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##### DISTRIBUTION OF FREE PRINTED MATTER APPLICATION FORM

**Please note no infrastructure eg) pop-up gazebo, trestle table or similar use is permitted. In the event that the organiser wishes to use such infrastructure, designated event spaces should be used and booked via the Nottingham Events Team. This permission includes the appropriate Highways Licence for infrastructure on the public highway.**

**A fee is payable. Please provide a contact telephone number for payment to be taken on receipt of your application by the Licensing Authority.**

Please refer to "Guidance Notes for Applicants” for more information regarding this application including conditions that may be applied.

Please allow 7 days for issuing the Free Printed Material Permit

|  |  |
| --- | --- |
| APPLICANT DETAILS | |
| **Name of Organisation and Company Number (if applicable)** | |
|  | |
| **Address and Postcode** | |
|  | |
| **Contact name** | **Email address** |
|  |  |
| **Telephone** | **Mobile** |
|  |  |
| **Have you received/paid any Fixed Penalty Notices within the last three years relating to the distribution of free literature? If yes, please provide details on a separate sheet and attach to this application.** | |
|  | |
| **Have you had any convictions within the last three years relating to the distribution of free literature? If yes, please provide details on a separate sheet and attach to this application.** | |
|  | |
| **BUSINESS BEING PROMOTED** | |
| **Name and address of proposed consent holder (Name will appear on the permit)** | |
|  | |
| **Nature of business** | |
|  | |
| **DETAILS OF APPLICATION** | |
| **Location(s) where you wish to distribute free printed matter** | |
| ***Please refer to the enclosed maps*** | |
| **Type of material that you wish to distribute** | |
| ***Please refer to guidance note 1*** | |
| **Number of distribution badges required** | |
|  | |
| **Dates and times requested**  **Please note that there is a 7 day notice period, therefore your start date should be no earlier than 7 days after the date you submit your application.**  **Timeframes to consider:**  **07.00 hrs to 20.00 hrs**  **20.00 hrs to 07.00 hrs**  **24hrs** | |
|  | |
| **DECLARATION** | |
| **I declare that the information given above is true to the best of my knowledge, and that I will comply with the terms and conditions of any consent to distribute free printed matter granted by Nottingham City Council as a result of this application.** | |
| **Signature of applicant** | |
|  | |
| **Print name** | |
|  | |
| **Date** | |
|  | |
| **Please send this application and fee of £127 & £273 for each permit per year**  **to** [**general.licensing@nottinghamcity.gov.uk**](mailto:general.licensing@nottinghamcity.gov.uk) **or by post to:**  **Communities, Environment & Resident Services**  **Communities**  **Nottingham City Council**  **Licensing**  **Humber Building**  **Eastcroft Depot**  **London Road**  **Nottingham**  **NG2 3AH** | |

**You will be required to return your expired permit, in order to obtain a new permit.**

**Payment** – You will be contacted on the telephone number provided in your application form for payment to be taken.

**GUIDANCE NOTE 1**

If samples/mobile advertising/stop or approach members of the public with the intention of asking for money consent will need to be applied for by submitting a Public Space Protection Order application form. Please see the link below for the PSPO application form:

https://www.nottinghamcity.gov.uk/information-for-residents/community/community-protection/public-spaces-protection-orders/anti-social-behaviour/

**PLEASE NOTE - Nottingham City Council need not give consent to any Applicant where it considers that the proposed distribution would be likely to lead to defacement of the designated land and the licence fee would not be refunded if consent is not granted**.

**There will be a charge of £50.00 to replace a licence and permit holder.**

**Nottingham City Council incurs costs in relation to the processing of an application. Should your application be approved and ultimately not required the fee paid will not be refunded.**

**APPLICATION FOR CONSENT TO DISTRIBUTE FREE PRINTED MATTER**

**GUIDANCE NOTES FOR APPLICANTS**

**INTRODUCTION**

The Clean Neighbourhoods and Environment Act 2005 inserted Schedule 3A into the Environmental Protection Act 1990 which enables the City Council, as a Litter Authority, to designate defined land and places where the distribution of free printed matter is prohibited without the prior consent of the City Council.

The distribution of free leaflets and other free printed matter can blight public spaces if they are subsequently dropped as litter. The purpose of this legislation is to help control these distributions and associated litter problems.

“Free printed matter” includes amongst other things newspapers, leaflets and pamphlets distributed without charge.

“Relevant Land” includes all public places such as parks, cemeteries, car parks which are in the open air and owned and managed by the City Council. A definitive interpretation can be obtained from the City Council legal services if there is doubt. **Permission is required for the distribution of free printed material in the Old Market Square and for details please contact**

**outdoorevent.bookings@nottinghamcity.gov.uk**

“Relevant Highway” includes streets and pavements maintainable at the public expense for which the City Council is responsible.

This legislation does not apply and consent under this legislation is not required for the distribution of free printed matter:

1. By or on behalf of a charity within the meaning of the Charities Act 1993, where the free printed matter relates to or is intended for the benefit of the charity. **Please provide the relevant charity number where applicable**.
2. Where the distribution is for political purposes or for the purposes of a religion or belief.
3. By a person who distributes the free printed matter by delivering it into a building or a letterbox.

**Designated Streets and Places**

Nottingham City Council has by Order designated five areas shown on the enclosed plans, so that the distribution of free printed matter within these areas is prohibited without the prior consent of the City Council. If you wish to distribute any free printed matter on the relevant land and relevant highway within these areas, you must obtain the prior consent of Nottingham City Council. Consent is not currently required from Nottingham City Council if you wish to distribute free printed matter on relevant highway or on relevant land which is not included on the attached plans. However, if distribution is planned within land falling within another Local Authority other than Nottingham City Council, consent may be required for the distribution from that Local Authority and the Applicant is advised to contact that Authority for more information.

When making an application for consent you must specify the area(s) where you wish to distribute free printed matter.

**Application for Consent to Distribute Free Literature**

Please apply using [Nottingham City Council’s Distribution of Free Printed Matter application form,](http://www.nottinghamcity.gov.uk/index.aspx?articleid=3165) or e-mail us at

[**general.licensing@nottinghamcity.gov.uk**](mailto:general.licensing@nottinghamcity.gov.uk)

Nottingham City Council must receive the completed form not less than seven days before the date you would like to start to distribute free printed matter. To apply for permission to distribute on Old Market Square contact [**outdoorevent.bookings@nottinghamcity.gov.uk**](mailto:outdoorevent.bookings@nottinghamcity.gov.uk) and separate conditions and charges may apply.

**Nottingham City Council reserves the right to refuse to give consent to any applicant where it considers that the proposed distribution would in all the circumstances be likely to lead to defacement of the designated land.**

**Fee for application**

The Free Printed application form must be accompanied by a fee of £127 together with £273 per permit (see example below).

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Number of Permits Required | Application Fee | Permit Fee | Total | Fee Breakdown |
| 1 | £127.00 | £273.00 | £400.00 | (£273.00 x 1 = £273.00 + £127.00) per year |
| 10 | £127.00 | £273.00 | £2,857.00 | (£273.00 x 10 = £2,730 + £127.00) per year |

Your application for consent will not be considered until payment of the appropriate fee has been received by Nottingham City Council. The fee is not refundable.

**Conditions likely to be imposed on Consent, if granted**

You will be restricted to the times and days you apply for and consents will be subject to conditions which may restrict, for example, the time or place where free printed matter may be distributed and the type of material which may be distributed. It should be noted that the City Council does not endorse your business/product/event if it grants consent to distribute free printed matter. All consents will also be subject to the following standard conditions:

* Applicants granted consent will be given one permit to be used by whoever the consent holder wishes to distribute free printed matter (“the distributor”) for the period and in the areas that the consent has been granted for. This consent is not transferable. If the applicant wishes to use more than one person at any one time to distribute free printed matter they will need to make an additional application for consent for each additional distributor required.
* It is the consent holder’s responsibility to make the distributor aware of the conditions of the consent and for ensuring that the conditions are complied with.
* All individuals engaged in the distribution of free printed matter shall wear the badge issued by Nottingham City Council pursuant to the consent, bearing the number of the consent and showing the name and address of the consent holder so that it is clearly visible.
* The above badge shall be produced on demand to an authorised officer of Nottingham City Council or Nottinghamshire Police.
* No free printed matter shall be left unattended by the distributor for the general public to take at their discretion.
* No free literature shall be placed on parked vehicles, attached to parked vehicles or fixed to parked vehicles.
* If an authorised officer of the City Council requests the distributor to pick up discarded literature, the distributor shall do so immediately, providing that is safe to do so.
* All areas in which free printed matter has been distributed are to be cleansed forthwith by the consent holder to a radius of 50 metres from the distribution point of any litter caused by the distribution of the said matter.
* A distributor moving from point to point whilst distributing free printed matter will still have a responsibility to collect discarded free printed matter within a radius of 50 metres of all points where distribution took place.
* The free printed matter must bear the name and address of the consent holder who is responsible for its distribution.
* Restrictions may be made regarding the number of distributors to be allowed in a particular area at a particular time. If this applies the applicant will be made aware of this.
* It is the responsibility of the consent holder to maintain a record of who has been given the badge enabling the distribution of free printed matter. The record shall be in the format prescribed by the City Council and shall be made available forthwith for inspection by an authorised officer of the Council at all reasonable times.
* If any conditions of the consent are breached the consent may be limited or revoked by Nottingham City Council at any time.
* The consent does not allow distribution within the Old Market Square.

**Right of appeal**

There is a right of appeal to the Magistrates’ Court against the refusal to issue consent, against any conditions attached to consent or the revocation of consent.

**Offences**

It is an offence under Schedule 3A of the Environmental Protection Act 1990 for any person to distribute free printed matter on land designated by Nottingham City Council without consent from Nottingham City Council to do so where the person knows that the land is so designated. Offenders are liable on conviction to a fine not exceeding £2,500. A fixed penalty currently in the sum of £75 can be issued as an alternative to prosecution.

It is also an offence if a person causes another person to distribute any free printed matter without Nottingham City Council’s consent on the designated land. Offenders are liable on summary conviction to a fine not exceeding £2,500. A fixed penalty currently in the sum of £75 can be issued as an alternative to prosecution.

An authorised officer of Nottingham City Council may also seize any free printed matter from a person found distributing it in a designated place without the consent of Nottingham City Council.

**Replacement Badges**

A fee of £50 will be charged to replace a lost or missing badge. Any replacement badge will be issued for the remaining period of the consent.

**Enquiries**

Enquiries about applyingfor consent to distribute free printed matter should be made to Nottingham City Council’s Licensing Team and can be contacted by e-mail at: [general.licensing@nottinghamcity.gov.uk](mailto:general.licensing@nottinghamcity.gov.uk)

The information provided by you may also be used for the purpose of any other function carried out by the Council.

Information about these functions and the legal basis on which information is used and your rights under the General Data Protection Regulation can be found at

[**https://www.nottinghamcity.gov.uk/privacy-statement**](https://www.nottinghamcity.gov.uk/privacy-statement)