

## CONDITIONS

The following conditions shall apply to all Street Trading Consents granted by the Council for use in Torbay

1. The Consent authorises the Holder to trade only in the goods described, between the times and in that Part of the Street Trading Schedule as so endorsed and, if necessary, so restricted, until the date of expiry unless previously surrendered or revoked.
2. No person other than the Holder shall be entitled to trade with this Consent unless and until that person's name shall first have been notified in writing to the Council and such particulars endorsed hereon.
3. The Consent does not relieve the holder, or any employee, of any obligation to comply with all other general and local legislation and, in particular, the Road Traffic Acts and any Orders or Regulations made thereunder, Food Safety Act, 1990 and any Orders or Regulations made thereunder, Town and Country Planning Acts, Control of Pollution Act 1974, Environmental Protection Act 1990 and Local ByeLaws. It shall be the obligation of the Holder to familiarise himself and his employees with such legislation and the Consent may be revoked upon breach of any such legislation in addition to any penalty which may be incurred thereunder. (Further information from Community Safety on 208010).
4. The Consent Holder shall provide a receptacle to hold litter whilst trading and the person so trading shall remove all litter before leaving the site.
5. The Consent shall be clearly displayed at the point of sale and produced for inspection at the request of an Authorised Officer of the Council or a Police Officer in uniform.
6. No vehicle, vessel or receptacle shall be used in the course of trading unless the details shall first have been submitted in writing to the Council and been specifically approved for use. The appropriate vehicle, vessel or receptacle must, before being approved for use on any grant or renewal of the Consent, be submitted for inspection by the Council's Environmental Health and Consumer Protection and shall not be used unless and until that Department shall have confirmed it's suitability.
7. No trading whatsoever may take place upon any ornamental or cultivated areas (except grassed areas) and no vehicle or wheeled appliance of whatever description may be taken onto such areas, including grassed areas.
8. Any person trading with the authority of a Consent shall move on when reasonably requested by an Authorised Officer of the Council or a Police Officer in uniform.

**STREET TRADING SCHEDULE** - N.B. A street also includes all adjacent paved, ornamental, cultivated and grassed areas including those in private ownership.

### **PART A - Prohibited Streets where no trading may take place (excluding those areas detailed in Part B)**

#### **TORQUAY**

- a. All Roads and Highways within the area bounded by Seaway Lane, Old Mill Road (from it's junction with Seaway Lane), Avenue Road (to Torre Station), Newton Road (to Old Woods Hill), Old Woods Hill, Barton Road (to it's junction with Audley Avenue), Audley Avenue, Higher Audley Avenue, Teignmouth Road (between Penny's Hill and Trumlands Road), Trumlands Road, Church Road, Fore Street (between Church Road and St. Catherine's Road), Barewell Road, Westhill Road (between junction with Barewell Road and Chatto Road), Chatto Road, Wright's Lane, Lymington Road (between Wright's Lane and Castle Circus), Castle Circus, Castle Road, Wellington Road, Ellacombe Road, Market Street, Pimlico, Post Office Roundabout, Fleet Street (to the junction with the Terrace), The Terrace, Meadfoot Road, Park Hill Road, Beacon Hill and Terrace, Vaughan Parade, Vaughan Road, Torbay Road (to it's junction with Seaway Lane).

- b. All Roads and Highways within the area bounded by Hampton Avenue (from Babbacombe Road To Cliffside Road), Higher Downs Road, Babbacombe Downs Road (to the junction with Babbacombe Road), Babbacombe Road (to the junction with Hampton Avenue).
- c. Shiphay Lane and Shiphay Avenue (from the junction with Newton Road to the junction with Dairy Hill).
- d. Meadfoot Sea Road from Hesketh Crescent to Ilsham Road (including the area of land between Meadfoot Sea Road and the cliff, not forming part of the highway).
- e. Lane at Gallows Gate (between the junction with Stanton Lane and Marldon Road).

## **PAIGNTON**

- a. All Roads and Highways within the area bounded by Fisher Street, Winner Street, Cecil Road (to the junction with Torquay Road), Torquay Road (between Cecil Road and Lower Polsham Road), Lower Polsham Road (between Torquay Road and Mead Lane), Mead Lane, Upper Morin Road, Morin Road, Seaway Road (between Morin Road and Marine Parade), Marine Drive and Promenade, The Esplanade, Esplanade Road, Roundham Road (between Sands Road and Cliff Road), Sands Road, Whitstone Road (over Railway Bridge to junction with Dartmouth Road), Dartmouth Road to it's junction with Fisher Street.
- b. Waterleat Road, Kings Ash Road (between Waterleat Road and Totnes Road), Brixham Road (between Totnes Road and Batterways Road), Batterways Road, Totnes Road (between Batterways Road and Waterleat Road).

## **BRIXHAM**

- a. The roads and highways hereafter listed and to include the area bounded by Fore Street, Middle Street, New Road (from Lower Manor Road to Bolton Cross), Middle Street, The Quay, Overgang Road (to the junction with North Furzeham Road), The Strand, King Street (to the junction with Berry Head Road), Fore Street, Bolton Street (to the junction with Windmill Hill).
- b. Greenway Road for some 200 yards either side of Churston Grammar School.

**ALL AREAS** - Miscellaneous - All Parks and Open Spaces, all Beaches and Coastal Lands, All Harbour Estates, All Off- Street Parking Places Listed in the Borough of Torbay (Off Street Parking Places) Order 1984 and any amendment thereof, All Coastal Footpaths, all other Public Footpaths, the Car Park Approach Road and Verges at St. Mary's Bay, Brixham.

**PART B - Restricted Consent Streets where, in addition to a Consent issued under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, the specific consent of Torbay Council as Landlord must have been obtained for the use of the land. In these circumstances, the terms imposed by the Landlord take precedence over the conditions imposed hereunder.**

### **Streets**

## **TORQUAY**

Brunswick Square, Torre

Castle Circus (paved area) in front of the Town Hall, Torquay

Fore Street (between St Marychurch Road to Petitor Road; St Dominics Close; Greenway Road; St Margaret's Road (between Fore Street and Priory Road) and Rowley Road (from Fore Street to the vehicle barrier near No. 2), St Marychurch

Lower Union Lane - Small area of land adjacent to the Highway situated between the Car Park Entrance ramp and pedestrian entrance door.

Reddenhill Road (between Babbacombe Road and Cary Avenue); St Anne's Road (between Reddenhill Road and St Albans Road) and Princes Street, Babbacombe.

Temperance Street - Small area of land adjacent to the Highway situated next to pedestrian entrance door at North West end of Car Park.

Victoria Parade; The Strand and all land bordered by The Strand, Cary Parade, Torbay Road and Torquay Harbour and the sea, along to a point in front of the commencement of Abbey Crescent. (This does not include Torbay Road or Cary Parade themselves)

Torquay Town Centre Areas – Union Street between Market Street and the post office roundabout, Fleet Street.

(All street trading in Torquay Town Centre consent areas are granted exclusively for organised events which are supported by Torbay Council. In any given event, no more than 20% of the stalls will be permitted as hot food takeaways. Hot food takeaway vehicles must not be larger than 4 square metres.)

## **PAIGNTON**

Eastern Esplanade; Marine Parade and promenade; North and South Quays on Paignton Harbourside; Palace Avenue; Palace Gardens; Victoria Street (between Torquay Road to Hyde Road); Torbay Road (between Esplanade Road and Great Western Road) Paignton.

### ***Parks and Open Spaces***

#### **TORQUAY**

Torre Abbey Meadows, Abbey Park, Babbacombe Downs, Cockington Court, Daddyhole Plain, Ellacombe Green, Torre Valley (North and South), Walls Hill, Princess Gardens.

#### **PAIGNTON**

Clennon Valley, Goodrington South Sands, Paignton Green, Queens Park, Torbay Park, Victoria Park.

#### **BRIXHAM**

St. Mary's Park, Upper Furzeham Green.

### ***Beaches, Sea Fronts, Coastal Lands, Harbours***

#### **TORQUAY**

Torre Abbey Sands, Inner Harbour Slipway and entrance to Beacon Quay.

#### **BRIXHAM**

The Strand, The Quay, The Old Fish Market

### ***Car Parks***

#### **TORQUAY**

The Terrace, Beacon Quay, Model Village, Kilmore (Meadfoot Sea Road).

#### **PAIGNTON**

Victoria Centre, Broadsands, Clennon Valley.

#### **BRIXHAM**

Galampton Warborough, Brixham Multi-Storey and adjacent surface car parks

**PART C - Consent Streets where trading may only take place under a formal Consent issued by the Council**

All other streets within the Borough of Torbay.

**Private land (across all of Torbay)**

Any area that the public have access without payment (this does not include private land to which the public have no right of access)

**If you require an explanation or advice regarding this, or it in a different format or language, please contact the Licensing Team on 01803 208126 or at [Licensing@torbay.gov.uk](mailto:Licensing@torbay.gov.uk)**

*G: Data/Licence/Street Trading Standard Letters/ST006*