

**MONMOUTHSHIRE COUNTY COUNCIL
REPORT**

SUBJECT: Application for an Annual Block Street Trading Consent for Caldicot Castle & Country Park

DIRECTORATE: Chief Executives

MEETING: Licensing and Regulatory Committee

Date to be considered: 22nd March 2016

DIVISION/WARDS AFFECTED: All Wards

1. PURPOSE:

- 1.1 To consider an application for a Block Street Trading Consent to trade in Caldicot Castle and Country Park. (Plan attached to this report as Appendix A)

2. RECOMMENDATION(S):

It is recommended that:-

- 2.1 Members consider and determine the application form attached to this report as Appendix B and C.
- 2.2 Members consider and determine the permission to allow the sale of “Re-Enactment Equipment.”
- 2.3 Members consider and determine the permission to allow the sale of knives.

3. KEY ISSUES

- 3.1 An application was received on 3rd March 2016 from Mr Michael Booth, Castle Manager for Caldicot Castle and Country Park, which is attached to this report as Appendix B. A further request was made by Mr Booth to amend the application to increase the number of trading pitches inside the castle wall to 70 pitches (Block I) by e-mail on the 7th March 2016, attached to this report as Appendix C. As such, the application request is to trade on Monday to Sunday between the hours of 08:00hrs until 22:00hrs. The location and number of pitches requested in the application form inside the grounds of Caldicot Castle and Country Park are as follows:-

- Block A (50 pitches)
- Block B (60 pitches)
- Block C (100 pitches)
- Block D (50 pitches)
- Block E (150 pitches)
- Block F (100 pitches)
- Block G (75 pitches)
- Block H (25 pitches)
- Block I (70 pitches)

The total pitches requested for Caldicot Castle and Country Park is 680 pitches.

- 3.2 The applicant has further stated that if the consent is granted he will ensure pitch holders will comply with the Council’s conditions for the consent. The applicant has stated within Section 2 of the application form that each person requesting a pitch will be required to complete an “Application for a Day Market Pitch”, which will be issued by Caldicot Castle and Country Park, attached as Appendix D.
- 3.3 The application was forwarded to the consultees (Appendix B and Appendix C), these being Heddlu Gwent Police, Monmouthshire Planning Department,

Monmouthshire Environmental Health Department and the Local Ward Member. No objections were received on this application.

3.4 Section 13 of the Street Trading Policy adopted by this Authority on 9th February 2016 states;

An Authorised Officer will approve the application if it:-

- Meets the criteria and
- There are no reasonable and appropriate objections.

And further states, "Except where objections are received for safety reasons the Head of Regulatory Services can determine the application or defer the matter to the Licensing and Regulatory Committee."

3.5 No objections were received against this application, however a query was raised with the applicant as to the type of goods that would be sold when selling re-enactment equipment, which he stated in part 2 of his application form, in order to assess whether the type of goods meet the criteria of the Street Trading Policy referred to in 3.4 above. The applicant informed Licensing by e-mail on the 3rd March 2016 that re-enactment equipment could include, knives, swords, bayonet, replica weapons, armour & associated clothing and further stated that when they host food festivals that have a number of trade stands that may have chef's knives for sale. Again, the purpose of use for these knives is a specialist market. (Attached to this report as Appendix E)

3.6 Section 8 of the Street Trading Policy referred to in 3.4 above states;
A Street Trading Consent will **not** normally be granted for the sale of the following items:-

- Firearms and replica firearms
- Knives
- Offensive weapons and replica weapons

Under the Criminal Justice Act 1988 (as amended by the Offensive Weapons Act 1996 and the Violent Crime Reduction Act 2006), it is an offence to sell to a person under the age of 18: any knife, knife blade or razor blade, any axe, any other article which has a blade or which is sharply pointed and which is made or adapted for use for causing injury to the person. The prohibition does not apply to either a folding pocket knives if the cutting edge of the blade is less than three inches or 7.62 cm or replacement cartridges for safety razors, where less than 2mm of the blade is exposed.

3.7 The 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 not meeting the criteria as stated in 3.4, 3.5 and 3.6 above.

3.8 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.

3.9 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.

3.10 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

4.1 To determine the application for a Block Street Trading Consent for Caldicot Castle and Country Park.

5. RESOURCE IMPLICATIONS

5.1 All Licensing fees and charges are recovered on a cost recovery basis.

6. WELLBEING AND FUTURE GENERATIONS IMPLICATIONS

6.1 The 'Future Generations' template is attached as Appendix F.

7. CONSULTEES:

Heddlu Gwent Police
Planning Department, Monmouthshire County Council.
Environmental Health Department, Monmouthshire County Council
Local Ward Member

8. BACKGROUND PAPERS:

Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 Part III
Monmouthshire Street Trading Policy, approved 9th February 2016

9. AUTHOR:

Linda O’Gorman
Principal Licensing Officer

CONTACT DETAILS:

Tel: 01633 644214
Email: lindaogorman@monmouthshire.gov.uk

APPENDIX A

Jicot Castle



APPENDIX B



monmouthshire
sir fynwy

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:	Mr Michael Booth
Current Residential Address:	Caldicot Castle & Country Park Church Road Caldicot Monmouthshire NP26 4HU
Telephone Number:	
Mobile Number (optional):	
Email (optional):	
Date of Birth: (DD/MM/YYYY)	
National Insurance Number:	
Are you entitled to work in the UK	Yes
Do you have any unspent convictions? (If yes please state details)	No
Have you previously had any Street Trading Consent revoked or surrendered? (If yes please state details)	No

2. TRADING DETAILS	
Please state number of pitches	650 maximum on any day
Address of the precise location of where the pitches will be located: (Please include names of streets)	Caldicot Castle and Country Park (map attached) Block A : 50 pitches Block B : 60 pitches Block C : 100 pitches Block D : 50 pitches Block E : 150 pitches Block F : 100 pitches Block G : 75 pitches Block H : 25 pitches Block I : 40 pitches
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)	Not required
Please provide contact details for the owner of the land: (Please include name, address and telephone number)	Monmouthshire County Council
Please provide details of the type of articles which you propose the pitches will sell:	Produce inc. Breads, Pies, Pastries, Cakes, Preserves, Oils, Vinegars, Fruit, Vegetables, Herbs, Plants and Flowers, Meat, Fish and other Hot and Cold Food and Drinks. Crafts inc. Cider, Wines & Beers – Subject to separate Alcohol Licences. Other Crafts inc Re-enactment equipment, Pottery, Jewellery, Prints & Paintings, Wooden Goods, Needlecraft, knitted & Fabric Goods, vintage goods inc. China & Clothing. Other goods deemed appropriate in line with street trading policy and conditions.
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.	Individual stall holders will be required to complete the Caldicot Castle & Country park "Application for Day Market Pitch" (attached) which has been designed with the County Council's Street Trading Policy and Conditions in mind. Compliance with the Street Trading Policy and Conditions set out in the "Application for

	Day Market Pitch" will be verified and confirmed prior to consent being granted. Set up and trading to be checked daily by a member of the Caldicot Castle Events Team.
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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)	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:	08.00hrs – 22.00hrs
	Tuesday:	08.00hrs – 22.00hrs
	Wednesday:	08.00hrs – 22.00hrs
	Thursday:	08.00hrs – 22.00hrs
	Friday:	08.00hrs – 22.00hrs
	Saturday:	08.00hrs – 22.00hrs
	Sunday:	08.00hrs – 22.00hrs

5. FEES	
10% Administration Fee (See attached notes for fees payable – this fee is non refundable)	£693 (Full Payment – Journal Transfer) 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 <ul style="list-style-type: none"> 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.

PLEASE NOTE: The Council's Licensing Committee is, with specific exceptions, a public forum. Not all applications require consideration by the Committee. Where our processes, as defined by relevant legislation, policies and guidance, require your application for a licence/permit/consent to be considered by the Licensing Committee, the identifying details you provide in your application may appear on documents which are considered by the Committee and are therefore available to the public. The personal information you provide will be used only for purposes related to the assessment of your application and future management of any licence/permit/consent granted. If you believe there is a legitimate reason for non-publication of your personal data, please provide those reasons with your application so that they can be considered in advance of preparation of Committee papers.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see [NFI information on MCC website](#) or contact the Audit Manager on 01633 644258

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:

Print Name: MICHAEL BOOTH Date: 3 March 2016

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

Street Trading Fees

Type of Street Trading Consent	Full Fee	10% Admin Fee
Block Annual Street Trading Consent	£693	£69.30
Block Daily Street Trading Consent	£122 per day	£12.20

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

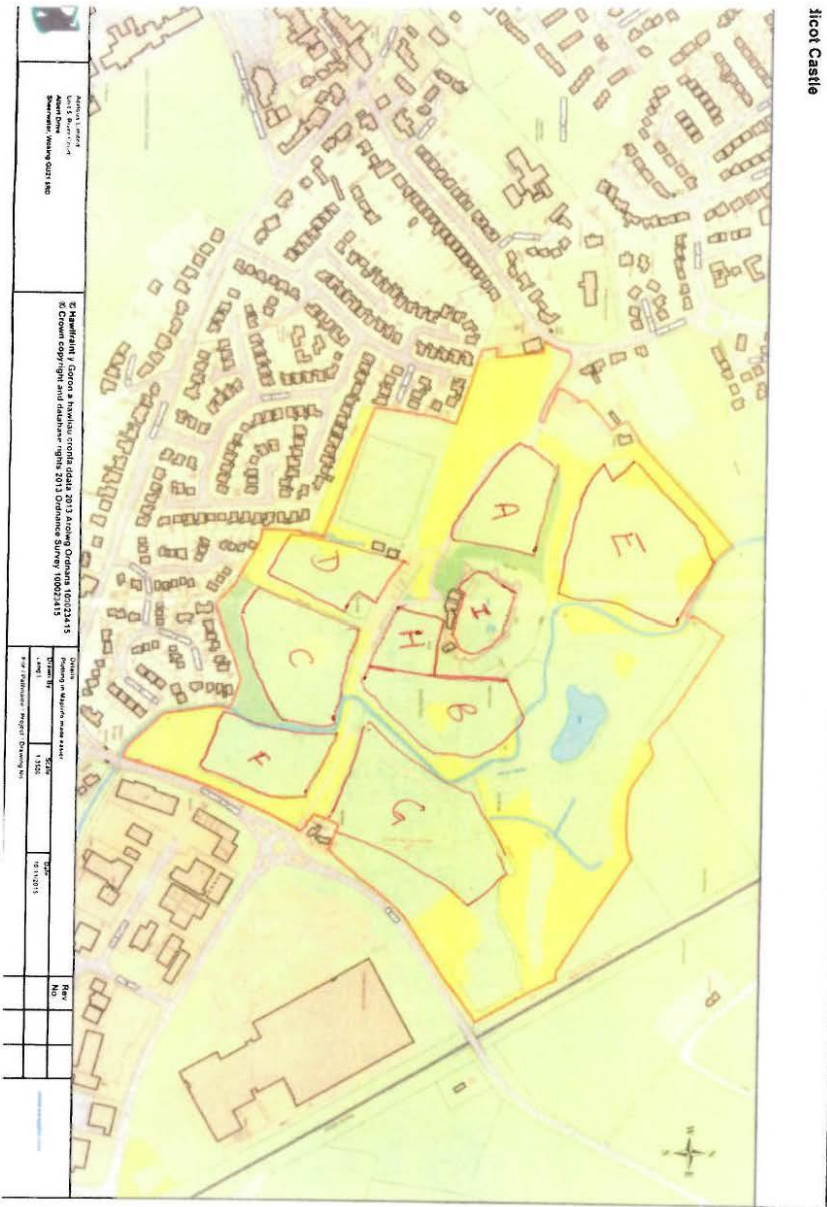
(If you do pay by BACS you will need to inform the licensing office that the payment has been made, you can do so by emailing licensing@monmouthshire.gov.uk quoting your licence number)

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

APPLICANT CHECKLIST

- Signed Street trading application form
- 10% Administration Fee
- Copy of a map, site position marked by red line
- Permission from the land owner (if applicable)
- Food Registration (if selling food)
- Licence under the Licensing Act 2003 (if applicable)
- One passport type photograph of you

Iicol Castle



Author: Iicol Castle
 Address: Iicol Castle
 Street: Iicol Castle

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Year	Scale	Author
2013	1:500	Iicol Castle

Plot	Area
A	1000 m ²
B	1200 m ²
C	1500 m ²
D	1800 m ²
E	2000 m ²
F	1600 m ²
G	1400 m ²
H	1100 m ²
I	900 m ²

APPENDIX C

From: Booth, Michael
Sent: 07 March 2016 10:14
To: O'Gorman, Linda
Subject: RE: Application for a Block Street Trader

Hi Linda, can I ask for a minor change to the list of areas used by traders marked on the map please? Inside the castle walls I would like to ensure we have ability to have 70 stalls – sounds a lot, but they could be quite small stands on occasion!

Many thanks

Mike

Mike Booth
Castle Manager

Caldicot Castle & Country Park

APPENDIX D



Caldicot Castle & Country Park
Church Road, Caldicot, Monmouthshire, NP26 4HU
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
Alcohol Licence Required YES/NO		If Yes, Checked Licence in place by (initials):
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_____
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DATE ____/____/____	Signature of applicant_____
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OFFICE:

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



Caldicot Castle & Country Park

Church Road, Caldicot, Monmouthshire, NP26 4HU

Day Market Pitch Conditions

Introduction

The following conditions shall apply to all traders/stall holder applicants and have been designed to ensure compliance with the policies and priorities of Caldicot Castle & Country Park and the terms of the Block Street Trading Consent granted by Monmouthshire County Council's Licensing and Regulatory Committee on 22nd March 2016.

Standard Conditions for all traders/stall 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 licence 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 licence 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 consent, (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 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.

APPENDIX E

Good morning Linda. Thank you for your email raising concerns regarding sales of goods at Caldicot Castle & Country Park. We hold a large number of events each year at the castle that involves multi-period re-enactment groups who undertake static displays of living history and demonstrations. Each group operate a membership, training and hold public liability insurance. As part of the larger events there is associated trade stalls selling a wide range of goods – both to the re-enacting groups and to the public. These sales are, in the main, of a gift & souvenir nature. However, this also includes items contained within the Prohibited Goods list, which would be specifically for the use in re-enacting. This could include, knives, swords, bayonet, replica weapons, armour & associated clothing. These items will often be crafted / bespoke to fit exactly with the time period for the re-enactment group. All traders at such shows apply in advance for a pitch & provide evidence of public liability insurance. These traders are drawn from those that have attended other shows and /or been to Caldicot Castle in the past and are known within the re-enactment movement. In addition, we host food festivals that have a number of trade stands that may have chef's knives for sale. Again, the purpose of use for these knives is a specialist market.

If you would like further clarification, please do not hesitate to contact me

Kind regards

Mike

Mike Booth
Castle Manager

From: O'Gorman, Linda
Sent: 03 March 2016 12:06
To: Booth, Michael
Subject: Application for a Block Street Trader

Mike

Thank you for submitting your application for Block Street Trading. I note in Section 2 of the application form that the goods you intend to permit to sell states re-enactment equipment. I refer you to item 8 of the Street Trading Policy and Conditions 2016 attached which states:-

1. Prohibited Goods

A Street Trading Consent will **not** normally be granted for the sale of the following items:-

- Firearms and replica firearms
- Knives
- Offensive weapons and replica weapons
- Tobacco products
- Fireworks
- Articles that would typically be sold in sex shops
- Animals
- Legal Highs

The above list is not exhaustive and the Authority has the right to refuse any item for sale it deems necessary.

Can you please provide further information on the sale of re-enactment goods. As discussed, applications for block street trading will be heard at the Licensing and Regulatory Committee.

Regards

Linda O'Gorman

Principal Licensing Officer / Prif Swyddog Trwyddedu