

**Allocation of  
STREET TRADING CONSENTS  
PLYMOUTH CITY CENTRE**



**Until  
20th March 2011**

**Kathy Davey  
City Centre Operations( & Street Trading) Manager  
Floor 11  
Civic Centre  
Armada Way  
Plymouth  
PL1 2AA**

## **ALLOCATION OF CITY CENTRE STREET TRADING CONSENTS**

The Council operates a scheme under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 for the control of Street trading in Plymouth City Centre. Under the scheme certain streets have been designated 'Prohibited Streets' where street trading (with the exceptions of news vending) is totally prohibited and other 'Consent Streets' where street trading is permitted only with the Consent of the Council. It is a criminal offence carrying a maximum fine of £1,000.00 for any person to trade from within the City Centre without the specific permission of the Council.

### **SITES:**

Within the Consent Streets ELEVEN fixed locations and TWO mobile locations have been identified where street trading takes place. Details of the sites will be found on the attached plan.

### **PERMITTED TRADES:**

Apart from Sites 6, 7 & 8, all the sites will be allocated only for the sales of FLOWERS, FRUIT, CONFECTIONERY or other approved NON-FOOD sales and services appropriate to the City Centre and the specific locations. Applications will not be considered for any other foods, refreshments or beverages.

Applicants must ensure that their proposed trade is compatible with the location(s) being applied for as the Council will have regard to the interests of nearby permanent traders. In particular, application for the sale of fruit or flowers will NOT be considered in respect of the sites at Frankfort Gate.

SITE 6 will be allocated specifically for the sale of ICE CREAM, FROZEN CONFECTIONERY AND COLD SOFT DRINKS. Sales of ancillary commodities from this site such as sugar confectionery will not be permitted.

SITE 7 outside Boots Chemists in Old Town Street will be allocated for the sale balloons from the hand.

SITE 8 which includes all that part of New George Street shaded on the attached plan 7/02, is a site that has been specifically allocated for the trade of a Street Photographer. There are currently two separate periods available. February, March, April, October, November and December being one and May, June, July, August and September being the second.

## **ALLOCATION OF CONSENTS**

The Consents to trade from the sites will be allocated at the sole discretion of the Council. Existing traders will be given a degree of priority when allocating the sites so new applicants may not get their first or subsequent choices. In that event you will be contacted and offered an alternative site.

The consent fee be payable be equal quarterly instalments, the first quarters payment being payable at the beginning of the Consent period before the Consent is issued, the fee is inclusive of business rates. In addition to the payment of the fee successful new applicants will be required to lodge a £400 refundable deposit with the Council where a fixed site will be used.

The allocation of Consent will be directed at obtaining a wide range of acceptable trades and a high quality style of trading. Applicants are required to provide full details including where possible photographs, of their trading style.

Applications are being invited for the period until Sunday 20th March 2011 and successful applicants will be expected to trade throughout the whole of this period.

Any persons aged seventeen years or over may apply for a Consent but in the event of competition for sites between local and non-local traders a minimum of 50% of the Consents will be allocated to local traders.

Applicants must ensure that their proposed trade is compatible with the location(s) being applied for as the Council will have regard to the interests of nearby permanent traders. Similar trades will not be allocated to different consent sites in the same street.

## **PROCEDURE FOR APPLICATION**

Each trading locations must be applied for individually. Applicants may however submit individual applications all the locations or as many of them as they are willing to trade from using the same application form. If the number of acceptable applications is greater than the number of Consent locations only one Consent location will be allowed per applicants. Applicants must indicate their order of preference by numbering the sites from 1 (most preferred) to 4 (least preferred).

Applications must be made in writing using the application forms providing and accompanied by two passport size photographs of the applicant and known employees, copies where relevant of any food handling certificates and photographs of the applicant's proposed trading style. Forms can be delivered by hand to the First Stop shop (reception area) first floor, civic centre or posted to:

Kathy Davey  
City Centre Operations (&Street Trading) Manager  
Floor 11, Civic Centre  
Armada Way  
Plymouth  
PL1 2AA  
Tel; 01752 304054  
Mobile; 07917264611

The Council reserves the right to refuse any application without disclosing its reasons.

If you require any further assistance please do not hesitate to contact me on the telephone numbers given above.

## **TERMS AND CONDITIONS OF CONSENTS**

The full terms and conditions that will apply to the grant of a Consent under the Local Government (miscellaneous provisions) Act 1982 are set out in the attached specimen Consent. These terms and conditions must be strictly complied with as any breach could result in a trader's Consent being immediately being withdrawn. Applicants are strongly advised to carefully read the terms and conditions before making an application. The following paragraphs highlight some points of particular note not covered elsewhere in these details.

### **TRADING**

Traders will be only permitted to trade from the specific site allocated and in the merchandise or services for which Consent has been granted. No other commodities whether or not ancillary to the permitted trade may be sold. Advertisements describing the commodities sold must not mislead the consumer. It is illegal to falsely describe food and drink.

A trader may trade at his discretion within the permitted hours of 8.30 am to 9.00pm throughout the week.

Good business ethics, good quality merchandise/services and value for money are expected and required from traders.

Traders must run their business and attend the stall in person unless the Council has given written permission for the appointment of an employee to run the business on the trader's behalf. Permission to appoint employees will not be granted without good reason. The requirement is not intended to prohibit traders from being assisted by employees provided traders are in a regular and substantial attendance at the stall in person.

Traders will not be able to share the benefit of a Consent it transfer it outright to another trader.

Traders and approved employees will be supplied with identification Consent permits, which must be, displayed inside the stall at all times when trading. The consent fee includes the cost of providing a total of four identification permits during the consent period. With reasonable notice Plymouth City Council endeavour to issue additional permits for which there will be an additional charge of £15 for each permit requested. The Council will endeavour issue and additional permits required together with payment, two passport size photograph and, if appropriate, evidence of attendance at an approved food handling course.

### **STALL**

Traders will be responsible for erecting and dismantling and taking good care of stall including the awning etc, keeping it clean and promptly and properly making good all damage and losses. Traders will also be responsible for any repairs, replacements etc to the ground sockets, electricity supply and for certain repairs for to the surface of the site.

Erection of the stall cannot start before 8.00 am. The stall must be dismantled and the site entirely cleared and left clean and tidy within half an hour of the close of business. For safety, the socket caps provided must be inserted in the sockets immediately the stall is dismantled. The stall must not be left unattended on the site. No alterations are to be made by the trader to the stall, awning, site, electricity supply etc. the stall and awning may not be used by the trader at other markets etc. the use of generators will not be allowed.

Any sales trailer used by the trader must be of a design and standard acceptable to the Council and approved in writing. Details must be provided with the application.

## **ACCESS TO THE SITE**

All the sites are in pedestrianised areas. Access to sites must be before 8:30a.m and after 6:00p.m. Traders must sign and return with their application, the attached Vehicle Movement Policy. If it is necessary to re-stock or remove refuse between these times, access will only be available by foot with, if necessary, pedestrian controlled trolleys, which should be removed as soon as the task is completed. **Vehicles must not remain on site through out the day, any breach of the Vehicle Movement Policy could result in a Consent being withdrawn.**

## **STYLE OF TRADING**

Traders operating from fixed locations will be required to operate from a semi-open fronted counter stall provided by the council enclosed with an awning. The stall will be erected and dismantled each trading day and held by the trader for the duration of the Consent but shall at all times remain the property of the Council.

Within the stall the trader will be able to erect a table (provided by the council) and trade in a conventional market stall manner, or alternatively use the space within the awning to park a small sales trailer of an approved design. For certain trades the Council also will consider granting permission for Consent holders to trade as an open fronted/walk-in stall.

The stalls can be seen in the City Centre at various sites. **TRADING WILL BE PERMITTED ONLY FROM WITHIN A FULLY ERECTED STALL. ALL GOODS, PACKAGING AND OTHER ARTICLES MUST BE STORED AND THE SERVICE OF CUSTOMERS MUST TAKE PLACE WITHIN THE STALL ENCLOSURE** excluding the roof canopy overhang.

Dispensation may be granted to the successful applicant for consent site 6 to trade from an approved trailer painted to accord with the uniform style of trading without using the Council's standard street trading stall.

## **ELECTRICITY.**

A 13 amp electricity supply is available from a socket located adjacent to each site. Traders are responsible for registering with an electricity supplier of their choice. Traders should carry out daily visual checks to electrical cabling to ensure that nothing has been tampered with and that cables are not damaged. Should any visual damage be evident, this should be reported to the Street Trading Manager immediately and the stall holder should refrain from using cables until they have been checked by a qualified electrician. The trader will be responsible for payment of the electricity consumed and the standard charge. Traders must inform their chosen supplier when they vacate a site to avoid complications with final invoice.

**Proof of all portable electrical appliance equipment testing (PAT test) must be supplied by operators before any equipment is plugged in.**

## **FOOD HANDLING TRADING**

Where a proposed trade involves the sale of ice cream, frozen confectionery and cold soft drinks, fruit or confectionery the applicant and all employees must have received formal food hygiene training to a minimum of Level 2 Award in Food Hygiene in catering within 5yrs of the expiry date of the consent or an equivalent certificate in food hygiene refresher training within 3 years of the expiry of the consent. In either case, awards must be issued by a recognised training provider.

If the Council proposes to grant a Consent to an applicant who does not hold an acceptable certificate in food hygiene training the commencement of the Consent will be deferred for a reasonable period pending the applicant obtaining the appropriate training.

## **CONSENT FEE**

The consent fee for each site is set out in the application form. The fee is payable in 4 equal quarterly instalments; the first on issue of the Consent and the other in June, September and December 2010. The fee is inclusive of the business rates payable on the site. A £400.00 refundable deposit is also payable in addition to the Consent fee for the hire, where appropriate, for the use of the Street Trading Stall.

Where a Consent commences part way through the year the instalment dates will be confirmed by the Council.

## **LITTER**

Great importance will be placed on the control of litter by traders in and around the stalls. Traders are required to keep the sites and the surrounding street clean and tidy. Traders selling food and drink should provide a conveniently placed litter bin for use by customers. Trader's refuse must be disposed of by the trader in an approved manner and not put in or left by a public litterbin.

Waste water from the trader's premises must not be permitted to drain onto public highway. Suitable arrangements must be made for the collection and disposal of waste water produced by the trading activities.

## **STATUTORY REQUIREMENTS**

Traders must comply fully with laws, byelaws and regulations, including for ice cream, fruit and confectionery, food safety legislation. The food business must be registered with the Council's Public Protection Service.

The trader is responsible for ensuring the health and safety of himself, his employees and any other person who may be affected by his business undertaking.

Authorised officers from the Council's Public Protection Service must be permitted access to the trading premises at all reasonable times. It is an offence to obstruct an authorised officer in the execution of their duties.

Applications will not be considered from any trader who is in breach of any food hygiene regulations at other premises or who has been convicted of such an offence within the last three years.

## **NUISANCE**

Traders must not conduct their business in such a manner as to cause a nuisance to other persons or in such a manner that would obstruct the highway. The use of radios or amplifying equipment will not be permitted.

## **ADVERTISEMENTS**

In order to maintain the high visual standards required by the Council there will be strict control of advertisements displayed on the stall.

## **UNAUTHORISED STREET TRADING**

The Council will use its best endeavours to control unauthorised trading but cannot guarantee that unauthorised trading will not take place. By submitting an application for a street trading consent applicants acknowledge that the Council will have no liability for any losses suffered in consequence of unauthorised trading.

## **PUBLIC LIABILITY INSURANCE**

Traders must hold a valid public liability insurance of at least £5,000,000 and will be required to indemnify the Council against claims and proceedings arising out of the grant of the Consent.

## **REFUNDABLE DEPOSIT**

Traders who operate from a stall lodge a £400 deposit to the Council against the return of the stall. The stalls must be returned in a clean and undamaged condition. The £400 deposit is to cover any damage to the stall, the site, ground sockets, electricity supply, the non-return of the stall and any other losses or expenses incurred by the Council as a result of a breach of the terms and Consent. Any balance of the deposit will be returned to the trader after the expiry of the Consent period once any such losses have been assessed

## **WITHDRAWAL OF A CONSENT**

Any breach of the statutory provisions relating to street trading or the terms and conditions of the Consent will enable the Council to revoke the Consent without compensation. The Licensing Committee of the Council will be the final arbiter of what constitutes a breach and whether the Consent will be withdrawn.

Traders may themselves at any time surrender a Consent which is no longer required. Where a Consent is surrendered or revoked, the Council shall remit or refund, as they consider appropriate, the whole or part of any fee paid for the grant or renewal of the Consent.





**CITY OF PLYMOUTH**  
**CITY CENTRE STREET TRADING CONSENTS**  
**CITY CENTRE SITES**

SITE	CONSENT FEE £ Subject to confirmation	ORDER OF PREFERENCE 1,2,3 Etc. (1= most preferred)
1A Frankfort Gate	1,820	
1B Frankfort Gate	1,820	
2A New George Street	6,928	
2B New George Street	8,891	
2C New George Street	5,680	No longer available due to West End Development
2D New George Street	6,928	
3A Bedford Way	3,420	
3B Bedford Way	5,680	
4A Old Town Street	2,272	
6 New George Street	4,545	No longer available due to West End Development
7 Old Town Street	2,758	
8 New George Street Winter	2,316	
Summer	1,213	
9 New George Street	6,928	No longer available due to West End Development
10 Place de Brest (ice cream trolley)	5,100	

The current fee includes business rates. A £400 refundable deposit is payable in addition for the use of a street trading stall.

**Additional Information:** If you wish to provide any additional information in support of your applicant please continue on a separate sheet of paper.

**Photographs:** Two passport size photographs each of yourself any know employees must be attached to this application form.

**Site 6- Ice Cream Vendor:** Please also complete and return a price list.

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

**SPECIMEN**

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

SECTION 3 SCHEDULE 4

**STREET TRADING CONSENT**

**PLYMOUTH CITY CENTRE**

Consent is hereby given to \_\_\_\_\_

To trade from site \_\_\_\_\_

Between 08.30 am and 9.00 pm throughout the week

From Monday \_\_\_\_\_ to the \_\_\_\_\_  
both dates inclusive. Subject to compliance with the Local Government (Miscellaneous Provisions Act 1982 and the Following terms and conditions).

Dated this

\_\_\_\_\_  
A Solicitor  
Authorised by council

Consent Number 1 (One)

SCHEDULE

Consent Fee: \_\_\_\_\_

<b>INSTALMENT</b>	<b>AMOUNT £</b>	<b>DATE PAYABLE</b>
1 <sup>st</sup> Instalment		
2 <sup>nd</sup> Instalment		
3 <sup>rd</sup> Instalment		
4 <sup>th</sup> Instalment		

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_



## VEHICLE MOVEMENT POLICY FOR PLYMOUTH CITY CENTRE

Plymouth city centre is a pedestrianised area where we welcome event organisers/street traders who add to the vibrancy of the city centre, enhancing the shopping experience for our visitors.

To ensure the safety of all who visit the city centre we ask all event organisers/street traders to ensure that their members/partners/subcontractors and suppliers are made fully aware of the Vehicle Movement Policy.

1. **Vehicle movement within the city centre is not permitted between the hours of 08:30hrs and 18:00hrs.**
2. Any vehicle involved in setting up an event must be offsite by 08:30hrs and cannot re-enter until 18:00hrs.
3. Vehicles required to stay on site as part of the event must display a permit. Applications for these must be made to Plymouth City Council seven days in advance of the event.
4. Caterers who might require re-stocking during prohibit hours must arrange for stock to be carried in between the hours of 08:30hrs and 18:00hrs.
5. It is the licensee's responsibility to ensure that all members/partners/subcontractors and suppliers are informed and adhere to the vehicle policy/
6. If it is essential for a vehicle to come into the City Centre during the hours of 08:30 and 18:00, you must have a written prior agreement from the City Centre Company
7. We reserve the right to withdraw permission given for any event /exhibition/street trader if any of the conditions listed are not met or if use of the area becomes a nuisance. In such circumstances the event is to cease at the request of a representative of the City Council, Plymouth City Centre Company Limited or the Police.

### WHEN TRAVELING TO OR FROM THE NOMINATED SITE, ALL VEHICLES MUST:

- OPERATE FLASHING HAZARD WARNING LIGHTS AND AUDIBLE SIGNALS (IF FITTED)
- TRAVEL AT NO MORE THAN 5 MILES PER HOUR
- NO VEHICLE MOVEMENT IS PERMITTED BETWEEN THE HOURS OF 8.30AM AND 6PM, EXCEPT IN THE CASE OF AN EMERGENCY.

I HAVE READ, FULLY UNDERSTOOD AND ACCEPT THE VEHICLE POLICY CONDITIONS FOR PLYMOUTH CITY CENTRE

Signed: \_\_\_\_\_

Name (print): \_\_\_\_\_

Name  
Org: \_\_\_\_\_

of

Contact  
Number: \_\_\_\_\_