



Agenda for Licensing and Enforcement Sub Committee Wednesday, 8th June, 2022, 9.30 am

Members of Licensing and Enforcement Sub Committee

Councillors: K Bloxham (Vice-Chair), A Dent and T Woodward

Venue: Council Chamber, Blackdown House, Honiton

Contact: Sarah Jenkins;

01395 517406; email sjenkins@eastdevon.gov.uk

(or group number 01395 517546)

Friday, 27 May 2022

East Devon District Council
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ

DX 48808 HONITON

Tel: 01404 515616

www.eastdevon.gov.uk

This meeting will not be live streamed or accessible through digital channels.

Members of the public are permitted to attend and address the Sub Committee. It is a requirement for any member of the public to pre-register on a first come, first served basis as attendance will be limited in order that we can ensure a safe and secure meeting for all participants. In order to register to attend and / or speak, please email publicspeaking@eastdevon.gov.uk or telephone 01395 519970 at least 24 hours before the start time of the meeting. You will need to provide your name, contact email and phone number and brief information about your question or statement. If successful in registering to speak, you will be contacted by a member of the Democratic Services Team who will provide more detail about how the meeting will be run.

1 Public speaking

If you wish to register to speak at the meeting please register by emailing publicspeaking@eastdevon.gov.uk or by telephoning 01395 519970 at least 24 hours before the start time of the meeting. If successful in registering, you will be contacted by a member of the Democratic Services Team who will provide more details about how the meeting will be run.

2 Minutes of the previous meeting held on 27 April 2022 (Pages 3 - 5)

3 Apologies

4 Declarations of interest

Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)

5 Matters of urgency

Information on [matters of urgency](#) is available online

6 Confidential/exempt items

To agree any items to be dealt with after the public (including the Press) have been excluded. There are no items which officers recommend should be dealt with in this way.

7 Determination of an application for the grant of a Temporary Street Trading Consent under schedule 4 of the provisions of the Local Government (Miscellaneous Provisions) Act 1982 (Pages 6 - 24)

[Decision making and equalities](#)

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Licensing and Enforcement Sub Committee held at Online via the Zoom app on 27 April 2022

Attendance list at end of document

The meeting started at 9.30 am and ended at 10.02 am

1 Minutes of the previous meeting held on 9 February 2022

The minutes of the previous meeting held on 9 February 2022 were agreed as a correct record.

2 Declarations of interest

There were no declarations of interest.

3 Matters of urgency

There were no matters of urgency.

4 Confidential/exempt items

There were no confidential / exempt items.

5 Determination of an application for the grant of a premises licence to allow the sale of alcohol for consumption ON and OFF the premises at The Salt Cellars (formerly Greenway Lane Post Office & Stores), 30 Greenway Lane, Budleigh Salterton EX9 6SG

The Sub Committee considered the application for the grant of a new premises licence to allow the sale of alcohol for consumption ON and OFF the premises at The Salt Cellars (formerly Greenway Lane Post Office & Stores), 30 Greenway Lane, Budleigh Salterton EX9 6SG.

The meeting was a hearing under the Licensing Act 2003.

The Chair introduced the members of the Sub Committee.

The applicant, present and entitled to make representations was Mr Richard Charlton.

The interested party, present and entitled to make representations was Mr Nick Johnson.

The Licensing Authority had not received representations from any responsible authorities.

The Sub Committee's legal advisor, Giles Salter, outlined the procedure for the meeting.

The Licensing Officer, Lesley Barber, highlighted that the application seeks to license the sale of alcohol within the premises only, for consumption on and off the premises. She added that the sub-committee might wish to consider the applicant's comments in his

response to the Notice of Hearing, set out in Appendix E of the report, detailing amendments that he might be willing to make to the application.

No updates or amendments had been made since the publication of the report.

The applicant made his case for the application and highlighted the following points:

- A full written statement responding to the concerns raised had been provided in advance of the meeting.
- The intention is to provide alcohol with a focus on quality rather than quantity.
- The premises is a deli and café; alcohol is an extension of the offering, introducing people to a range of new and local products that they will not find elsewhere in the town.
- The applicant has applied for hours which he believes will not cause late disturbance or nuisance, taking account of the setting.
- The premises is a small venue, intended to be an asset for the local community.
- Local residents are welcome to speak directly with the applicant at any time and he will actively try to accommodate any concerns, and adapt if possible.

In response to questions from Members, the applicant made the following points:

- There is no intention to open on Sundays; however, the application seeks to license the sale and consumption of alcohol on Sundays to give flexibility for one-off events without the need to apply for temporary event notices.
- By way of compromise, the applicant is willing to amend the application to allow consumption of alcohol outside until 8.00pm, after which time customers will be asked to move inside.
- The outside area is small, seating approximately six people.
- It is not intended to stop people from smoking or vaping outside, but there is no designated area for these activities. The premises was formerly a shop and there were no restrictions at that time.
- The interior of the deli will comprise 5 tables, displays of stock and produce, and a counter. The alcohol will be within an open display near the counter; this will not be set out as a bar.
- Drinks will be sourced locally from within Devon, Cornwall and Somerset.

In response to a question from the legal advisor, the applicant stated that initially, drinks will be sold in a sealed container for people to buy to take away or open and consume on site. There might be some drinks served on draft in the future, but it is not intended at any point to have a full optic display of alcoholic drinks.

In response to questions from the objector, the legal advisor, stated that it is appropriate for the applicant to apply for everything they might need to give them the capacity to use the business as they so choose, without having to subsequently apply for an extension of the licence, or use temporary event notices, at additional cost, for single events. Should concerns arise with how the premises are developed, there is the potential for responsible authorities and interested parties to seek a review of the licence and how it is being operated.

The interested party objecting to the application made the following points:

- There are concerns that the establishment needs to be based on an appropriate business model for the community area in which it is located.
- As well as the representations received, other people were voicing concerns locally.
- Examples were given of similar establishments which had more considerate closing times for their local residents.
- When the premises was operating as a shop, the closing times were early evening.
- Amending the licence hours between Monday and Thursday (as set out at point 4.3 of the report) would go some way to alleviating residents' concerns but the closing time of

10.00pm on Fridays and Saturdays was a significant concern, in the middle of a built up residential area. There was also concern that Sunday is not included in point 4.3.

- Decision makers were asked to consider making a site visit before taking their formal decision.
- The applicant was asked to consider very carefully the effect of his licensed premises on the local residents.

In response to the interested party's points, one member commented that he knows Greenway Lane and visited the area yesterday for a specific look. He recognised there are a number of houses nearby and he sees the café/deli as an asset for that community; a space for people to interact, which will be good for mental health.

In response to the interested party's points, the applicant commented that whilst he is the owner of a brewery, the café/deli is separate from that and will sell the brewery product only as part of the full range.

The Chair thanked all participants for attending the meeting and advised that the decision of the Sub Committee would be notified to all parties in writing within five working days.

Attendance List

Councillors present:

B Taylor
J Whibley (Chair)
T Woodward

Councillors also present (for some or all the meeting)

M Chapman

Officers in attendance:

Rebecca Heal, Solicitor
Susan Howl, Democratic Services Manager
Sarah James, Democratic Services Officer
Giles Salter, Solicitor
Lesley Barber, Licensing Officer
Phillippa Norsworthy, Licensing Officer

Chair:

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Date:

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Report to: Licensing and Enforcement Sub Committee

Date of Meeting 8 June 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Application for the grant of a Temporary Street Trading Consent under schedule 4 of the provisions of the Local Government (Miscellaneous Provisions) Act 1982

Report summary:

To determine an application for grant of a temporary Street Trading Consent by the Licensing sub-committee.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That members consider the options for the application, being

- (a) To grant the application in part or in full, subject to standard conditions.
- (b) To grant the application in part or in full subject to standard conditions and with extra conditions attached.
- (c) To refuse the application.

Reason for recommendation:

To comply with statutory processes.

Officer: Licensing Manager Steve Saunders ssaunders@eastdevon.gov.uk

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information:

APPENDIX A – Licensing application from Mr Everall

APPENDIX B – Plan of trading locations

APPENDIX C – Location Plan

APPENDIX D – Standard Trading Conditions

Link to Council Plan

Priorities (check which apply)

- Better homes and communities for all
 - A greener East Devon
 - A resilient economy
-

Report in full

1 Description of Application

- 1.1 An application has been received from Christopher Everall on behalf of Exmouth Pride which seeks Street Trading Consent for 19 trading stalls that will be attending a one day event in Manor Gardens, Exmouth on 18th June 2022.
- 1.2 The purpose of the application is to authorise time limited trading in the location being a public park. The applicant has applied for trading consent on behalf of Exmouth Pride seeking consent for specific traders wishing to sell items that include alcohol, hot food, ice cream, hot/cold drinks, clothing, jewellery, toys, novelty items and festival merchandise. The hours of trading requested are from 11:00 to 18:30 for one day.
- 1.3 Applicants need to satisfy relevant authorisations under any other legislation in addition to trading consent, including any other licences, permits and the landowner's permission.
- 1.4 The sale of alcohol requires Street Trading Consent in conjunction with requirements of the Licensing Act 2003. A Temporary Event Notice has been received under the Act to allow 'on' sales from a proposed bar on the site that was submitted by the bar operator (TEWA9597). A temporary event notice cannot be modified or conditioned at this point, having passed without objection under the Act.
- 1.5 A Street Collection Permit has been granted to the Exmouth Pride organisation authorising fundraising on the day on behalf of Exmouth Pride (STC356).
- 1.6 The application for the Street Trading Consent that is subject of this meeting is provided at **APPENDIX A**.
- 1.7 The trading locations within Manor Gardens where Street Trading Consent is sought are identified on the plan at **APPENDIX B**.
- 1.8 A location plan is provided at **APPENDIX C**.

2 Background

- 2.1 The event for which street trading consent is sought is organised each year by the Exmouth Pride charity. It is an annual festival being an LGBT+ celebration with information provided for the community, families and for all attending. The event has occurred over the previous six years since 2016, subject to the impact of Coronavirus more recently.

3 Consultation

- 3.1 In accordance with procedures, Devon & Cornwall Police Licensing, Devon County Council Highways, Devon & Somerset Fire and Rescue, Exmouth Town Council and the Ward Councillors have been consulted upon receipt of the application.
- 3.2 No representations have been received.

4 Statutory Bodies' Response

- 4.1 Devon & Cornwall Police
No representations have been received.
- 4.2 Devon & Somerset Fire & Rescue Service
No representations have been received.
- 4.3 Devon County Council Highways
No representations have been received.

5 Street Trading Policy

- 5.1 On 2nd October 2017 the Licensing Committee adopted the Street Trading Policy which applies across the District under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. The Policy provides a framework on how the Authority exercises its functions in relation to street trading and requires traders to seek Consent in advance for locations where trading is suitable.
- 5.2 The Policy allows event organisers to apply for a block consent for short term, time limited events where there are to be a number of traders, by submitting the application form. The event organiser needs to confirm details of what is being sold and will be expected to take reasonable responsibility for the trading activities by ensuring compliance with the consent conditions.
- 5.3 Standard conditions are in place to take account of the general requirements and safeguards expected to promote public safety. It is recognised that events vary and that the circumstances of each trading site are different and each application should be considered on its own individual merits. Standard conditions may be amended or conditions may be added.
- 5.4 Conditions attached to the Consent as part of the approval to carry out Street Trading in East Devon when granted, are at **Appendix D**.
- 5.5 Sections 5, 6 and 9 of the Policy outline what factors are to be considered in determining applications.

6. Conclusion

- 6.1 The available options in respect of this application are highlighted within the recommendations for this report.
 - 6.2 There is no right of appeal under the legislation by any party in relation to determination in respect of a temporary street trading application. The decision of the Sub-Committee is final.
-

Financial implications:

There are no financial implications contained within this report.

Legal implications:

Legal implications are included within the report.

Licensing Team
East Devon District Council
Blackdown House
Border Road
Honiton EX14 1EJ



East Devon District Council

Licensing Authority

Local Government (Miscellaneous Provisions) Act 1982

**Application for the Grant [BLOCK BOOKING] of a Street Trading Consent
under the Local Government (Miscellaneous Provisions) Act 1982**

Please write legibly in block capitals in black ink using additional sheets if necessary.

Applicants should not assume consent to trade will be given and therefore trading should not commence until the application process is completed and a consent issued.

Part A - Applicant Details

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev) <input type="text"/>
Surname <i>Everall</i>		First names <i>Christopher</i>		
I am 17 years old or over				Yes
Date of birth		<input type="text"/>		
Current postal address		<input type="text"/>		
Post Town	<input type="text"/>		Postcode	<input type="text"/>
Daytime contact telephone number		<input type="text"/>		
E-mail address (optional)		<input type="text"/>		

Company Details

If you intend to trade under a trading name, please give details below:

Trading Name	n/a		
Registered Number			
Contact address			
Post Town		Postcode	
Daytime contact telephone number			

Part B – Event Details

What is your event called and what is the general purpose of the event:	<i>Exmouth Pride</i> <i>LGBT+ celebration/information of diversity for the community, their family and friends.</i>
Please confirm the number of units which will be trading / offering goods for sale	17 in addition to Exmouth Pride's stall and our information and fund raising activity stalls
A Traders Form may be required for each Trader if the details are not properly provided in Part H (List of Traders)	<p>How many Traders Forms are accompanying the application? Answer: Zero</p> <p>For any Traders where details are not entered in Part H it will require a Traders Form to be provided at least 7 days in advance of the event for the Council's approval:</p> <p><i>Tick</i> (Please tick)</p>

All Traders Forms must be submitted to the Council not less than 7 working days before the event to enable sufficient time for an assessment of suitability to be made.

Please note that if any unit trades at the event which has not been approved this will mean the event organiser will be in breach of the consent and liable to having their consent revoked or any future event application rejected.

Event organiser(s) in receipt of a block consent will be expected to take reasonable responsibility for trading activities by ensuring compliance with the block consent conditions. Compliance with laws and legislation (Food Hygiene, Health and Safety, waste disposal and so on) will be the responsibility of each trader and

failure to comply may result in the trader consent being revoked, subsequent applications being refused and enforcement action occurring.

Part C – Dates and Timings requested

Date or dates when consent is sought: (if an annual consent is sought please state this here)	18th June 2022							
Timings requested:		11am-630pm for trading set up from 8am cleared by 730pm						
	Mon	Tues	Weds	Thurs	Fri	Sat	Sun	
From:						0800		
To:						2000		

Part D – Trading Location details

Postal address of trading site, or, if none, ordnance survey map reference or description	<i>Manor Gardens</i>		
Post town:	Exmouth	Postcode:	EX8 1NZ

Please submit a map or maps of the trading site(s) with your application. The map should clearly identify the precise location of the proposed site position by marking the site boundary with a red line. The red line should include the whole trading area. The map should be sufficient to identify the nearest residential and commercial properties to the trading site.

If you are applying for a mobile street consent for various locations, you will need to give us details of your route and a map of each location and specify which days / dates you intend to trade from each location. Please use a separate sheet if necessary.

Part E – Further information

Please provide details of the following:	
Means of disposal of waste: (responsibility for removal rests with the applicant)	<i>Traders remove their own waste. Zero to landfill are supplying containers and any remaining waste will be put in these by volunteers at the end of the</i>

	event. We will be paying Streetscene for additional litter picking.	
	Consideration should be given to waste minimisation, waste disposal and waste generated by customers.	
Toilet facilities: (for persons working on a static site)	<i>Public toilets are in the Manor Gardens.</i>	
Will you have tables and chairs on the site?	Yes <input checked="" type="checkbox"/> Y	No <input type="checkbox"/>
If yes:	Number of tables: 30 approx (1 per stall)	Number of chairs: 50? hired deck chairs, plus chairs in stalls
If yes, please state the location of these in relation to the trading unit:	<i>At various stalls The bar will have benches</i>	<i>At various stalls The bar has tables</i>

Please outline below the measures you will take to minimise the environmental impact of the proposed event/street trading operation

(Consideration should be given to: power supply, street surfaces, coastal and inland waters, carbon footprint, supply chain, packaging, waste minimisation and the reduction of plastic waste including the use of biodegradable materials and packaging wherever possible).

Zero to landfill are sponsoring us in kind with removing any waste

All traders were asked this question, examples of some responses are below

No plastic packaging: DisneyPops

Recyclable/no single use plastics: Shakers, Churros

Desi Junction: biodegradable dishes, recycled napkins, wooden spoons

Facepainting: Bio degradable

Barnova (Oddfellows) will use recyclable or biodegradable cups (tbc). Canned/bottles containers recyclable.

Part F – Existing/Previous Consent Details

Do you hold or have you previously held, or been refused, a street trading consent with this or any other Council?	Yes <input checked="" type="checkbox"/> X	No <input type="checkbox"/>
If yes, please give details:	Exmouth Pride is now in its sixth year. (events held 2015-2019)	

Part G – Land Ownership

(i) Is any of the land where the trading is to occur owned by East Devon District Council?	Yes <input checked="" type="checkbox"/> X	No <input type="checkbox"/>
(ii) If yes to (i), do you already have the permission of East Devon District Council to use the land? If not please contact EDDC by email at: events@eastdevon.gov.uk	Yes <input checked="" type="checkbox"/> X	No <input type="checkbox"/>
(iii) If the event is being carried out on any land not owned by East Devon District Council, do you have the permission of the landowner? If you have answered no, this consent does not give you permission to use the land for the event, which will need to be obtained separately	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Part H – List of Traders Attending

Trader details must be provided to the Council below.

If full Trader Details are provided it may prevent the need to submit Trader Forms at a later date. The Council retains the right to request Trader Forms not less than 7 days prior to an event.

Where Trader Forms are not submitted in time, Consent to Trade will not be granted

FOOD Hygiene Rating	Name, Address and Contact Details of each Trader Attending (inc. phone No.):	Trading Name	What Items Are Being Sold <small>(Specify food, alcohol or exact nature of products offered to the public)</small>
0 to 5	To Include Traders Full Name, Home Address & Telephone Contact Details		For example the type of food, clothing or other items
5	[REDACTED] [REDACTED] [REDACTED]	Barnova Ltd	Local lager & cider. Wine & Prosecco. Spirit & mixer. A range of soft drinks. Freshly made lemonade. Boozy & non-boozy seasonal slush.
5	[REDACTED] [REDACTED] [REDACTED] [REDACTED]	Authentic Thai Food Ltd	Prawn Pad Thai, Beef Yellow noodles, Chicken Yellow Noodles, Vegetarian Yellow Noodles, Deep-fried Chicken Stick, Chicken Satay with homemade peanut sauce, Vegetarian Spring Rolls
5	[REDACTED] [REDACTED] [REDACTED] [REDACTED]	Desi Junction Plymouth	Punjabi vegan and meat curries with plain rice
4	[REDACTED] [REDACTED] [REDACTED]	Truly Scrumptious	BBQ Catering – Hot Dogs, Burgers, Kids meals (Kids burgers and hot dogs) Sausage Baps, Bacon Baps, breakfast Baps, Bacon and Egg

			Baps, A vegetarian and Vegan burger , drinks, a meal deal for families
5		Pretty Poison Coffee Co	Fruit smoothies coffee tea cakes
5		South West Event Catering CHURROS	Churros made fresh to order served with a selection of chocolate dipping sauces
4		Antonio's of Exmouth	Ice Cream
n/a		Let's Bounce Devon	Inflatable Fun for all ages
n/a		DisneyPops Delights	Toys and festival novelties
N/A		D - KAT FACE PAINTING	FACE PAINTING GLITTER GLITTER TATTOOS UNICORN HORMS GEMS
N/A		Nurture East Devon	Choice to make: - Rainbow ribbon wands - rainbow ribbon baby sensory rings - rainbow ribbon hair clips - Pom pom necklaces

n/a	[REDACTED] [REDACTED] [REDACTED] [REDACTED]	E-Quality	Gender Neutral Clothing
N/A	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	A Splash of Rainbow	I will be selling LGBT+ Accessories such as enamel pins, button badges, stickers, mystery boxes and more.
n/a	[REDACTED] [REDACTED] [REDACTED] [REDACTED]	The Pink Triangle	T-shirts, vests, Hoodies, Caps Bags, Badges, Sweatbands
n/a	[REDACTED] [REDACTED] [REDACTED] [REDACTED]	Durga Goddess	A GoddessTemple with themed items to buy – belly dancing bras, jewellery, scarves, art work, Oracle Card Reading
n/a	Exmouth Pride- see part A	Exmouth Pride	Badges, wrist bands, flags, rainbow merchandise
n/a Click here enter text.	[REDACTED] [REDACTED] [REDACTED]	Devon Gorse Jewellery	Sterling silver jewellery and gifts
Click here enter text.	[REDACTED] [REDACTED] [REDACTED]	Devon Wildlife Trust	Devon Wildlife Trust Charity Information Stand and memberships

n/a	[REDACTED]	RNLI F2F Fundraisers	Membership/fundraising , education / awareness
	Other stalls will be collecting 'village fete' style for Exmouth Pride but not trading as such	Hands on Health Army Climbing Wall Southern Troopers Dog Competition Human Fruit Machine	There will also be information stalls (E.g. Intercom Trust, Other Prides Trans group, NHS, Adoption agency, Police, Amnesty, Radio Exe,

I – Declaration and Signature

I declare that I/we are NOT under the age of 17 years

I declare that the information given in this application is true.

I hereby make an application for the grant of a street trading consent in accordance with Section 3 & Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

Signature of applicant

Signature	[REDACTED]	
	Dr Chris Everall	
Date	13/05/2022	

CHECKLIST

Please ensure your application is accompanied by;

Map of the trading site/sites

(This is required for each proposed site and must clearly identify the precise location of the proposed site position/s marking the site boundary with a red line and must be sufficient to identify nearby residential and commercial properties)

X

Copy of Valid Public Liability Insurance Certificate

(Minimum cover of two million pounds (£2,000,000))

 X

(This is required from the Event Organiser for each proposed trading event).

DATA PROTECTION

Any personal information which you provide will be held and used by East Devon District Council for the purpose of the Licensing Service to process your Street Trading Consent application and administer any consent which is granted. Your information may also be shared within East Devon District Council for the purposes of carrying out our lawful functions. Otherwise your personal information will not be disclosed to anybody outside East Devon District Council without your permission, unless there is a lawful reason to do so, for example disclosure is necessary for crime prevention or detection purposes. Your information will be held securely and will not be retained for any longer than is necessary. There are a number of rights available to you in relation to our use of your personal information, depending on the reason for processing. Further detail about our use of your personal information can be found in the relevant Privacy Notice which can be accessed online at <http://eastdevon.gov.uk/privacy>

APPENDIX B



- 1) Changing room
- 2) Thai Authentic Noodles
- 3) DesiJunctionPlymouth
- 4) Truly Scrumptious BBQ
- 5) Spike's Fruit Smoothies
- 6) Pride Tree
- 7) First aid
- 8) Exmouth pride
- 9) SW Prides
- 10) A Splash of Rainbow**
- 11) E-quality clothing**
- 12) Pink Triangle**
- 13) Durga Goddess**
- 14) Devon Gorse Jewellery**
- 15) Churros SW catering**
- 16) HFM
- 17) Oddfellow bar**
- 18) Devon Wildlife Trust**
- 19) RNLI**
- 20) Intercom trust
- 21) Not alone trans Plymouth
- 22) Summer Lola Barber Lions
- 23) Hands on Health
- 24) LGBT Health and wellbeing (north Devon)
- 25) NHS Talkworks (Devon Depression and anxiety)
- 26) Eddystone Trust
- 27) ----
- 28) Adoption info
- 29) Fertility info
- 30) Dog parade ground
- 31) Army Climbing wall
- 32) ----
- 33) Deaf academy tbc
- 34) Police
- 35) Amnesty
- 36) Isca Apollo tbc
- 37) Let's bounce Devon**
- 38) Southern Troupers
- 39) Jodie's kids activities
- 40) Disneypops**
- 41) DKAT Facepainting**
- 42) Antonios**
- 43) Radio Exe

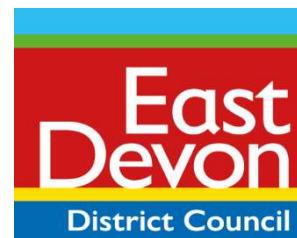
Those in **bold** are traders and not information or Pride fund raising stalls

Appendix C

Manor Park, Exmouth



STREET TRADING CONSENT STANDARD CONDITIONS & TERMS



STANDARD CONDITIONS

1. A copy of this consent shall be displayed by the consent holder in a conspicuous position that is visible to members of the public and shall be produced for inspection if requested by an authorised officer of the Council or the Police.
2. In the case of a block consent where the application did not contain all of the required information for all stalls, it is the responsibility of the consent holder to ensure that the Council has given its written approval to all stalls prior to the event commencing.
3. The consent holder shall comply with all relevant legislation applicable to the street trading activity and ensure that where applicable the consent holder has and maintains a current Food Hygiene Rating Scheme score of at least 3 and gas safety inspection certificate.
4. The consent holder must notify the Licensing Manager immediately of any convictions or proceedings arising out of the consented activity.
5. The consent holder shall not assign his interest in this consent or any part thereof nor allow any person or trading unit, other than a person employed to assist the holder, to rely on it.
6. The consent holder shall observe and comply with any directions in relation to the consented activity or use of the street / public place by a duly authorised officer of the Council or the Police.
7. The consent holder shall for the duration of the consent maintain a valid Third Party Public Liability Insurance Policy for a minimum of £2,000,000 to the satisfaction of the Council and shall produce a valid certificate of such insurance at any time upon request by an authorised officer of the Council.
8. This consent does not imply or grant exclusive rights to the holder for use of the location specified in the permission. If at any time at the permitted trading location other statutory bodies or organisations require access and use of the location to carry out emergency or other remedial works, they shall be afforded such access for such time as is necessary.
9. The consent holder shall not carry out any street trading activities other than those permitted by the consent and is expressly prohibited from;
 - (i) selling Psychoactive Substances,
 - (ii) holding an Auction Sale
 - (iii) trading in or issuing any glass items or vessels (unless the glass is a piece of art or craft),
 - (iv) selling, displaying or wearing any article which is or is intended to be offensive either in writing or pictures.
10. The consent holder shall not trade outside of the permitted location / route and the permitted times and days.

APPENDIX D

11. The consent holder shall not trade in such a way that is likely to cause;
 - (i) undue obstruction to any part of any street or public place, or
 - (ii) injury to any person using the street or public place, or
 - (iii) damage to any property in the street or public place, or
 - (iv) annoyance to persons using the street or public place, or occupiers of premises in the vicinity.
12. The consent holder shall at all times conduct their business in a clean, honest, civil and businesslike manner so as not to interfere with the business of other traders and consent holders.
13. Music may be played subject to having appropriate PRS and PPL licenses provided that the music shall not be audible outside the vehicle or beyond the boundary of the consented area without prior consent in writing from the Council.
14. The consent holder shall not place on the street or in a public place any furniture or equipment other than as permitted by the Council and he must maintain the same in a clean and tidy condition and not place them so as to obstruct the entrance or exit from any premises.
15. Outside of the consented area the consent holder shall not place on or in any street or public place, or affix to any equipment placed on the street or public place, any advertising of any description whatsoever except with the prior consent in writing from the Council
16. At the expiry of the consent, all stalls, vehicles or other equipment associated with the street trading activity must be removed within 30 minutes of the expiry of the trading hours.
17. The consent holder when operating on a static site shall have access to suitable and sufficient sanitary accommodation for anyone carrying out the street trading activity.
18. With respect to litter and waste the consent holder shall;
 - (i) provide and maintain refuse receptacles for litter and shall remove waste arisings from the site on a daily basis and dispose of them in an approved manner,
 - (ii) keep his trading position and the area within 25m of the pitch in a litter free condition during the permitted hours and also leave the same in a litter free condition at the end of each daily period permitted by this consent,
 - (iii) make such provision as is necessary to prevent the deposit in any street or public place of solid or liquid refuse and shall not discharge any water or effluent from the street trading activity to street surface drainage or other watercourse.
19. Consent holders must notify the Licensing team of any variation to trading times or frequency, including absence in excess of 4 weeks. The reasons for any absence will be treated according to the individual circumstances provided.

VARIATION OF CONDITIONS

The Council may vary any of the conditions attached to a consent or add new conditions at any time, subject to reasonable notice being given to the consent holder.

REVOCATION OR SURRENDER OF CONSENT

This consent may at any time be revoked by the Council or surrendered by the consent holder.

APPENDIX D

The holder shall return this consent to the Council immediately on revocation or surrender of the consent. The Council shall not in any circumstances whatsoever be liable to pay any compensation to the holder in respect of such revocation.

LEGAL PROVISIONS

Nothing contained in these conditions shall relieve the consent holder or his employees or agents from any legal duty or liability and the consent holder in carrying out the consented activity agrees to indemnify the Council in respect of all claims, actions, demands or costs arising from this consent.