

CYNGOR SIR FYNWY/ MONMOUTHSHIRE COUNTY COUNCIL
DEDDF LLYWODRAETH LEOL (DARPARIAETHAU AMRYWIOL) 1982
ATODLEN 4 - CANIATÂD MASNACHU STRYD/
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
SCHEDULE 4 - STREET TRADING CONSENT

MAE CYNGOR SIR FYNWY (A ELWIR O HYN YMLAEN "Y CYNGOR") YN SGIL ATODLEN 4 DEDDF LLYWODRAETH LEOL (DARPARIAETHAU AMRYWIOL) 1982, DRWY HYN YN DYFARNU/ **MONMOUTHSHIRE COUNTY COUNCIL** (HEREINAFTER CALLED "**THE COUNCIL**") PURSUANT TO SCHEDULE 4 TO THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982, DO HEREBY GRANT UNTO:

I/ TO: **Ms Lucy Allen**
O/ OF: **Chepstow Town Council,**
The Town Gate And
Gatehouse
High Street
Chepstow
Monmouthshire
NP16 5LH

(A ELWIR O HYN YMLAEN "Y CANIATÂD") GANIATÂD AR GYFER MASNACHU/ (HEREINAFTER CALLED "THE CONSENT") A CONSENT FOR THE TRADING OF:

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 authorisation under the Licensing Act 2003). Local Crafts inc. Pottery, Jewellery, Prints & Paintings, Wooden Goods, Needlecraft, Knitted & Fabric Goods. Vintage goods inc. China & Clothing. Other goods approved by the Authority.

MAE'R CANIATÂD YN CANIATAU I FASNACHWYR FASNACHU YN/ THIS CONSENT PERMITS THE TRADERS TO TRADE AT:

Beaufort Square, Chepstow – 4 pitches, Bank Square, Chepstow – 2 pitches

Cormeilles Square, Chepstow – 5 pitches, High Street adj to Gatehouse – 1 pitch

High Street, Chepstow – 20 pitches (subject to road closure),

Library Place/Manor Way, Chepstow – 3 pitches

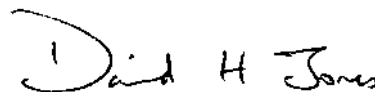
Castle Dell, Green area in front of Chepstow Castle (NP16 5EY) – 30 pitches

Chepstow Riverbank area (NP16 5HH) – 10 pitches, Hardwick Playing Field (NP16 5EB) – 10 pitches

AR/ON: Monday – Sunday YN YSTOD YR ORIAU/ DURING THE TIMES: 0900 i/to 1800

Bydd y caniatâd yn parhau mewn grym o/This consent shall continue in force from **03/08/2020** hyd/until **02/08/2021** os na chafodd ei ildio neu ei ddiddymu cyn hynny/unless previously surrendered or revoked.

YN AMODOL AR YR AMODAU A ATODIR/ SUBJECT TO THE ATTACHED CONDITIONS:



(Llofnod/ signed)

.....
Y Swyddog a benodir ar gyfer y diben hwn/ The Officer appointed for this purpose
DYFARNWYD AR/ GRANTED ON : 25/08/2020

Standard Conditions for all Consent Holders

General Conditions

1. The holder of this Consent (hereinafter referred to as 'the holder', which expression where appropriate, includes joint holders of this Consent) 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 Monmouthshire County Council (hereinafter referred to as 'the Council')
2. A Street Trading Consent does not relieve the Consent Holder, 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 consent holder shall not assign, underlet or part with his interest or possession of a Street Trading Consent.
4. In accordance with Monmouthshire County Council's byelaws adopted on 11th February 1999 for the employment of children made under Sections 18(2) and 20(2) of the Children and Young Persons Act 1933
 - No child under the age of 14 may engage in street trading and a child aged 14 or over may not engage in street trading unless (i) he is employed to do so by his parents, in connection with their retail business and under their direct supervision; and (ii) he has been granted a licence to do so ('a street trader's consent') by the authority and is acting in compliance with the terms of that licence.
 - The Authority shall not grant a street trader's consent to any child if it has reason to believe that the employment of the child in street trading would be prejudicial to his health, welfare or ability to take full advantage of his education or the child's street trader's consent has been revoked.
 - A street trader's consent granted to a child shall prohibit the holder from engaging in street trading on a Sunday and shall (i) be valid for not more than 12 months and shall expire on 31 December, (ii) prohibit the holder from touting or importuning to the annoyance or obstruction of any member of the public in any street or public place, and (iii) require that the child notify the authority within one week of any change of address.
 - The Authority may suspend or revoke a street trader's consent granted to a child if it has reason to believe that the holder's continued employment in street trading would be prejudicial to his health, welfare, or ability to take full advantage of his education, or if the holder is (i) found guilty of an offence connected with street trading, (ii) commits any breach of these Byelaws or the terms of his street trader's licence, (iii) uses the consent as a means for begging, immorality or any other improper purpose; or (iv) fails to notify the authority within one week of any change of address.

5. Trading may only take place on the days and during the times specified on the Street Trading Consent, unless special authorisation has been given by Monmouthshire County Council.
6. Consent Holders shall not trade outside the designated trading area.
7. The Consent Holder shall pay the street trading fee.
8. The Consent Holder 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. The Consent Holder must produce a valid certificate for this insurance at any time on the request of an authorised council officer.
9. The Consent Holder shall have written permission from the owner of the land to trade on private land which is not part of the highway.
10. The sale of the following goods are not permitted 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 Council has the right to refuse the sale of any goods.
11. The holder 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.
12. The holder shall not do or suffer anything to be done in or on the street which in the opinion of the Council may be or become a danger, nuisance or annoyance to or cause damage or inconvenience to the Council or to the owners or occupiers of any adjacent or neighbouring premises or to members of the public.
13. The holder shall indemnify and save harmless the Council, Welsh Ministers 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 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 consent.
14. The holder 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.
15. The holder shall not place on the street any advertisement, furniture or equipment other than as permitted by this Consent 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.

16. 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.
17. Other than street trading primarily involving the sale of ice cream, no electronic amplifying equipment shall be used.
18. The holder of a consent for trading in hot foods shall at all times carry on the vehicle a 4.5 kilo Dry Powder Fire Extinguisher.
19. Where the holder 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.
20. The Consent Holder 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 Consent Holder 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.
21. 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.
22. Where the mode of trading is from a stall, the construction and size thereof shall be subject to the approval of the Council.
23. The holder shall keep his vehicle or stall or other mode used for trading, and trading location and the immediate 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.
24. The holder 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.
25. The holder 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 lawfully elsewhere, and in particular shall not deposit any such waste near or into the street, drain or channel.

26. The Consent holder shall comply with all requirements of the Council in respect of street trading.
27. 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.
28. The use of generators is not permitted, unless permission has been specifically granted by an Authorised Officer.
29. The holder shall not assign, underlet or part with his interest or possession under this Consent or any part thereof, but he may surrender it to the Council at any time.
30. This Consent may be revoked by the Council at any time and the Council shall not in any circumstances whatsoever be liable to pay compensation to the holder in respect of such revocation.
31. The Council may vary, amend or add to the conditions of this Consent at any time.
32. 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 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).
33. 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.
34. Consent Holders and their employees should have access to suitable and sufficient sanitary accommodation at all trading times.
35. Consent Holders and their employees shall not trade under the influence of any illegal or intoxicating substance.

Mobile Traders

36. The consent holder must comply with Section 62 of the Control of Pollution Act 1974 which relates to noise in streets and the Code of Practice on Noise from Ice-Cream Van Chimes 1982. Attention is drawn particularly to the requirement that no loud speaker is to be used to advertise the sale of any perishable goods for human consumption before 12 noon or after 7.00pm, on any day.

37. In addition to the above statutory requirements, it is a condition of this consent that no audible form of advertising (including hand bells) is to be used by the consent holder before 9am or after 9pm, on any day.
38. Any form of advertising device, whether a loudspeaker or otherwise, must not be used at any time so as to cause nuisance to persons in the vicinity.
39. Mobile vehicle consent holders are permitted to trade in any one place for a continuous period of no more than 30 minutes and the consent holder must not then again trade at that location within a period of 5 hours.
40. No street trading may be carried on at any location on any bus route for any continuous period of more than 10 minutes.
41. Mobile Street trading consent holders must not obstruct a driveway so as to prevent access.