

### Guidance for Pedlars

The streets of Stockton's Town Centres are busy with shoppers and visitors the whole year round.

The Council has designated some of its streets (including pedestrian areas) as "consent streets" (where you need the consent of the Council to trade) and some as "prohibited streets" (where trading is prohibited). Consent and prohibited streets are listed in Appendix 1 and 2.

One of the exceptions to the need for a street trading consent is a person who holds a Pedlars Certificate under the Pedlars Act 1871 and is acting as a pedlar.

A Pedlar is defined as "... any hawker, pedlar, petty chapman, tinker, caster of metals, mender of chairs or other person who, without any horse or other beast bearing or drawing burden, travels and trades on foot and goes from town to town or to other men's houses carrying to sell or exposing for sale any goods, wares or merchandise, or procuring orders for goods, wares or merchandise immediately to be delivered, or selling or offering for sale his skill in handicraft."

Someone who acts as a pedlar without a certificate commits an offence.

### What Do I Have To Do To "Act As A Pedlar"?

The courts have explained what the Pedlar's Act means:

1. You must go from "town to town on foot", so you must not keep coming back to Stockton every day.
2. You must trade as you travel, as distinct from someone who merely travels to a particular location to trade. A trader who sells, or exposes for sale, goods from a portable stand in a street is not classed as a pedlar.
3. You should **only** stop when someone wants to buy something from you or when you are resting. At those times you are resting your goods should not be offered or exposed for sale.
4. You must carry your goods, continually moving from area to area and not just moving around a town centre area such as the High Street.
5. You should not use large wheeled trolleys or similar as a device to carry and expose for sale all, or the vast majority of your goods as these can cause an obstruction of the highway which is an offence under Section 137 of the Highways Act 1980.

### How Do I Obtain A Pedlars Certificate?

A pedlar's certificate is obtained from the Chief of Police from the area where you live. You need to attend at your local police station with two forms of identification, one with a photograph and the other showing an address where you have lived at for at least 28 days within the district you are applying for the licence. You must be aged over 17 to apply for a

certificate. It would be advisable to contact your local Police before attending as there may be slight differences in this process from force to force.

The Police need this information to check your identity and that you are of good character before issuing a certificate. The cost of the certificate is currently £12.25.

### **Pedlars Are Required to Show Their Certificate To Certain People on Demand**

Any pedlar shall at all times, on demand, produce and show his certificate to any of the following persons:

1. Any Justice of the Peace; or
2. Any constable or Officer of Police; or
3. Any person to whom such pedlar offers his goods for sale; or
4. Any person in whose private grounds or premises such pedlar is found.

It is an offence for a pedlar to refuse, on demand, to show his certificate to, and allow it to be read and a copy thereof to be taken by, any of the persons mentioned above.

The Council and the Police welcome people who trade within the law. However, they will use enforcement staff and CCTV to ensure the streets are free from illegal street traders. If you are an illegal street trader you risk prosecution.

If you need to speak to someone about the issues raised in this guidance note then contact Trading Standards & Licensing at [licensing.services@stockton.gov.uk](mailto:licensing.services@stockton.gov.uk) or telephone 01642 524802 or Cleveland Police on 101.