**TORBAY COUNCIL**

**FREE DISTRIBUTION OF PRINTED MATTER CONSENT APPLICATION**

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| In accordance with the Environmental Protection Act 1990 as amended by the Clean Neighbourhoods and Environment Act 2005, Torbay Council has implemented a Distribution of Free Printed Matter, Torquay Town Centre and Harbourside (Various Highways and Council Car Parks) Designation Order 2009. The areas covered by the Order are:Highways Fleet Street, Strand, Vaughan Parade, Victoria Parade, Torwood Street and Union Street from its junction with Factory Row and Castle Circus along its length to the GPO roundabout abutting Pimlico, Madrepore Road, Fleet Street, Rock Road and Abbey Road.Council Car Parks Town Hall, Lower Union Lane and The Terrace (also known as The Harbour Car Park).A map illustrating the area of the Order can be viewed at [www.torbay.gov.uk](http://www.torbay.gov.uk) and is available on request from Licensing on telephone 01803 208025.  |

Guidance notes are available relating to the above named Order and should be considered **prior** to submitting an application for consent. A copy of the guidance notes can be viewed at www.torbay.gov.uk or made available on request to the Licensing Team on telephone 01803 208025.

This application form must be submitted at least **14 days** prior to the planned start date of a distribution activity, to:

Leaflet Distribution Consent Application

Licensing

Torbay Council

C/O Town Hall

Castle Circus

Torquay

TQ1 3DR

Applications must be signed and returned along with the relevant fees to the address listed above. Please note that if this application form is not completed correctly, it will be returned and may require a further 14 days to process.

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| **SECTION 1 - DETAILS OF APPLICANT** |
| PLEASE PRINT ALL DETAILS CLEARLY |
| Applicant Name: | Title: |  |
| Forename: |  |
| Surname: |  |
| Applicant Address: |  |
| Postcode: |  |
| Website: |  |
| Telephone number:(including area code) |  |
| Fax number: |  |
| Mobile telephone number: |  |
| Email address: |  |
| Have you previously had consent to distribute free printed matter in Torbay or is this your first application?  | Previous Consent Holder [ ] New applicant [ ]  |
| Have you received/paid any Fixed Penalty Notices within the last three years relating to the distribution of free printed matter? | Yes [ ] No [ ]  |
| If yes, please provide details on a separate sheet and attach to this application.  |
| Have you had any convictions within the last five years relating to the distribution of free printed matter? If yes, please provide details on a separate sheet and attach to this application.  | Yes [ ] No [ ]  |
| **SECTION 2 - DETAILS OF BUSINESS BEING PROMOTED**  |
| Name and address of business: |  |
| Nature/description of business: |  |
| Is the business a limited company? | Yes [ ] No [ ]  |
| If yes, please enter the company address if different to that indicated above: |  |
| **SECTION 3 – DETAILS OF APPLICATION**  |
| Consent may be granted on an annual or single event basis.  |
| Type of consent required (please tick): | [ ]  Annual Consent (go to section 4)[ ]  Single Event Consent (go to section 5)  |
| **SECTION 4 - ANNUAL CONSENT**  |
| An annual consent will permit the distribution of printed matter within the area of the Torquay Designation Order for 12 months from the date that consent is granted until the 31st March, subject to the conditions outlined in the consent. Annual consent will permit 1 individual to distribute printed matter, the fee for which is £138. Additional badges (up to a maximum of 5) can be requested at a fee of £26 for each badge. |
| Nature or type of material to be distributed:(Please note that free printed matter distributed must contain the name and address of either the applicant or business that the free printed matter is being distributed on behalf of).  |  |
| Number of individuals that will be distributing material (maximum of 6): | Please tick one box only1 [ ]  - £138 2 [ ]  - £164 3 [ ]  - £1904 [ ]  - £216 5 [ ]  - £242 6 [ ]  - £268  |
| SECTION 5 - SINGLE DISTRIBUTION EVENT CONSENT  |  |
| A single distribution event consent will permit the distribution of printed matter within the area of the Torquay Designation Order for a limited period (i.e. between 1 and 7 days), subject to the conditions outlined in the consent. A single distribution event consent will permit 1 individual to distribute printed matter, the fee for which is £138. Additional badges (up to a maximum of 5) can be requested at a fee of £26 for each badge. |
| Nature or type of material to be distributed:(Please note that free printed matter distributed must contain the name and address of either the applicant or business that the free printed matter is being distributed on behalf of). |  |
| Number of individuals that will be distributing material (maximum of 6): | Please tick one box only1 [ ]  - £138 2 [ ]  - £164 3 [ ]  - £190 4 [ ]  - £216 5 [ ]  - £242 6 [ ]  - £268 |
| Date distribution will commence: DD/MM/YYYY |   | Date distribution will conclude: (no more than 7 days from distribution commencement): DD/MM/YYYY |  |
| SECTION 6 – ITEMS TO NOTE |
| Annual and Single Event consent will permit the distribution of free printed matter within the area of the Torquay Designation Order, subject to conditions. Where consent is granted, it is done so on the understanding that conditions will be complied with in full. Torbay Council may revoke any consent issued entirely, or in part, at any time if:* The person to whom the consent was granted fails to comply with the conditions imposed.
* Is convicted of an offence for the distribution of free printed matter without consent in a designated area.
* Has paid a fixed penalty notice for the distribution of free printed matter without consent in a designated area.
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| SECTION 7 - DECLARATION  |
| I undertake to comply with the conditions attached to any consent granted as a result of this application. If successful in my application, I understand that consent will be withdrawn if the conditions are not observed. I have enclosed with this application a fee for the consent. |
| Signed: |  |
| Print name: |  |
| Date: |  |
| Fee enclosed: | Yes [ ]  |
| Please note that if this application is not completed correctly it **will** be returned. |

**STANDARD CONDITIONS OF CONSENT**

Consents granted contain the following standard conditions:

1. Distributors must wear a clearly visible authorisation badge issued by the Council at all time whilst engaged in the distribution of Free Printed Matter.
2. Authorisation badges shall be produced on request to any authorised officer of the Council.
3. No more than a specified number of Distributors shall be permitted to operate at any one time.
4. No Free Printed Matter shall be left unattended on the Designated Land by Distributors at any time.
5. The area within 150 metres of any distribution point is to be cleansed by Distributors distributing Free Printed Matter of any litter caused by the Free Printed Matter being distributed at regular intervals during, and at the conclusion of, each period of distribution to prevent defacement of the Designated Land.
6. Distributors shall, upon request by any authorised officer of the Council, remove any discarded Free Printed Matter from the Designated Land
7. The Consent Holder must provide Distributors with adequate training and equipment to enable the removal any discarded Free Printed Matter (as required by sub-clauses (iv) and (v) hereof), in accordance with statutory health and safety requirements.
8. Any Free Printed Matter distributed must bear the business name and address of either the Consent Holder or Business that the free printed matter is being distributed on behalf of.
9. The Free Printed Matter shall not encourage illegal or irresponsible behaviour, nor advertise illegal events.
10. Distributors must be informed and/or trained as appropriate, to ensure a comprehensive understanding of this consent, its conditions, and the penalties for non-compliance.
11. The Consent Holder must ensure that Free Printed Matter is distributed by Distributors in accordance with all the foregoing conditions of consent.

**MAP ILLUSTRATING DESIGNATION ORDER AREA**

