

# **Brixham Town Centre Managed Sites**

## **Policy, Guide, terms & conditions**



## Introduction

This guide contains information about the **Brixham Town Centre Managed Sites**. It provides a brief outline about why these sites have been created, information on who they are managed by and how they are managed.

## The importance of public spaces

Brixham Town Council places considerable importance on the appearance, vitality and viability of the town centre and as part of this it ensures that within its resources its stewardship of the public streets is managed appropriately. To support this objective, help control and co-ordinate the quality and activity that takes place in the town centre, ensure that what takes place in these areas supports and does not inconvenience local businesses and that they help attract visitors and shoppers, the council has established sites within Fore Street. These are called '**Town Centre Managed Sites**'.

## Town Centre Managed Sites

There are two Town Centre Managed Sites located in Fore Street established by Torbay Council.

<b>The sites are:</b>	<b>Location:</b>	<b>Suitability:</b>
Fore Street Site 1	Lay-by outside Tesco Express	Gazebos, vehicles, stalls, personnel
Fore Street Site 2	Lay-by outside Specsavers / Westcountry Deli	Stalls and personnel
Fore Street	Whole Road	Personnel only

## Street Trading Controls

For details on street trading please visit Torbay Council's Licensing Team web pages. Please see the contact information at the end of this document.

## Street trading within Town Centre Managed Sites

The sites covered by this guide have '**Consent Street**' status. This means that, within parameters set by Torbay Council, street trading can take place. The main parameters that apply are:

- Applications for 'open ended' long term occupancy will not be granted.
- Trading activities should only be ancillary and not be the primary element of the activity being proposed.

## Application to Use the Site

Anyone wishing to use one of the town centre managed sites for street collection or require a parking dispensation must apply to Torbay Council for the correct licence.

Prior to occupancy:

- Applicants must agree to the attached terms and conditions
- The council must have received payment of any fees.

## TERMS & CONDITIONS

### Insurance

The applicant/operator is responsible for all safety aspects of the pitch during the letting and must accept liability for any loss, damage, injury or death due to their activity. The applicant/operator must take out Public Liability Insurance Cover or Third Party Risks (Including products liability where appropriate) for a minimum value of £5 million per claim. Evidence of this insurance must be provided before occupying the site.

### Representatives on site

The applicant/operator must have a responsible representative on site at all times and will be responsible for every person involved in the activity.

### **Public Access**

The public have right of access at all times to pass through the site.

### **Vehicles**

The town centre managed sites have been designed so that slow moving vehicles up to certain weight limits can be placed on the areas. However, all applications that involve vehicles entering the areas should be stated when making an application.

#### General principles

- Size: No greater than 12m long
- Weight: No greater total gross weight of 7.5ton
- Speed: No speeds greater than 4mph
- Movement/turning: All movements of this type must be kept to a minimum and at very slow speed (2mph max).
- Vehicles will only be permitted in site 1. All side opening vehicles must have an opening on the left hand side of the vehicle.

### **Vehicle access to & exit from the sites**

Fore Street is a pedestrianised street between 10am and 10pm. Parking dispensations will be required for anyone wishing to operate from their vehicle / caravan. Please see the contact information at the end of this document.

Access and exiting from the sites must only be via the designated locations. Access must take place before 10am. If you wish to remove your vehicle prior to 10pm, you must ensure pedestrian safety at all times.

### **Cleanliness**

The applicant/operator must keep the pitch clean and tidy during the letting period and ensure that the pitch is left clean and tidy upon leaving.

### **Site damage**

The applicant/operator is responsible for any damage to the site or any part of the property. The applicant/operator must ensure that features and fittings on the site – including surfacing, features and furnishings, drainage features etc - are protected from any damage.

### **Materials**

The use of any hazardous materials or substances is not permitted

### **Licensing conditions**

Depending on the nature of your planned activity it may require various consents from the Council's Licensing Section. In particular you may need to apply for a street collection license. Please see the contact information at the end of this document.

## **Layout**

Shop entrances must be kept clear to ensure customers can still enter their preferred shop. All materials should be setup within the designated lay-by. The Town Council is aware that 3m x 3m gazebo, for example will extend beyond the lay-by. This will be permitted, but the street must remain clear to allow for emergency vehicles.

## **Sound amplification**

The applicant/operator must ensure that there is no noise nuisance caused to occupiers of properties surrounding the pitch or users of the surrounding area. The use of any public address system must first be agreed with the council and must be operated so as not to cause a noise nuisance under the Control of Pollution Act 1974, Section 62.

## **Breach of Conditions**

If the occupant of the site - including those associated with the activity – are found to be in breach of any of these conditions they can be instructed by a council employee to remove themselves and any structures from the site immediately without any reimbursement of any fees.

## **Fees**

Charities / Fundraiser:

Consideration will be given on the fee for non trading charity/fundraiser.

Commercial companies:

£160.00. A discount of 20% is offered for block bookings of one week or more in one year.

## **Charities**

If a professional fundraiser is signing up direct debits for a charity, in a public place, they must:

- Give the name of the appeal or charity
- Mention that they are not a charity but a company
- Say what percentage is taken for wages
- Say what percentage is taken by the company
- Say what percentage goes to the charity

If not using a layby no more than two persons are to be standing at different points along Fore Street collecting signatures at any one time.

**THESE TERMS & CONDITIONS MAY BE MODIFIED AT ANY TIME WITHOUT PRIOR NOTIFICATION**

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## **CONTACTS**

### **Torbay Council**

Parking Dispensations:

<http://www.torbay.gov.uk/index/yourservices/parking/parkingpermits/dispensations.htm>

Street Collection Licence:

<http://www.torbay.gov.uk/index/yourbusiness/licensing/streetlicences/charitablecollections.htm>

Leaflet Distribution Licence:

<http://www.torbay.gov.uk/index/yourbusiness/licensing/streetlicences/leafletdistribution.htm>

Street Trading Policy:

<https://www.torbay.gov.uk/index/yourbusiness/licensing/streetlicences/streettrading>

**Brixham Town Council**

Town Centre Bookings:

Brixham Town Council: [www.brixhamtowncouncil.gov.uk](http://www.brixhamtowncouncil.gov.uk); [info@brixhamtowncouncil.gov.uk](mailto:info@brixhamtowncouncil.gov.uk) or  
01803 859678

**Site 1:**



**Site 2:**





**Brixham Town Council**

**Please reply to:** The Town Clerk,  
Town Council Office, Brixham Town Hall, New Road,  
Brixham, Devon. TQ5 8TA

**Telephone:** 01803 859678

**E-mail:** info@brixhamtowncouncil.gov.uk

**Brixham Town Centre Managed Sites**

Please complete a separate booking form for each site that you wish to occupy.

<b>BUSINESS ORGANISATION NAME/TITLE</b>	
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<b>ADDRESS</b>	
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<b>CONTACT NAME</b>	
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<b>CONTACT TITLE</b>	
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<b>TEL. NUMBER</b>	
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<b>MOBILE NUMBER</b>	
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<b>E MAIL</b>	
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<b>SITE REQUESTED</b> (please write yes on the site(s) you wish to use)	<b>Fore Street Site 1</b>	<b>Fore Street Site 2</b>

<b>SPECIFY THE DATES ON WHICH YOU WOULD LIKE TO OCCUPY THE SITE</b> NB This also applies to whole week bookings	
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<b>I have read the Town Centre Managed Sites Guide</b> (please tick)	
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<b>DETAILS ON YOUR PROPOSALS</b> (NB You can also attach details when you reply)
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Once the form has been completed please return it by e mail to: [info@brixhamtowncouncil.gov.uk](mailto:info@brixhamtowncouncil.gov.uk)