

22nd September 2014**Notice of meeting:****Licensing & Regulatory Committee****Tuesday, 30th September 2014 at 10.00a.m.****Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA****AGENDA**

The Council welcomes contributions from members of the public through the medium of Welsh or English. We respectfully ask that you provide us with adequate notice to accommodate your needs.

Item No	Item
1.	Apologies for absence.
2.	Declarations of Interest.
3.	To confirm for accuracy the minutes of the Licensing and Regulatory Committee held on Tuesday 29 th July 2014 (copy attached).
4.	To consider the following reports from the Senior Licensing Officer (copy attached): <ul style="list-style-type: none">• Application for an Annual Block Street Trading Consent for Chepstow Town Centre
5.	To note the date and time of the next Licensing and Regulatory Committee: <ul style="list-style-type: none">• Tuesday 25th November 2014 at 10.00am

Paul Matthews**Chief Executive**

MONMOUTHSHIRE COUNTY COUNCIL

CYNGOR SIR FYNWY

THE CONSTITUTION OF THE LICENSING & REGULATORY COMMITTEE IS AS FOLLOWS:

County Councillors:

R. Chapman
R. Edwards
D.J. Evans
L. Guppy
M. Hickman
R.J. Higginson
S.G.M. Howarth
J. Prosser
B. Strong
F. Taylor
P. Watts
A.E. Webb

Aims and Values of Monmouthshire County Council

Building Sustainable and Resilient Communities

Outcomes we are working towards

Nobody Is Left Behind

- Older people are able to live their good life
- People have access to appropriate and affordable housing
- People have good access and mobility

People Are Confident, Capable and Involved

- People's lives are not affected by alcohol and drug misuse
- Families are supported
- People feel safe

Our County Thrives

- Business and enterprise
- People have access to practical and flexible learning
- People protect and enhance the environment

Our priorities

- Schools
- Protection of vulnerable people
- Supporting Business and Job Creation

Our Values

- **Openness:** we aspire to be open and honest to develop trusting relationships.
- **Fairness:** we aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect.
- **Flexibility:** we aspire to be flexible in our thinking and action to become an effective and efficient organisation.
- **Teamwork:** we aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of the Licensing and Regulatory Committee held at County Hall, Usk on Tuesday 29th July 2014 at 10.00 a.m.

PRESENT: County Councillor: L. Guppy (Chairman)

County Councillors: R. Chapman, D.J. Evans, R.J. Higginson, J. Prosser, B. Strong, F. Taylor and P. Watts.

Also in attendance County Councillor G. Howard.

OFFICERS IN ATTENDANCE:

Mr D. Jones	-	Head of Public Health and Culture
Mrs L. O' Gorman	-	Principal Licensing Officer
Mrs P. Perkins	-	Legal Assistant
Mr N. Hilton	-	Gwent Police
Mrs S. King	-	Senior Democratic Services Officer

APOLOGIES FOR ABSENCE

1. Apologies for absence were received from County Councillors R. Edwards, M. Hickman, S. Howarth and A. Webb.

DECLARATIONS OF INTEREST

2. There were no declarations of interest.

CONFIRMATION OF MINUTES

3. The minutes of the Licensing and Regulatory Committee meeting held on Tuesday 17th June 2014 were confirmed as a correct record and signed by the Chairman.

EXCLUSION OF PRESS AND PUBLIC

4. We resolved that the press and public be excluded from the meeting during consideration of the following item in accordance with Section 100(A) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 12 of Part 4 of Schedule 12(A) of the Act.

**Minutes of the meeting of the Licensing and Regulatory Committee held at
County Hall, Usk on Tuesday 29th July 2014 at 10.00 a.m.**

REPORTS OF THE SENIOR LICENSING OFFICER

5. We received the following reports presented by the Senior Licensing Officer:

i) To consider whether to issue a Scrap Metal Collector Licence

We received an application in respect of a Scrap Metal Collector Licence, this was the first application to be considered under the new policy.

The Officer advised that the committee would be able to ask questions to assist the Cabinet Member, the final decision would be made by the Cabinet Member.

The Chairman welcomed the applicant to the meeting and introduced Members of the Committee and the attending Officers and explained the protocol for the meeting.

The applicant confirmed their name and address to the Committee. The Principal Licensing Officer explained that the applicant had the right to legal representation and asked if the applicant was happy to continue without it, to which the applicant responded that they were. The applicant confirmed receipt of the report.

The key issues and details of the application were read out to the Committee. The applicant confirmed the contents of the report as correct and was then given the opportunity to address the Committee, to put forward any relevant explanations. Following this, Members of the Committee put forward questions to the applicant and discussion ensued.

Following questioning, the Cabinet Member and Legal Officer left the meeting for the Cabinet Member to deliberate the decision.

Upon re-commencement, the Cabinet Member advised that he had resolved, that the application had been considered and a Scrap Metal Collector Licence would not be granted.

The Chairman advised the applicant of his right to appeal.

ii) To consider an Application in Respect of a Hackney Carriage / Private Hire Driver Licence.

The Chairman welcomed the applicant to the meeting and introduced Members of the Committee and the attending Officers and explained the protocol for the meeting.

The applicant confirmed their name and address to the Committee. The Principal Licensing Officer explained that the applicant had the right to legal representation and asked if the applicant was happy to continue without it, to which the applicant responded that they were. The applicant confirmed receipt of the report.

The key issues and details of the application were read out to the Committee.

The applicant confirmed the contents of the report as correct and was then given the opportunity to address the Committee, to put forward any relevant explanations.

Minutes of the meeting of the Licensing and Regulatory Committee held at County Hall, Usk on Tuesday 29th July 2014 at 10.00 a.m.

Following this, Members of the Committee put forward questions to the applicant and discussion ensued.

Following questioning, Officers and the applicant left the meeting to allow the Committee the opportunity to deliberate and discuss the findings.

Upon re-commencement, the Chairman advised that the Committee had resolved, that the applicant was a fit and proper person to be granted a Hackney Carriage / Private Hire drivers licence.

The Committee resolved to issue a Hackney Carriage/Private Hire drivers licence.

The applicant was thanked for their attendance and left the meeting.

DATE OF NEXT MEETING

6. We noted the date of the next Licensing and Regulatory Committee as Tuesday 30th September 2014, 10am at County Hall, Usk.

The meeting ended at 11.50am.

SUBJECT: Application for an Annual Block Street Trading Consent for Chepstow Town Centre
DIRECTORATE: Chief Executive
MEETING: Licensing & Regulatory Committee
Date to be considered: 30th September 2014
DIVISION/WARDS AFFECTED: ALL WARDS

1. PURPOSE:

To consider an application for a Block Street Trading Consent to trade in Beaufort Square, Bank Square, Cormeilles Square, High Street and Library Place/Manor Way in Chepstow (Plan attached to this report as Appendix A).

2. RECOMMENDATION

2.1 Members consider the application (attached to this report as Appendix B) in relation to the site requested and note the comments received from the consultees.

3. KEY ISSUES

3.1 An application has been received from Ms Sandra Ellen Bushell, Town Clerk for Chepstow Town Council to trade on Thursday, Fridays, Saturday and Sunday between the hours of 09:00hrs until 15:00hrs. The locations requested in the Town of Chepstow and the number of pitches at those locations are as follows:-

- Beaufort Square (4 pitches)
- Bank Square (2 pitches)
- Cormeilles Square (10 pitches)
- High Street adjacent to Gatehouse (1 pitch)
- High Street (subject to road closure in place) (10 pitches)
- Library Place/Manor Way (3 pitches)

3.2 The applicant has indicated that the High Street trading will be subject to road closures in order to create a pedestrianised area and is likely to take place on the last weekend of the month, mainly during the Summer months. However, if the consent is granted the area could be used on the days each week mentioned in 3.1 above. The applicant has further stated that if the consent is granted she will ensure pitch holders will comply with the Council's conditions for the consent.

3.3 This application was forwarded to the consultees, these being Heddlu Gwent Police, Monmouthshire Highways Department, Monmouthshire Planning Department, Monmouthshire Environmental Health Department, Area Service Manager and the Local Ward Member.

3.4 Comments received from the consultees are outlined below:-

Planning: No objections however Planning permission will be required if trading for more than 14 days in a calendar year.

It should be noted that planning restrictions should not be considered when deciding on the issue of a consent. However, if granted the applicant will be made aware of the further provisions required of them under Planning legislation.

- 3.5 Section 13 of the Street Trading Policy adopted by Monmouthshire County Council on 17th June 2014 states the Head of Community and Environmental Protection can determine an application or defer the matter to the Licensing and Regulatory Committee. The Head of Community and Environmental Protection (recently re-titled Head of Regulatory Services) has decided in this instance to defer the matter to the Licensing and Regulatory Committee for a decision, due to the application being a new application for permanent consent, which will include a number of pitches with wider potential impact
- 3.6 Under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 Part III there is no right of appeal against the refusal to grant or renew a consent or against the revocation or variation of a consent.
- 3.7 As there is no statutory right of appeal the applicant has the right to seek judicial review. As a judicial review is largely about the decision making process, it is difficult to see how any judicial review application could be made, when the applicant understands the reasons for the Members decision. If reasons are not given then there is de facto denial of judicial review.
- 3.8 A District Council are under no duty to grant a street trading consent and need not specify statutory grounds for refusal, however in the case of R v The Mayor and Commonalty and Citizens of the City of London ex parte Matson the court highlighted the need for decision makers to give reasons in the interests of fairness and to enable judicial review proceedings to become available.

4. REASONS (N/A)

5. RESOURCE IMPLICATIONS:

5.1 Nil

6. CONSULTEES:

Heddlu Gwent Police
 Highways Department, Monmouthshire County Council
 Planning Department, Monmouthshire County Council.
 Environmental Health Department, Monmouthshire County Council
 Area Service Manager, Monmouthshire County Council
 Local Ward Member

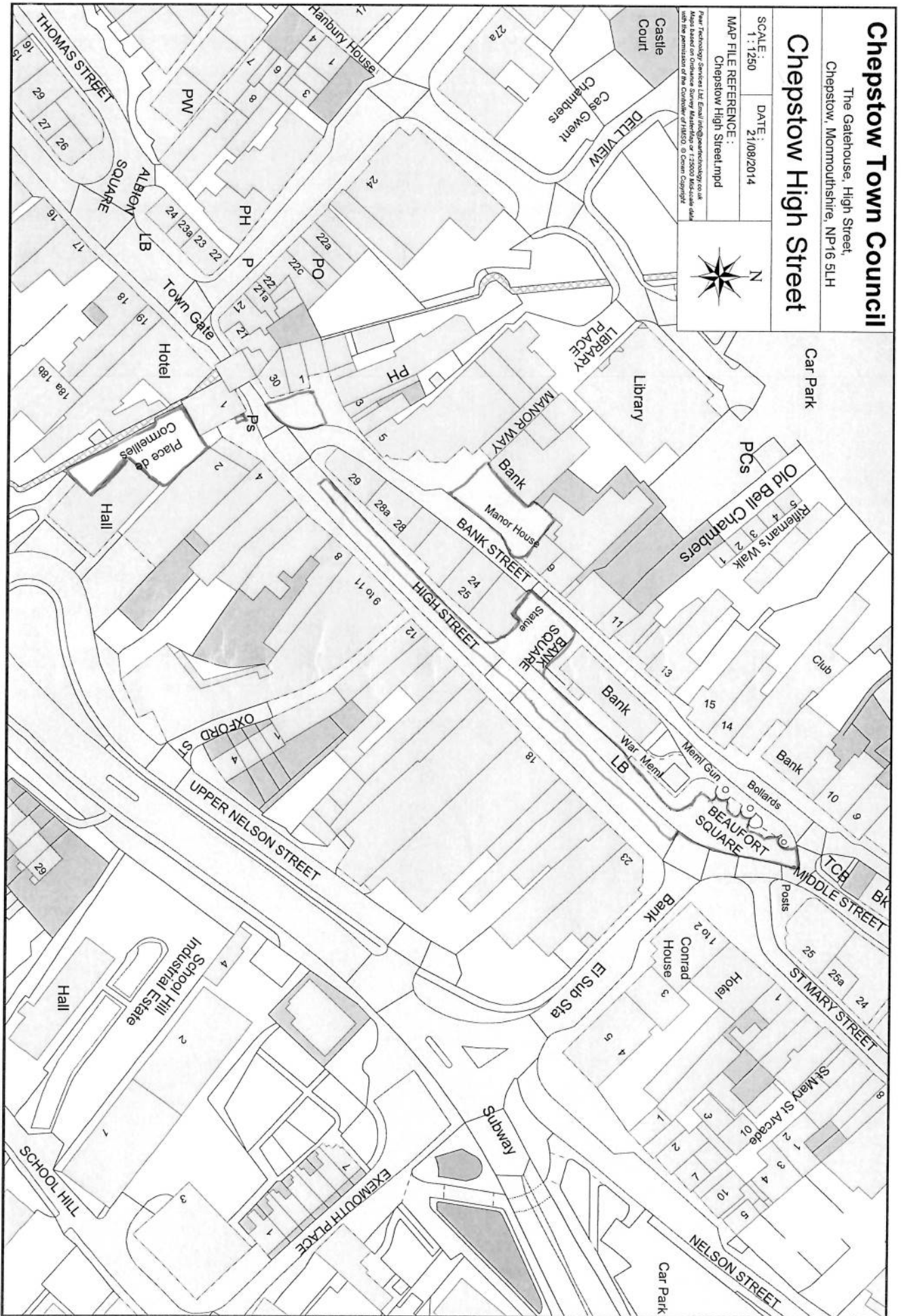
7. BACKGROUND PAPERS:

Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 Part III
 Monmouthshire Street Trading Policy, approved June 2014

8. AUTHOR:

Chris Rann,
 Senior Licensing Officer
Tel: 01633 644835
Email: chrisrann@monmouthshire.gov.uk

Appendix A



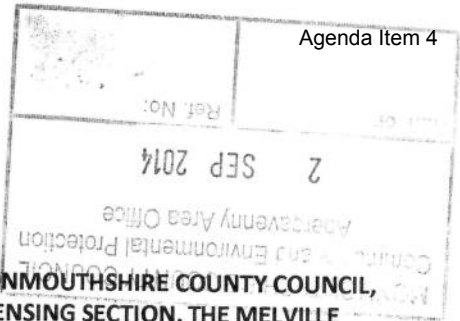
Appendix B

CHQ rec'd for f 08.50
 CHQ NO 100561



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MONMOUTHSHIRE COUNTY COUNCIL,
 LICENSING SECTION, THE MELVILLE
 CENTRE, PEN-Y-POUND ROAD,
 ABERGAVENNY NP7 5UD.



LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
APPLICATION FOR A BLOCK STREET TRADING
CONSENT

1. APPLICANT DETAILS	
Full Name:	Sandra Ellen Bushell, Town Clerk CHEPSTOW TOWN COUNCIL
Current Residential Address:	THE GATEHOUSE HIGH STREET CHEPSTOW NP16 5LH
Telephone Number:	
Mobile Number (optional):	
Email (optional):	
Date of Birth: (DD/MM/YYYY)	
National Insurance Number:	
Do you have any unspent convictions? (If yes please state details)	Yes/No NO
Have you previously had any Street Trading Consent revoked or surrendered? (If yes please state details)	Yes/No NO

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2. TRADING DETAILS	
Please state number of pitches	30 max. on any one day
Address of the precise location of where the pitches will be located: (Please include names of streets)	<p>Beaufort Square, Chepstow (4) Bank Square, Chepstow (2) Cormeilles Square, Chepstow (10) High Street adj to Gatehouse (1) High Street*, Chepstow (subject to road closure being in place) (10) Library Place/Manor Way, Chepstow (3)</p> <p>The number of stalls at the above locations may vary, but will not exceed the number specified for each location or the total number of pitches (30) on any one day. (Max no. of stalls in recent months has not exceeded 20)</p>
Do you have permission from the owner of the land where you wish to trade? (If yes please ensure that you submit a copy of the written permission)	<p>Yes/No No – Beaufort Square, Bank Square, Cormeilles Square, High Street Yes - Library Place/Manor Way (attached)</p>
Please provide contact details for the owner of the land: (Please include name, address and telephone number)	<p>Beaufort Square, Bank Square, High Street – MCC Highways Cormeilles Square - MCC Property Services Library Place/Manor Way – Llanhennock Investments, 8 High Street, Caerleon NP18 1AG Tel: 01633 430033 Email:mel@llanhennockgroup.co.uk</p>
Please provide details of the type of articles which you propose the pitches will sell:	<p>Local produce inc. Breads, Pies, Pastries, Cakes, Preserves, Oils, Vinegars, Fruit, Vegetables, Herbs, Plants & Flowers, Meat, Fish. Local craft made Cider , Wines & Beers – subject to separate Alcohol Licences. Local crafts inc. Pottery, Jewellery, Prints & Paintings, Wooden Goods, Needlecraft, Knitted & Fabric Goods Vintage goods inc. China & Clothing</p>
Please provide details on how you will ensure compliance of pitch holders with the Council's Street Trading Conditions. (Use a separate sheet if necessary). See enclosed Monmouthshire County Council's Street Trading Policy.	<p>Individual stall holders will be required to complete the Town Council's "Application for Day Market Pitch" (attached) which has been designed with the County Council's Street Trading Conditions in mind.</p> <p>Compliance with all conditions set out in the "Application for Day Market Pitch" will be verified and confirmed prior to consent being granted. Market set up and trading to be checked daily by nominated Town Council Officer.</p>

3. TYPE OF CONSENT BEING APPLIED FOR	
Please state which type of street trading consent you wish to apply for: (Please note that first time applications for Block Street Trading Consents will take a maximum of 60 days to be determined and will normally be heard at the Licensing and Regulatory Committee for determination)	Block Annual Street Trading Consent <input checked="" type="checkbox"/>
	Block Daily Street Trading Consent <input type="checkbox"/>
Are there any other consent holders in the vicinity? (If yes please give further details)	Yes/No NO

4. TRADING DATES AND TIMES	DAY	TIMES From/To
Please give details of day and times in which you wish to trade: (Trading in Alcohol will require an additional licence under the Licensing Act 2003, as will Hot Food and Drink after 11p.m. up to 5a.m.). If a day consent please state the date you require : _____	Monday:	
	Tuesday:	
	Wednesday:	
	Thursday:	9.00am -3.00pm
	Friday:	9.00am – 3.00pm
	Saturday:	9.00am -3.00pm
	Sunday:	9.00am- 3.00pm

5. FEES	
10% Administration Fee (See attached notes for fees payable – this fee is non refundable)	£ 68.80 The full payment is required within 21 days of written acceptance from Monmouthshire County Council or an invoice will be arranged if requested by the applicant to enable direct debit payments. The street trading consent will not be issued until the fee has been paid in full or an invoice has been issued to the applicant.

6. ADDITIONAL DOCUMENTATION

To apply for a Street Trading Consent you **MUST** submit the following documents to support your application

- 10% of the full fee
- Copy of Ordnance survey map of at least 1:1250 scale, clearly showing the proposed site position by marking the site boundary line with a red line. Available online including from www.planningportal.gov.uk/planning/applications/plans (Google or bing style maps are not acceptable)
- Written permission from the land owner (If applicable)
- Proof of Food Registration (If applicable). Information available at <http://www.monmouthshire.gov.uk/food-safety/food-premises-registration/>
- Licence under the Licensing Act 2003 (If applicable)
- One Passport-type photograph of the applicant.

7. DECLARATION

The Local Government (Miscellaneous Provisions) Act 1982 offences are as follows:

A person who engages in street trading in a consent street without being authorised to do so or being authorised by a consent, trades in that street

- (i) From a van, cart, barrow or other vehicle, or
- (ii) From a portable stall.

Without first having been granted permission to do so contravenes a condition imposed shall be guilty of an offence.

It shall be a defence for a person charged with such an offence to prove that he took all reasonable precautions and exercised due diligence to avoid commission of the offence.

Any person who in connection with an application for a consent makes a false statement which he knows to be false in any material respect, or which he does not have reason to believe to be true, shall be guilty of an offence.

I declare that I have read and understood the Standard Conditions and any additional conditions which may apply. I believe that all of the above particulars are correct and to the best of my knowledge.

I understand that the 10% administration fee I pay will not be refundable if the application is withdrawn or if the consent is granted and I do not take it up.

Applicant Signature: S. E. Buskell

Print Name: SANDRA KAREN BUSHELL Date: 29/8/2014

Street Trading Fees

Type of Street Trading Consent	Full Fee	10% Admin Fee
Block Annual Street Trading Consent	£688	£68.80
Block Daily Street Trading Consent	£119 per day	£11.90

Payment can be made as follows:-

cheque/postal order should be made payable to Monmouthshire County Council and returned to, Licensing Section, Monmouthshire County Council, Melville Theatre, Pen-y-Pound, Abergavenny, NP7 5UD.

If you wish to pay by BACS you may do so by using the following information (quoting your licence number as a reference)

Bank: Barclays Bank plc

Sort Code: 20-18-15

Account Number: 13996565

Account Name: Monmouthshire Main ACC

(If you do pay by BACS you will need to inform the licensing office that the payment has been made, you can do so by emailing licensing@monmouthshire.gov.uk quoting your licence number)

You can also make a payment by telephoning our payments line on 01873 735420 (quoting your licence number as a reference).

APPLICANT CHECKLIST
<input checked="" type="checkbox"/> Signed Street trading application form
<input checked="" type="checkbox"/> 10% Administration Fee
<input checked="" type="checkbox"/> Copy of a map, site position marked by red line
<input checked="" type="checkbox"/> Permission from the land owner (if applicable)
<input type="checkbox"/> Food Registration (if selling food)
<input type="checkbox"/> Licence under the Licensing Act 2003 (if applicable)
<input checked="" type="checkbox"/> One passport type photograph of you

GENERAL

Where an application has been approved the following also will be required prior to the issue of Street Trading Consent:-

- **An original copy of a certificate of insurance covering the street trading activity for third party and public liability risks up to £5million**
- **Copies of gas, electrical safety certificates for each equipment and recent records of periodic inspection reports.**

The Street Trading Consent will specify the location, times and days for which it is valid and the type of goods to be sold. Consent Holders must follow the terms of their Street Trading Consent. Failure to do so may result in the Street Trading Consent being revoked or not renewed, or in a prosecution.

The granting of a Street Trading Consent does not in any circumstances exempt the Consent Holder from the need to obtain any other licence or permission that may be required or from obligation to comply with all other general or local legislation. There may be additional costs involved in obtaining these additional licences or complying with other legal requirements.

It is the obligation of the Consent Holder to familiarise themselves and their employees with this legislation. The council may revoke a Street Trading Consent for any failure to comply with any other general or local legislation.

A Consent Holder shall not assign, underlet or part with his interest or possession of a Street Trading Consent, but it may be surrendered to the council at any time.

The Council reserves the right to revoke a Street Trading Consent at any time without compensation.

Please send completed application to:-

Licensing Section
Monmouthshire County Council
The Melville Centre
Pen-y-Pound Road
Abergavenny
NP7 5UD

Telephone: 01873 735420

Email: licensing@monmouthshire.gov.uk



Chepstow Town Council Application for Day Market Pitch

Surname of Applicant (BLOCK CAPITALS) (Mr//Ms/Mrs/Miss) _____		
Forename(s) _____		
Current Address: _____ _____		
Tel No: _____	Mobile No: _____	Email: _____
Trading Name: _____		
Pitch Location: _____		Ref. No: _____
Council Stall(s): _____	Council Tables: _____	Power supply required: Yes/No
Electrical Safety Certificates/Periodic Inspection Reports		Checked by (initials):
Own power supply: Yes/No	Gas Safety Certificates	Checked by (initials):
Traders own Stall:	Length:___ Width___ Height:___	Condition checked by (initials)
Trading from vehicle: Yes/No	Reg No: _____ Length:_____ Width_____ Height:_____	
Date of Trading: _____		Hours of Trading: _____ to _____

Names and Addresses of Assistants: _____

APPLICANTS DECLARATION

- a) I declare to the best of my knowledge and belief, the answers given are true.
- b) If a day market pitch agreement is granted I undertake to pay the appropriate fee and comply with the conditions attached to the agreement and also comply with applicable legislation and to any orders made thereunder. I understand that failure to comply by me or any of my assistants employed by me, with or without payment, will render both me and my assistants liable to prosecution and may result in the revocation of my agreement.

APPLICANTS ARE ADVISED THAT TO MAKE, KNOWINGLY OR RECKLESSLY, A FALSE STATEMENT OR OMIT ANY INFORMATION FROM THIS APPLICATION IS A CRIMINAL OFFENCE.

DATE ____/____/____	Signature of applicant _____
DATE ____/____/____	Signature of applicant _____

OFFICE:

Current Insurance Certificate checked	Checked (initials)
Risk Assessment received	Checked (initials)

Food Stalls

(a) Evidence of Level 3 Food Hygiene Rating Scheme provided. (b) Proof of Registration with appropriate Local Authority as Food Business (c) Trader issued with a copy of Monmouthshire County Council's "outdoor Events in Monmouthshire – Guide for Food Traders" and "Event Check List"	Confirmed (initials)
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Day Market Pitch authorised: _____ **Date** _____



Chepstow Town Council

Draft Day Market Pitch Conditions

Introduction

The following conditions shall apply to all stall holder applicants and have been designed to ensure compliance with the policies and priorities of Chepstow Town Council and the terms of the Block Street Trading Consent granted by Monmouthshire County Council on XXXX.

Standard Conditions for all Market Pitch Applicants

General Conditions

1. The holder of this Market Pitch Agreement hereinafter referred to as 'the Trader', which expression where appropriate, includes joint holders of this Agreement) and any person employed by him to assist him in his trading shall produce it or a photocopy of it on demand when so required by a Police Officer or a duly authorised officer of Chepstow Town Council (hereinafter referred to as 'the Town Council')
2. A Market Pitch Agreement does not relieve the Trader, or any person employed to work on the stall, of any obligation to comply with all other general or local legislation and conditions.
3. A Trader shall not assign, underlet or part with his interest or possession of this Market Pitch Agreement.
4. Under the terms of this agreement no young person under the age of 18 shall engage in street trading activities
5. Trading may only take place on the days and during the times specified in the Market Pitch Agreement
6. Traders shall not trade outside the designated trading area.
7. The Trader shall pay the Market Pitch Agreement fee determined by the Town Council.
8. The Trader shall at all times maintain a valid insurance policy covering the street trading activity for third party and public liability risks up to £5 million

and must produce a valid certificate for this insurance at any time on the request of an authorised Town Council Officer.

9. The sale of the following goods are not permitted Alcohol-except sales of mulled wine and similar at streets fairs or community events, firearms and replica firearms, knives, offensive weapons and replica weapons, tobacco products, fireworks, articles that would typically be sold in sex shops, animals and legal highs. This list is not exhaustive and the Town Council has to right to refuse the sale of any goods.

(Where mulled wine or similar is to be sold at streets fairs or community events, no sale will be permitted to anyone under the age of 18. The trader will also be required to obtain separate prior permission under the Licensing Act 2003)

10. The trader shall not cause any obstruction of the street or nuisance or danger to persons using it and shall not permit persons to gather around him or any vehicle, stall or other mode used in connection with the trading so as to cause a nuisance, or danger to any persons lawfully using the street.
11. The trader shall not do or suffer anything to be done in or on the street which in the opinion of the Town Council may be or become a danger, nuisance or annoyance to or cause damage or inconvenience to the Town Council or to the owners or occupiers of any adjacent or neighbouring premises or to members of the public.
12. The trader shall indemnify and save harmless the Town Council and their agents, servants, contractors and workmen from and against all proceedings, damages, claims or expenses in respect of an injury to a third party or damage to property which may be sustained by the Town Council or any person or persons body or company whatever arising out of or in any way connected with his trading and the provision of facilities under this agreement.
13. The trader shall not make any excavations or indentations of any description whatsoever in the surface of the street or places or fix any equipment of any description in the said surface.
14. The trader shall not place on the street any advertisement, furniture or equipment other than as permitted by this agreement and he must maintain the same in a clean and tidy condition and not place them so as to obstruct the entrance to or exit from any premises.
15. If a stationery vehicle is used in connection with the street trading, any exhaust fumes therefrom shall be discharged vertically into the atmosphere, and oil drip trays shall be placed thereunder so as to protect the surface of the street.
16. Other than street trading primarily involving the sale of ice cream, no electronic amplifying equipment shall be used.

17. A trader trading in hot foods shall at all times carry on the vehicle 4.5 kilo Dry Powder Fire Extinguisher.
18. Where the trader trades from a stationery vehicle, that vehicle shall in all respects, comply with the Motor Vehicle Construction and Use Regulations. Motor vehicles shall be capable of their own propulsion and shall not be towed into trading positions.
19. The trader will vacate the pitch upon request, and for as long as necessary to enable highways inspections, repairs to street works and highway improvements to be undertaken, or if the pitch is required to facilitate temporary traffic and/or pedestrian management arrangements. No compensation will be paid to the trader for lost trading days as a result of the above or for any loss of business as a result of unforeseen occurrences on the highway network.
20. The siting of the street trading vehicle or stall shall not impede the access of emergency vehicles. The street trading activity shall not obstruct any street furniture, signs or lighting.
21. Where the mode of trading is from a stall, the construction and size thereof shall be subject to the approval of the Town Council.
22. The trader shall keep his vehicle or stall or other mode used for trading, and trading location and the immediately area in a clean and tidy condition during the permitted hours and also leave the same in a clean and tidy condition and unobstructed at the end of each period of trading each day of such trading.
23. The trader shall provide at his own cost and expense, litter bins or similar receptacles for the deposit of litter resulting from his street trading activities and remove them and their contents at the end of each period of trading on each day of such trading.
24. The trader shall retain with his vehicle or stall or other mode used for trading, any water used or waste produced until the end of each period of trading on each day of such trading and then remove it or dispose of it elsewhere, and in particular shall not deposit any such waste near or into the street, drain or channel.
25. The trader shall comply with all requirements of the Monmouthshire County Council in respect of street trading.
26. No street trading shall be undertaken in breach of food hygiene, health and safety, public health or planning legislation and the requirements of Monmouthshire County Council shall be complied with in respect of such matters.
27. The use of generators is not permitted, unless permission has been specifically granted by an Authorised Officer of Monmouthshire County Council and notified to the Town Council, prior to use.

28. The trader shall not assign, underlet or part with his interest or possession under this agreement or any part thereof.
29. This agreement may be revoked by the Town Council at any time and the Council shall not in any circumstances whatsoever be liable to pay compensation to the trader in respect of such revocation.
30. The Council may vary, amend or add to the conditions of this agreement at any time.
31. Where however, planning permission is required in respect of the trading activities covered by this Consent, and such permission has not been obtained, this Consent shall not operate to entitle the Consent holder to carry out such trading activities during any period required to be covered by such planning permission (to carry out such trading activities in such circumstances will be a criminal offence).
32. The Consent holder must obtain planning permission, where it is required, in respect of the trading activities covered by this Consent. Failure to do so will result in the Consent being revoked.
33. Traders and their employees should have access to suitable and sufficient sanitary accommodation at all trading times.
34. Traders and their employees shall not trade under the influence of any illegal or intoxicating substance.