, waste, obstruction, behaviour, payment compliance and adherence to site-specific requirements.
2. Compliance may be monitored through routine inspections, targeted operations, themed compliance exercises, joint visits, event monitoring, responses to incidents, complaints or intelligence, and liaison with other Council services or partner agencies.
3. Findings may be recorded in writing and supported by photographs, video, body-worn video, witness evidence, complaints, correspondence, digital records, incident reports, payment records and information obtained from other Council services, statutory partners or enforcement agencies.
4. Failure to cooperate with an authorised officer, or failure to provide documents, information or assistance required by law or by licence condition, may itself amount to a separate breach or offence and may be considered in deciding further action.

A1.4 Enforcement Principles

1. Enforcement action will be proportionate, risk-based, targeted, consistent and evidence-led.
2. In deciding what action to take, the Council may have regard to all relevant circumstances, including:
    a. The severity of the breach.
    b. The actual or potential impact on public safety, accessibility, amenity, neighbouring premises, the environment, market operation, or public confidence.
    c. Whether the breach was deliberate, reckless, negligent or repeated.
    d. The trader's compliance history and response to earlier advice or intervention.
    e. Whether the breach can be remedied immediately.
    f. Whether urgent action is needed to prevent continuing harm or secure orderly management of the site.

g. Whether broader licensing action is required in the interests of fair management, public protection or market integrity; and

h. The Council will not be required to escalate through fixed stages. It may move immediately to formal or urgent action where that is justified by the facts.

A1.5 Enforcement tools

1. Depending on the circumstances, the Council may use one or more of the following:

a. Advice, guidance or verbal instruction.

b. A requirement to remedy the breach immediately.

c. A written warning, compliance letter or improvement notice setting out the breach and the steps required to remedy it.

d. A required meeting, action plan or compliance review with the trader.

e. A written management direction or site-specific operational direction.

f. Temporary operational controls, including requirements about layout, queueing, signage, equipment, waste, close-down or other site-management matters.

g. Removal, reduction, variation, pause or cessation of trading or ancillary activity where required for safety, accessibility, obstruction, nuisance, works or other public protection reasons and where authorised by the licence conditions or otherwise by law.

h. Re-letting of a pitch for non-use in accordance with the licence conditions.

i. Refusal of requests for dispensations, pilot activity, market activation, later-day trading or other discretionary arrangements.

j. Refusal to issue, renew or further issue a temporary, casual or other discretionary trading permission.

k. Formal review of the licence, including consideration of variation, additional conditions, or revocation.

l. Referral for determination under the Council's scheme of delegation, including to the appropriate Licensing Officer Panel or Licensing Sub-Committee where required.

m. Issue of a fixed penalty notice where a relevant statutory power exists.

n. Service of a statutory notice or use of other powers under environmental, consumer protection, food safety, health and safety, highways or related legislation; or

o. Prosecution, seizure, disposal or any other action available in law.

2. The Council may use more than one response in relation to the same facts where that is lawful and proportionate.

A1.6 Fixed Penalty Notices and Parallel Enforcement

1. Where conduct amounts to an offence for which a fixed penalty notice may be issued, the Council may use that power where it considers it appropriate.

2. Without limitation, this may include offences relating to unlicensed street trading, contravention of street trading licence conditions, littering, commercial waste, fly-tipping, waste transfer documentation, duty of care and other environmental or street-management offences where the relevant statutory power applies.

3. Fixed penalty notices may be issued by authorised officers where the legal test for doing so is met. The amount payable, any discount for early payment, the payment period and the effect of payment shall be the amounts or arrangements set under the relevant legislation and/or published by the Council from time to time.

4. The issue of a fixed penalty notice, warning notice, statutory notice or other enforcement notice does not prevent the Council from also considering separate licensing or regulatory action, where lawful and proportionate, if the underlying conduct calls into question the trader's compliance, suitability, management of the pitch or impact on the market or public realm

A1.7 Immediate and Serious Cases

1. The Council may bypass informal action and move directly to urgent, formal or legal enforcement where it considers that the case involves significant risk, serious misconduct or material harm, including cases involving:

a. Unlicensed trading or unlawful occupation of a pitch or site.

b. Subletting, brokering, unlawful sharing or other abuse of a licence.

c. Counterfeit, stolen, prohibited or otherwise unlawful goods.

d. Unsafe electrical, gas, fire or structural arrangements.

e. Obstruction of the highway, emergency access or neighbouring premises.

f. Violence, threats, abuse, harassment, discrimination or refusal to comply with a lawful direction of an authorised officer.

g. Serious waste, litter, fly-tipping, smoke, odour or environmental nuisance.

h. Fraud, dishonesty or misleading information given to the Council; or

i. Repeated breaches showing that advice or warnings are unlikely to secure compliance.

2. In such cases the Council may require immediate cessation, removal, relocation or reduction of trading activity, may issue or recommend formal licensing action, and may use any other statutory power available to it.

A1.8 Non-Use, Personal Use and Pitch Misuse

1. The Council will take a stricter approach to failures to make full personal use of a licence, repeated non-attendance, unauthorised absences, informal swapping of days or pitches, and trading from a pitch or location other than that authorised.
2. In such cases the Council may require written explanation and evidence, re-let the pitch for the relevant day or period, refuse informal requests, review the licence, or take formal action up to and including revocation or refusal of future temporary, casual or discretionary allocations, depending on the nature and persistence of the breach.

A1.9 Temporary, Casual, Pilot and Event Traders

1. Temporary, casual, pilot, event or visiting traders are expected to meet the same core standards of conduct, safety, cooperation and site management as other traders, subject to any approved site-specific arrangements.
2. Because these arrangements are discretionary and often short-term, the Council may take a quicker enforcement approach where standards are not met, including immediate removal from the site, non-issue of further permissions, or exclusion from future temporary, casual, pilot or event-led opportunities.

A1.10 Decision-Making, Notices and Appeals

1. Cases requiring formal licensing determination will be dealt with under the Council's scheme of delegation. Matters may be determined by officers, an officer panel, the Licensing Sub-Committee or another appropriate decision-maker, depending on the nature and seriousness of the case.
2. Where the relevant legislation requires notice, representations or a hearing before a refusal, variation, revocation or other determination, the Council will follow that procedure.
3. Any right of appeal or review will be as provided by the City of Westminster Act 1999 or other relevant legislation.

Appendix 2: Governance and Procedures

This appendix summarises Westminster's general governance and procedures framework for street trading. It supports this policy but does not replace the Act, the Council's constitution, any designation or specifying resolution, or any appeal right or hearing route provided by law.

A2.1 Application, Validation and Further Information

Applicants must use the form or route specified by the Council and provide the evidence, documents and payment required for the relevant licence or registration type. The Council may reject an application as invalid, request further information, require photographs, menus, product descriptions, stall specifications, utility details or safety evidence, and set a reasonable deadline for missing information to be supplied.

The Council may carry out site visits, location assessments, interviews, presentations, trial periods or market-fit reviews where these are relevant to the application or opportunity. Validation does not guarantee that an application will be granted or progressed to the next stage.

A2.2 Consultation and Engagement

The Council may consult licence holders, representative bodies, ward members, residents, businesses, internal services, statutory consultees, market forums or any other person or body it considers relevant, depending on the type of proposal. The scope of consultation will depend on the legal route being used, the location, the likely impacts and any requirements of the Act or the Council's wider governance framework.

Where future changes require formal consultation, the Council will consult in accordance with the relevant legal and policy requirements and will consider representations before a decision is taken.

A2.3 Decision Routes

Routine or straightforward matters may be determined by authorised officers under delegated powers. More complex, contested, high-impact or precedent-setting matters may be referred to the Licensing Officer Panel, Licensing Sub-Committee, Licensing Committee, Cabinet Member or any other lawful decision-maker in accordance with the Act and the Council's decision-making framework.

The Council may also use interviews, scoring tools, prospectuses, event briefs or trial trading to support allocation and selection decisions where that is proportionate and lawful.

A2.4 Hearings, Reviews, Appeals and Complaints

The policy does not remove or limit any hearing, review or appeal right that exists under the Act or under the Council's constitution. Depending on the matter, issues may be considered through officer review, the Licensing Officer Panel, a committee route, the Council's complaints procedure or any statutory appeal route available in law.

Where a hearing or review is proposed, the Council will normally set out the issue to be considered, the material relied on, and any steps or representations expected from the trader or applicant, subject to the urgency of the case and any legal requirements that apply.

A2.5 Review of Documents and Supporting Material

This policy may be reviewed alongside the Market Strategy, fee schedule, standard conditions, trader handbook, market operation plans and Equality Impact Assessment. Supporting documents may be updated from time to time to reflect operational learning, legal change, consultation outcomes, public realm changes or revised market objectives.



Appendix 3: Food Trading, Evidence and Compliance Expectations

This appendix summarises the minimum types of evidence that Westminster may require from food traders. It is not exhaustive and may be supplemented by the standard conditions, trader handbook, event brief, market operation plan or officer direction.

A3.1 Typical Evidence That May Be Required

Depending on the commodity, equipment and location, the Council may require some or all of the following: food business registration details; product descriptions or menus; allergen information and controls; food safety management arrangements; risk assessments; fire-safety information; gas-safety evidence where relevant; electrical or PAT evidence where relevant; public liability insurance; training or competency records; details of hand-washing, water or temperature control arrangements; and evidence of lawful food-waste, oil or grease disposal.

Where electric or gas-powered cooking equipment is used, the Council may require prior approval of the equipment to be used, confirmation that the load or fuel arrangement is compatible with the location, and updated evidence if the trader changes equipment or operating format.

A3.2 Ongoing Obligations

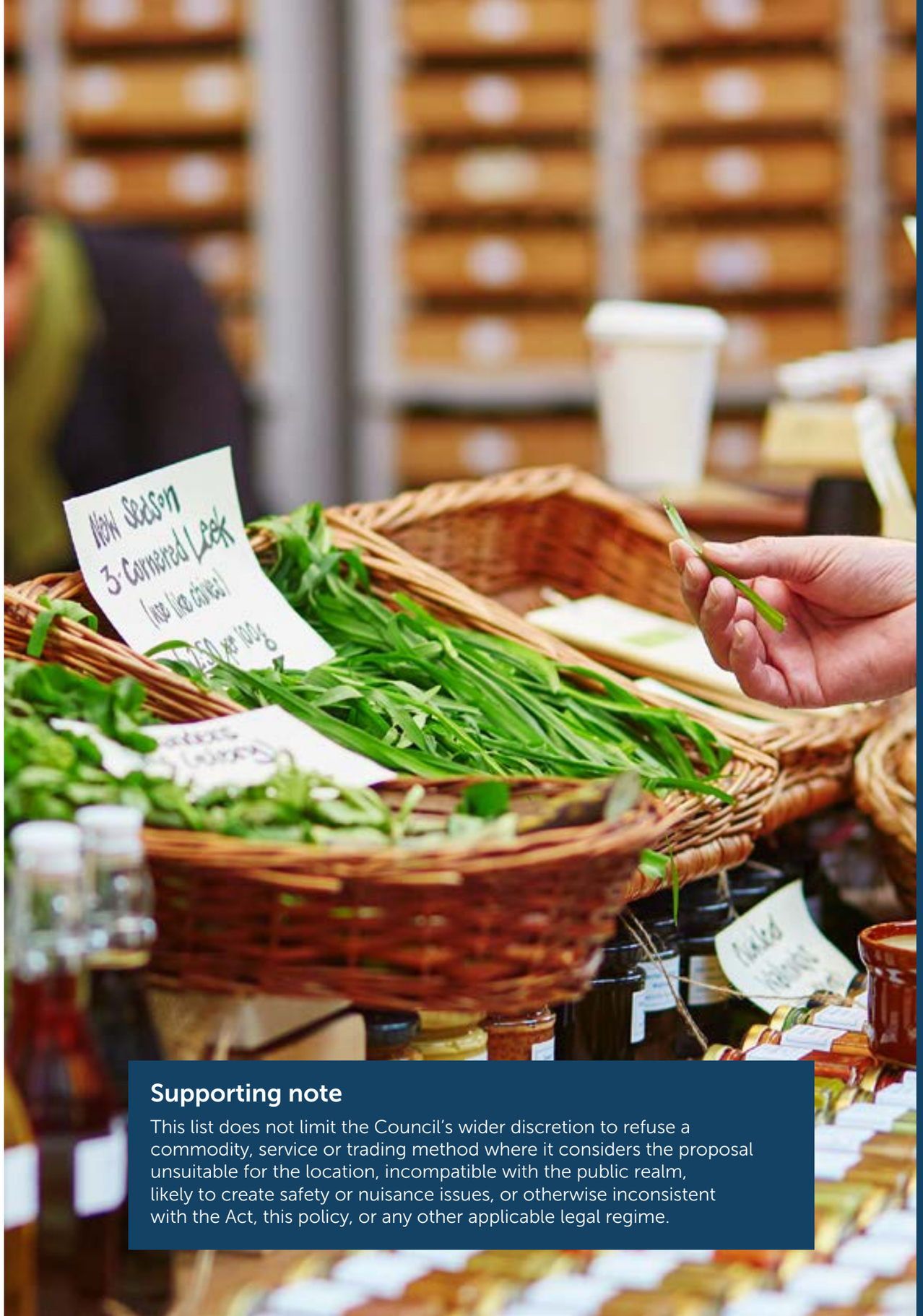
Food traders must keep relevant evidence current and must provide updated documentation when requested. The Council may require documentation to be produced electronically or in hard copy and may require additional evidence where there is a complaint, change in operation, safety concern or higher-risk activity.

Failure to provide required evidence, or provision of inaccurate or out-of-date information, may affect validation, variation, allocation, rebooking, compliance action or the continued use of a pitch or licence.

Appendix 4: List of Prohibited Goods and Services

The following goods and services are prohibited from sale or provision from Westminster street trading isolated pitches, markets, receptacles, exhibition sites and other licensed street trading locations because they are unsuitable for the public highway, unsafe, unlawful, incompatible with the surrounding public realm, or subject to separate specialist regulation:

1. Live animals.
2. Second-hand electrical goods.
3. Medicines, medicinal products, medical treatments, therapeutic treatments, and invasive or injectable cosmetic treatments.
4. Sex articles and any other goods whose sale would amount to a sex shop / sex article use within the meaning of the Local Government (Miscellaneous Provisions) Act 1982.
5. Alcoholic food or beverages, unless authorised on the Licensing Act 2003.
6. Tobacco, nicotine and smoking products, including cigarettes, tobacco, cigars, electronic cigarettes, non-refillable vape devices, refill containers and heated tobacco products.
7. Any form of gambling, gaming or betting activity.
8. Firearms, ammunition and weapons, including imitation firearms, air weapons, bladed articles and offensive weapons.
9. Fireworks, pyrotechnics, flares and explosives.
10. Controlled drugs, psychoactive substances, nitrous oxide sold for recreational use, and related unlawful products.
11. Counterfeit, stolen or otherwise unlawful goods.
12. Any other goods or services which the Council considers unsafe, unsuitable for the public highway, incompatible with the character of the location, or more appropriately regulated through a separate licensing, consent or regulatory regime.



Supporting note

This list does not limit the Council's wider discretion to refuse a commodity, service or trading method where it considers the proposal unsuitable for the location, incompatible with the public realm, likely to create safety or nuisance issues, or otherwise inconsistent with the Act, this policy, or any other applicable legal regime.

Schedule of relevant legislation, standards, guidance and other documents

1. Primary legislation

- City of Westminster Act 1999
- Town and Country Planning Act 1990
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Highways Act 1980
- New Roads and Street Works Act 1991
- Environmental Protection Act 1990
- Food Safety Act 1990
- Health and Safety at Work etc. Act 1974
- Human Rights Act 1998
- Licensing Act 2003 (where relevant)
- Traffic Management Act 2004
- Equality Act 2010
- Data Protection Act 2018 and the UK GDPR
- Anti-social Behaviour, Crime and Policing Act 2014
- Digital Markets, Competition and Consumers Act 2024



2. Secondary legislation and regulations

- Town and Country Planning (Control of Advertisements) (England) Regulations 2007
- Provision of Services Regulations 2009
- Food Safety and Hygiene (England) Regulations 2013
- Food Information Regulations 2014
- Gas Safety (Installation and Use) Regulations 1998
- Electricity at Work Regulations 1989
- Dangerous Substances and Explosive Atmospheres Regulations 2002
- Petroleum (Consolidation) Regulations 2014 (where petrol storage or fuel handling is relevant)

3. Technical standards and codes

- BS 7671:2018+A4:2026 – Requirements for Electrical Installations (IET Wiring Regulations, 18th Edition), or any subsequent edition / amendment in force at the relevant time
- Any other current electrical, gas, fire safety or temporary infrastructure guidance adopted or required by the Council from time to time



City of Westminster