



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

MONDAY 6TH JUNE 2011, AT 6.00 P.M.

COMMITTEE ROOM, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

MEMBERS: Councillors Mrs. J. M. Boswell, J. R. Boulter, Ms. M. T. Buxton, Mrs. R. L. Dent, K. A. Grant-Pearce, Miss P. A. Harrison, Mrs. H. J. Jones, R. J. Shannon, S. P. Shannon, Mrs. M. A. Sherrey JP, L. J. Turner, M. J. A. Webb and P. J. Whittaker

AGENDA

1. Election of Chairman
2. Election of Vice-Chairman
3. To receive apologies for absence and notification of substitutes
4. Declarations of Interest
5. To confirm the accuracy of the minutes of the meeting of the Licensing Committee held on 10th January 2011 (Pages 1 - 2)
6. Street Trading Consent Policy Review (Pages 3 - 20)
7. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

26th May 2011

This page is intentionally left blank

Agenda Item 5

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

MONDAY, 10TH JANUARY 2011, AT 6.00 P.M.

PRESENT: Councillors Mrs. R. L. Dent (Chairman), Miss D. H. Campbell JP (during Minute No's 27/09 and part of 30/09), Mrs. J. M. L. A. Griffiths, B. Lewis F.CMI, Ms. J. A. Marshall, D. McGrath, S. P. Shannon, Mrs. M. A. Sherrey JP, L. J. Turner and P. J. Whittaker

Observers: Councillor G. N. Denaro, Portfolio Holder for Resources

Officers: Mrs. S. Sellers, Mr. M. Kay, Ms. S. Garratt and Ms. P. Ross

27/09 **APOLOGIES**

Apologies for absence were received from Councillors Mrs. C. J. Spencer, J. T. Duddy and D. Hancox.

28/09 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

29/09 **MINUTES**

The minutes of the meeting of the Licensing Committee held on 6th December 2010 were submitted.

RESOLVED that the minutes be approved as a correct record.

30/09 **STREET TRADING CONSENT POLICY: COMPARISON OF FEES AND REVIEW OF POLICY**

The Committee considered a report which provided additional information on the fees charged by other neighbouring Councils in respect of Street Trading. The report also addressed the issue of a review of the Bromsgrove District Street Trading Consent policy to be included in the work programme for the Licensing Committee.

The Chairman welcomed Mr. M. Kay, Licensing Manager from Worcestershire Regulatory Shared Services (WRSS) to the meeting. Mr. Kay briefly informed the Committee of his role within WRSS.

The Licensing Manager introduced the report and in doing so requested that the Committee noted amendments to para 3.2 and para 4.4 of the report where references made to licence be amended to read consent.

Mr. Kay informed Members that he would respond to questions with regard to the Licensing Manager's report in the absence of Mr. S. Jorden, Head of Worcestershire Regulatory Services, who had submitted his apologies.

Mr. Kay responded to several questions raised by Councillor B. Lewis F.CMI. Mr. Kay informed the Committee that under legislation licensing fees and charges had to be based on full cost recovery (full cost recovery of the administration, inspection and enforcement) and not profit. He informed the Committee that licensing fees and charges could be challenged if they were considered to be disproportionate. The Committee was informed that WRSS would be looking at licensing fees and charges across all districts and that once completed the Committee would be informed of the relevant cost recovery fees and charges for the Bromsgrove district.

Mr. Kay further responded to Members' questions and informed the Committee that WRSS would help formulate policies and where relevant any conformity would be included within policies but policies would remain local to each district.

Councillor Mrs. J. M. L. A. Griffiths requested Members who had expressed concerns and had raised questions with regard to existing Street Traders to raise their concerns with officers outside of the Committee meeting.

RESOLVED:

- (a) that a review of the Bromsgrove District Council Street Trading Consent Policy be included in the work programme for the Licensing Committee in June 2011; and
- (b) that the fees charged for Street Trading consents by other Councils as set out in para 4.2 of this report, together with the proposed fees for Bromsgrove District Council for 2011/2012 as set out in para 4.1, be noted.

The meeting closed at 6.40 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

LICENSING COMMITTEE

Date 6th June 2011

STREET TRADING POLICY - REVIEW.

Relevant Portfolio Holder	Councillor C. B. Taylor
Relevant Head of Service	Steve Jordan – Head of Worcestershire Regulatory Services.
Key Decision / Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To receive a report on the Street Trading Policy for the District.

2. RECOMMENDATIONS

- 2.1 That Members consider and approve the contents of the draft Street Trading Policy Statement, the draft Customer Information Pack and the draft Standard Conditions attached at Appendices 1 to 3 of this report. (Members will note that Appendix 3 sets out the new proposed fee structure for Street Trading Consents).
- 2.2 That Members agree that the approved draft versions of the documents at Appendices 1 to 3 will be subject to public consultation such consultation to take place over a 12 week period with the responses being reported back to the Licensing Committee.

3. BACKGROUND

- 3.1 Bromsgrove District Council (The Council) pursuant to Section 3 of The Local Government (Miscellaneous Provisions) Act 1982 has resolved to adopt Schedule 4 of the Act to control Street Trading in the District.
- 3.2 The Council has resolved that every street within the area of the district of Bromsgrove should be designated as a Consent Street, under the Act, (LGMPA) (except those shown at Appendix 1 and nominated as Prohibited Streets).

4. KEY ISSUES

- 4.1 At the Licensing Committee held on the 10th January 2011, it was agreed that Officers would review the current Street Trading Policy with results to be presented to the Licensing Committee meeting to be held on the 6th June 2011.

BROMSGROVE DISTRICT COUNCIL

LICENSING COMMITTEE

Date 6th June 2011

- 4.2 The review of the policy has now been completed and the proposed policy statement is attached at Appendix 1. For Members information, the proposed policy statement is based on the version currently being used in two other Local Authorities within the County. Feedback from those authorities is that the proposed policy statement has operated effectively with no significant issues being reported.
- 4.3 Members have been advised previously that Worcestershire Regulatory Services is working towards introducing common policies across the County. There are plans in place for the draft documents at Appendices 1 to 3 to be introduced in two other authorities in the near future. The introduction of this proposed policy will enable customers to benefit from a transparent, objective and consistent approach to Street Trading on a countywide basis, whilst still allowing for any local differences to be incorporated.
- 4.4 Members will recall that Officers were requested to look specifically at the current fee structure. The proposed fees are shown in the Information Pack at Appendix 2. As previously discussed at Committee the proposed fees will be consistent with the adjoining Local Authorities and set on a recovery of costs basis.
- 4.5 Standard Conditions to be attached to Street Trading Consents is shown as Appendix 3.
- 4.6 In terms of moving the process forward, the purpose of this report is to inform Members and to obtain Member approval to the draft documents. The draft documents will then go out to consultation. Officers propose a 12 week public consultation which will be circulated to interested parties and published on Bromsgrove District Council's web site. Officers will report back to the Licensing Committee with the responses to the consultation and to seek formal approval of the final version of the policy at the end of the consultation.

5. FINANCIAL IMPLICATIONS

- 5.1 Estimated costs of the service have been included within the WRS budget and are reflected as non-profit making.

6. LEGAL IMPLICATIONS

- 6 For legal implications please see paragraphs 3.1 and 3.2.

**LICENSING
COMMITTEE**

Date 6th June 2011

7. POLICY IMPLICATIONS

7.1 The Council currently has a Street Trading Policy, any changes to that Policy should be consulted on through a 12 week consultation process.

7.2 Policies have several advantages, ensuring transparency so that individuals know where they stand and can plan their affairs. That like cases can be dealt with similarly so there is fairness and consistency, and there is promotion of efficient administration.

8. COUNCIL OBJECTIVES

8.1 This proposal contributes to the Council's objective "One Community"

9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

9.1 None

10. CUSTOMER IMPLICATIONS

10.1 There are no adverse implications to consent holders through the proposed changes to this Policy.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

11.1 The draft revised Policy will go through a 12 week consultation and will be circulated and published on Bromsgrove District Council's web site as part of the formal consultation process, prior to coming back before this Committee.

11.2 An Equality Impact Assessment will be done as part of the consultation process and will be available as background papers.

12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

12.1 None

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

13.1 None

**LICENSING
COMMITTEE**

Date 6th June 2011

14. HUMAN RESOURCES IMPLICATIONS

14.1 None

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

15.1 None

**16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF
CRIME AND DISORDER ACT 1998**

16.1 The Council has a duty to have due regard to the effect of its functions on, and the need to do all that is reasonably can, to prevent crime and disorder in its area by virtue of Section 17 of the Crime and Disorder Act 1998.

16.2 By designating all, or most, streets as Consent Streets within the district, the Council can encourage commercial activity throughout the district and control it by giving or withholding consent as appropriate.

17. HEALTH INEQUALITIES IMPLICATIONS

17.1 None

18. LESSONS LEARNT

18.1 None

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

19.1 None

20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	No
Executive Director (S151 Officer)	No
Executive Director – Leisure, Cultural, Environmental and Community Services	No
Executive Director – Planning & Regeneration,	Yes

BROMSGROVE DISTRICT COUNCIL

**LICENSING
COMMITTEE**

Date 6th June 2011

Regulatory and Housing Services	
Director of Policy, Performance and Partnerships	No
Head of Service	Yes
Head of Resources	No
Head of Legal, Equalities & Democratic Services	Yes
Corporate Procurement Team	No

21. WARDS AFFECTED

All Wards will be affected by the contents of the report

22. APPENDICES

Appendix 1	Street Trading Policy Statement
Appendix 2	Customer Information Pack
Appendix 3	Standard Conditions attached to consents.

23. BACKGROUND PAPERS

Street Trading Policy amended May 2010
Local Government (Miscellaneous Provisions) Act 1982 Section 3, Schedule 4.

AUTHOR OF REPORT

Name: Sue Garratt – Senior Licensing Practitioner.
Worcestershire Regulatory Services

E Mail: sue.garratt@worcsregservices.gov.uk

Tel: (01527) 534100

This page is intentionally left blank



STREET TRADING - POLICY STATEMENT

UNDERLYING PRINCIPLES

1. Street Trading is regarded as an acceptable activity in Bromsgrove within the consented areas (Appendix A), provided that it is located where it can make a positive contribution to add interest, vibrancy, and diversity to the area and does not give rise to problems associated with Crime and Disorder.
2. The Council is the responsible authority for granting Street Trading Consents in Bromsgrove and will ensure that traders operate in accordance with conditions attached to such Consents (Appendix B).
3. The Council accepts that Bromsgrove comprises distinct areas with differing historic and commercial characters, and varying streetscape qualities, which should be individually developed and promoted.
4. The Council will consult with the following agencies:
 - The Highways Authority – Worcestershire County Council;
 - The Chief Officer of Police;
 - Worcestershire Regulatory Services – Compliance Team;
 - The Council's Community Safety Team;
 - Trading Standards;
 - The Parish Council (if any) in which the Trading Unit is to be located;
 - The Ward Councillors; and
 - The owners/occupiers of any properties near to the proposed location of the trading site.
 - Any other relevant agency
5. The Crime and Disorder Act (1998) stresses the need to take positive action to combat crime and the fear of crime. Therefore, prior to granting any Street Trading Consent the Council will pay particular attention to any potential crime and disorder arising directly or indirectly from the Consent and will give significant weight to the views of the Police and Community Safety Team.
6. The Council may issue Consent for up to one year or a lesser period where appropriate if the trading activity is seasonal or of a temporary nature.
7. Applications will only be considered where an applicant has completed an application form and will not be granted unless an applicant has paid the appropriate Consent fee.

8. Applications for a Street Trading Consent will be considered and determined under the Council's Scheme of Delegation by the Head of Worcestershire Regulatory Services, or otherwise by the Council's Licensing Sub-Committee.
9. Where more than one trader applies for Consent to trade from an approved site, the applications will be referred to the Council's Licensing Sub-Committee.

CRITERIA FOR CONSIDERING APPLICATIONS FOR STREET TRADING CONSENTS

When considering an application for a Street Trading Consent, the Council will take into account the following matters when reaching its decision:

1. Responses from Consultees and other interested parties.
2. The proposed siting and design of the street trading vehicle and whether or not it enhances the area within the immediate vicinity.
3. Any potential obstruction to the free flow of pedestrians or of vehicles in the street.
4. Road safety, either arising from the siting of the street trading vehicle or as a result of customer visiting or leaving the site, including existing traffic orders and waiting restrictions.
5. The nature of the proposed goods to be traded and whether this will create conflict with the trade of adjacent, established shops.
6. Whether the proposed siting of the street trading vehicle obstructs the frontage of adjacent established shops.
7. The numbers, distribution and location of existing street trading consents.
8. The likelihood of excessive noise, odour and litter being generated.
9. Whether the proposal would conflict with any other policies of the Council.

CONSENTED STREETS	PROHIBITED STREETS
<p>ALL STREETS WITHIN BROMSGROVE DISTRICT EXCEPT THOSE DESIGNATED AS PROHIBITED STREETS AND STREETS WITHIN THE TOWN CENTRE USED FOR MARKET PURPOSES.</p>	<p>Worcester Road</p> <p>Hanover Street</p> <p>St. John Street</p> <p>Chapel Street</p> <p>Mill Lane</p> <p>Market Street</p> <p>Church Street</p> <p>Station Street</p> <p>High Street</p>

DRAFT

This page is intentionally left blank

STREET TRADING**INFORMATION PACK****What is a Street Trader?**

A Street Trader is someone who:-

- i. Trades on any road, footways, highways, and other adjacent areas to which the public have access without payment. Traders must obtain land owners' permission when trading on private land.
- ii. Sells or exposes or offers for sale any article, whether food or non-food, including a living thing, whether with or without a stall or vehicle.
- iii. Trades from a fixed location.

Does the Control apply to all Traders?

No, there are various exemptions to the requirement to hold a Street Trading Consent:-

- i. Trading as a pedlar with a valid Pedlar's certificate issued under the Pedlars Act 1871. A pedlar is a person who travels and trades on foot and goes from town to town or from house to house carrying goods to sell. A pedlar cannot trade from a fixed spot. Pedlar's certificates are obtained from any main Police Station.
- ii. A roundsman, who is a person who delivers orders to the customer's door. This is a trader who calls by prior arrangement with the customer and sells at the customer's premises. Ice cream sellers or mobile food sellers are not deemed to be "roundsmen" and require a licence to trade in the street.
- iii. News vendors selling only newspapers and periodicals, unless the stall exceeds one metre in length or width, or two metres in height.
- iv. Trading from the forecourt of a petrol filling station.
- v. Trading from a stall outside a shop as an extension of that business.

How is Street Trading Controlled in Bromsgrove?

Bromsgrove District Council has adopted the provisions of the Local Government (Miscellaneous Provisions) Act 1982 so that it can effectively control street trading.

- i. All streets within Bromsgrove District have been designated as consented streets apart from those specifically prohibited (see Appendix A of the Council's Street Trading Policy).
- ii. This means that it is an offence to trade without Consent in any street, road, footway, highway, or adjacent area to which the public have access without payment, other than those prohibited where no trading at all can take place.
- iii. Trading without consent may result in prosecution.

- iv. If a trader has been granted a consent the Council has the right to vary or revoke the Consent at any time if the trader fails to comply with the conditions attached to the Consent.
- v. If you wish to trade outside of the Bromsgrove District you should contact the appropriate Authority for that area. Please note that different Authorities may have different procedures and rules regarding street trading.
- vi. If you wish to trade within the Bromsgrove District an application should be made to the Worcestershire Regulatory Services, Licensing Section, The Council House, Burcot Lane, Bromsgrove, B60 1AA.

How do I apply for Consent?

- i. Complete the appropriate application form – for a “static trader” if you wish to trade from a pitch, or for a “mobile” trader if you sell from street to street.
- ii. Attach to the application form the required documents, including a Basic Criminal Records Bureau Disclosure as listed on the application form.
- iii. Post to Worcestershire Regulatory Services, Licensing Section, The Council House, Burcot Lane, Bromsgrove, B60 1AA or bring to the Customer Service Centre, School Drive, Bromsgrove, the completed application form and original copies of any supporting documents (these will be copied and returned to you).

What Are the Fees Payable for Consent?

- i. Fees are payable for each unit or site. The fee is payable once a decision has been made on an application for a Consent. Fees should be sent with the completed application form.
- ii. Fees may be payable in instalments, by agreement with the Council.
- iii. Fees are reviewed annually and are applicable from 1st April each year.
- iv. Fees payable for static traders who trade from a fixed pitch are:-

	Food		Non Food	
	<i>Initial</i>	<i>Renewal</i>	<i>Initial</i>	<i>Renewal</i>
Single Unit up to 12m ² (max 5m length)	£1418	£1301	£1183	£1064
For every additional 12m ² or part thereof or length more than 5m	£600			
Mobile traders	£575 per vehicle, per annum			

How Long Does Consent Last for?

- i. Consent can be issued for any period up to a maximum of 12 months, unless surrendered earlier.
- ii. Renewals will take place on receipt of a completed renewal application form and payment of the appropriate fee.

Are Consents Transferable?

- i. No, they are not.
- ii. The Consent holder is entitled to a refund of part of the fee paid if the Consent is surrendered part way through the year.
- i. Refunds may be made on a pro rata basis, subject to an administration charge of £35.
- ii. If you do not renew the Consent on the expiry or surrender it before then, then any other person will be able to apply to trade from the same site.

What are the Responsibilities of a person granted consent?

Such a person is responsible for ensuring that:-

- i. The consent conditions are complied with.
- ii. All relevant certificates are produced to the Council with any application for Consent.
- iii. The vehicle or stall is registered with the Council if selling food of any description.
- iv. The Council will not be held responsible for any acts or omissions arising from the grant of Consent.
- v. Where trading is on private land, to which the public has access without restriction, permission to trade must be obtained from the owner/occupier as well as the Council

Does the Grant of Consent by the Council give any other entitlement?

- i. No - It only permits trading within the terms of the Consent as specified. The Consent does not override any parking restriction or other traffic regulation.
- ii. The Consent to trade does not imply approval from any other person or authority.

Consideration and Determination of your Application

- i. When received by the Licensing Section your application form will be checked. Provided there are no queries arising from the application form, your application will be acknowledged in writing within 5 working days of

receipt. If there is a query then you will be contacted in writing and/or by telephone and given the opportunity to respond.

- ii. The completed application form will be copied for comment to various parties.

Usually these are the Police, Worcestershire County Council Highways Authority, Ward Councillors, the Parish or Town Council, Worcestershire Regulatory Services – Compliance Team, The Council's Community Safety Team, Trading Standards, local businesses within the vicinity of the proposed site of operation and any other relevant agency.

- iii. We aim to complete this process within 20 working days but may take longer if a Licensing Sub-Committee hearing is necessary.
- iv. If queries are raised at this stage then you will be contacted in writing and/or by telephone and given the opportunity to address them.
- vi. Having received all comments/objections and taking into account the Council's adopted Street Trading Policy, the Head of Worcestershire Regulatory Services or one of his nominated officers, under the Council's Scheme of Delegation, may then determine applications where there are no objections and where the application is to be granted. Where your application cannot be granted, or where objections are received, your application will be referred to the Council's Licensing Sub-Committee for consideration and determination.
- vi. You will be informed in writing of the recommendation to the Licensing Sub-Committee and the date of the meeting to which you will also be invited to attend.
- vii. If your application is granted, the Consent will be issued, together with a copy of the Standard Conditions applicable to street trading Consents plus any Special Conditions deemed necessary by the Council.
- viii. If the Licensing Sub-Committee refuses your application you will be notified in writing of the reasons for refusal.
- ix. There is no right of appeal in the case of refusals or against the application of conditions.

Is there an Independent Body which represents Street Traders?

There is a body which offers advice on all aspects of outside catering. This body is called MOCA (Mobile and Outside Catering Association Ltd.) and is located at:-

Centre Court
1301 Stratford Road
Hall Green
Birmingham
B28 9HH

Tel 0121 693 7000
Fax 0121 693 7100
Website www.moca.co.uk

BROMSGROVE DISTRICT COUNCIL**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982****STREET TRADING - STANDARD CONDITIONS**

1. Bromsgrove District Council (“the Council”), pursuant to Section 3 of the Local Government (Miscellaneous Provisions) Act 1982 (“the Act”) have resolved that Schedule 4 to the Act, to control street trading in the district should come into force from May 2010.
2. The Council has resolved that every street within the area of the district of Bromsgrove is to be designated as a Consent Street” under the Act, (except those shown at Appendix One and nominated as Prohibited Streets) which means a street in which street trading is prohibited without a Consent issued by the Council.
3. A street trading Consent is issued by the Council subject to the following conditions, insofar as they do not conflict with or are amended by any specific conditions imposed on the grant of the Consent:-
 - (a) The Consent is valid for the period shown on the Consent
 - (b) The Consentee shall pay a fee to the Council in accordance with the approved list of fees.
 - (c) The Consent may be surrendered by the Consentee at any time, providing that the Council shall repay to the Consentee that part of the fee considered by the Council appropriate for the unexpired period of the licence, less £35 for administrative expenses, the exception being the day rate.
 - (d) The Consent holder must at all times while trading display in a conspicuous position the Consent issued by the Council.
 - (e) The Consentee shall not carry on his/her trade in such a way as to cause obstruction of any part of the street in which he/she is trading, or danger to persons using the street.
 - (f) The Consentee shall not carry on his/her trade in such a way as to cause a nuisance or annoyance to persons using the street or to occupiers in the vicinity.
 - (g) The Consentee shall not sell any type of food, goods or merchandise other than that specified in the Consent.

- (h) The Consentee shall provide and maintain, where appropriate, adequate facilities for the collection of litter resulting from his/her trading and at the close of each trading day shall remove any litter resulting from his/her trading from the street. The Consentee shall be responsible for any damage to the highway or otherwise resulting from the trading activity.
- (i) The Consentee shall make such provision as is necessary to prevent the deposit in any street of solid or liquid refuse occurring from the trading activity and shall not discharge any waste water to the street surface or to the surface water drains.
- (j) The Consentee shall not use any television, tape recorder or other device for the reproduction of sound while trading without the express permission of the Council.
- (k) The Consentee shall not trade outside the times and days permitted by the Consent.
- (l) The Consentee shall not trade in any location other than the location permitted by the Consent.
- (m) Any vehicle, stall or container used by the Consentee in the course of street trading shall be constructed and maintained to the satisfaction of the Council and shall comply with legislation in force at the time or any relevant British Standard.
- (n) The use and storage of liquid petroleum gas shall comply with the Code of Practice or requirements of the Fire Officer.
- (o) The Consent shall not operate for any other purpose than to permit the Consentee to trade in a Consent street in accordance with the conditions imposed. The Consentee must ensure that he/she has obtained any other approval or registration required under any other statutory provisions relevant to his/her trade.
- (p) The Consentee must be 18 years of age or over and shall be responsible at all times for control of the stall. Any persons assisting on the stall shall be 18 years of age or over.
- (q) The Consent is personal to the Consent holder and shall not be assigned or transferred to any other person or company.
- (r) The Consent holder or his employee must move his vehicle/stall or vacate the site immediately upon the instruction of a Police Officer or Authorised Officer of the Council.
- (s) Nothing herein contained shall prejudice the rights, powers, duties and obligations of the Council or any other enforcing authority under any public or private statutes, orders, regulations or byelaws.

- (t) The Consent holder shall at all times maintain a valid Third Party Public Liability Insurance policy to the satisfaction of the Council and shall produce a valid certificate of such insurance at any time upon the request.
- (u) Nothing contained in these conditions shall relieve or excuse the Consent holder or his/her employee or agent from any legal duty or liability and the Consent holder shall indemnify the Council in respect of all claims, actions, demands or costs arising from trading.
- (v) The conditions attached to the Consent may be varied by the Council at any time.
- (w) Any breach of these conditions may lead to the Consent being suspended or revoked.
- (x) In these conditions “the Consent” means a Consent issued under Section 3 of and Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982. Consentee means the person named on the Consent issued by the Council and includes any employee, servant or agent of the licence holder and “the Council” means Bromsgrove District Council.

This page is intentionally left blank