

Business and Planning Bill 2020 - Conditions

1. Pitch size

The licensed area must be within the dimensions specified on the licence, or any relevant pitch limits marked out on the ground by the council. At least 1.5 metres distance must be left clear on the highway from the boundary of the pitch to the highway or any street furniture. The 1.5 metres must be free of hazards and not present a trip hazard or hinder access to wheelchairs, buggies or the like.

2. Advertisements

No advertisement shall be displayed on the licensed trading area for goods, commodities or services other than those licensed for sale or provided on that licensed trading area.

3. Days and times of trading or business

Trading may only take place on the days and during the times specified on the licence. The council shall advise traders of any extension of trading times for specified trading periods when and as relevant.

4. Refuse or waste

It is the trader's responsibility to ensure that all litter and waste generated by their licensed activity is collected for recycling or disposal, in ways that are compliant with legislation. This can mean storage in suitable bins or containers within the licensed area until collection can take place by a registered carrier of waste. To prevent blockages, odours or nuisance to others, road gullies or surface water drains may not be used for the disposal of food based liquid wastes or other noxious substances.

5. Street cleanliness

The trader must keep the immediate licensed area and the area within 5 metres in any direction from the licensed area, free of any wastes or spillages resulting from the trading activity, throughout the trading day. When trading is finished or upon leaving the site the trader/market operator must leave it in a clean condition.

6. Display of licence

The licence must be shown at all times, in a prominent position, so that it can be easily read.

7. Safety of equipment

Electrical equipment should be tested by a competent person at intervals recommended by the competent person. Records should be kept of all inspections and tests together with any defects and/or remedial works, so as to demonstrate compliance.

8. Using a mains voltage electrical supply

Traders using a mains electrical supply must have consent from the council before seeking installation from an electricity supplier. Where relevant, the trader and the electricity supplier will be required to provide the council with certification for the safety of the electricity supply.

9. Interference with electrical supplies

A trader will be subject to suspension of a licence if they tamper with, or use an electricity supply belonging to the council without a prior arrangement to do so. A trader causing damage to any council installation or equipment will be required to pay the full cost of any repair or replacement.

10. Pitch equipment, or trading stalls

Pitch equipment or stalls should be easily and quickly assembled and removed. The council reserves the right to inspect for stability and safety and to ensure that they are fit for purpose. Any obviously dangerous item must be made safe or immediately removed on request by the council. It is the trader's responsibility to ensure that items and structures are put up and taken down safely, are properly designed, well sited and in a good, clean condition. Furniture must be removed from the licensed area when the licence is not in force, for example at night.

11. General conduct

Any trader and/or any assistants employed by them shall conduct themselves in a decent manner and ensure that all members of the community are fairly treated and shown courtesy and respect. Trading activities should not give rise to noise inappropriate to the area, or cause other nuisance.

12. Employment of children

A licensed trader shall not employ any person under the age of 17 years in any capacity in the course of his trade or business.

13. Portable generators

Generators shall be positioned so that they do not present problems for other street users or traders. Generators shall be checked and certified for safety and shall be erected in a secure location and barriered to prevent interference by members of the public.

14. Assistance to council officers

A trader shall give immediate assistance to council officers when requested to do so. In dealing with an emergency, this might mean moving a stall or equipment away from the area, quickly.

15. Gas cylinders

The use of gas cylinders is permitted only where:
traders have checked the valves and hoses of gas cylinders for defects before bringing them into the licensed market place, and;
the cylinders are in safe working order

16. A copy of the tables and chairs licence must to be displayed in the window of the licensed premises. The copy licence is to be displayed so as to be clearly visible and legible from the street.

17. Temporary barriers of an approved type must be in place around the trading area during licensed hours and the same must be removed outside of the hours permitted by the licence.