

CONSENT APPLICATION FOR STREET MARKETS/STALLS/DISPLAYS

Section 59 of The Roads (Scotland) 1984

Please complete the following application and read the conditions attached. All fields must be completed, failure to do so will result in the application being refused.

Name and Address of Applicant	
Email address	
Telephone Number	
Date(s) of Event	
Location/Route of Event	
Description of Activity	
Signature of Applicant	
Date	

Conditions Relating to Consent Application (General)

1. The permission does not relieve the Applicant of their duties to comply with any other enactment.
2. The holder of the permission shall indemnify and keep indemnified Renfrewshire Council against all actions, claims, demands, costs, charges, damages, losses and expenses of whatsoever kind or nature which may be brought or made against or incurred by the Council in respect of the negligence, omission or default of the holder of the permission or those for whom the holder of the permission is responsible arising in respect of any operation authorised by the permission unless due to the negligence or other breach of legal duty on the part of the Council or of any person for whom the Council are responsible.
3. Any damage caused to the road during the event will require to be made good, at the expense of the permit holder, to the satisfaction of the Head of Roads.

Conditions Relating to Consent Application (Street Markets)

1. Permission to use any part of the adopted road, including the footway, for a street market is granted by the issue of a permit by the Council as the Roads Authority under Section 59 of the Roads (Scotland) Act 1984. Stalls placed on any part of the adopted road or footway without permission constitute an obstruction and the Council will take enforcement action in such cases.
2. The granting of permission under Section 59 of the Act only relates to occupation of the road and applicants will need to ensure that they obtain all other necessary permits and permissions, eg planning consent. The granting of other relevant permits/consents should not be taken as an indication that occupation of the road will be permitted.
3. Siting of markets will be considered on footways, carriageways and other areas where there is public access. The area to be occupied by the street market must be clearly defined at the time of application and this area must not be exceeded at any time except with the prior written consent of the Council. The minimum width of unobstructed space between the carriageway and the market must be maintained at no less than 1.8m. On streets with high pedestrian usage, and in pedestrianised areas, the minimum width will be greater. Each application will be judged on its merits and the unobstructed space will be set according to the street type and frequency of pedestrian usage.
4. Stalls, merchandise and associated structures must be placed so as not to obstruct access to existing premises.
5. All stalls and associated structures must include a low level kick board or similar which can be detected by the visually impaired using a stick and merchandise must not be placed in a manner that would cause a hazard or obstruction to the disabled or visually impaired. All stalls, merchandise and associated structures must be removed from the area promptly after trading hours.
6. It is a condition of consent that applicants agree to the removal, at short notice, of any or all stalls, merchandise and associated structures at any time that they are requested to so do by the Council, any Statutory Undertaker or by the emergency services. Applicants should also note that consent may be suspended by the Council at any time to allow for street works or for any other competent reason.
7. Permission for a regularly recurring street market will normally be granted for a 12 month period to allow the Council to monitor the operation of the facility and to ensure that these guidelines and conditions are being adhered to. Applicants should reapply on an annual basis confirming that the area to be occupied has not changed. Applicants for all markets will be required to provide proof of indemnification against all claims, injuries or accidents with cover up to £5 million for any one event prior to placement of any stalls, merchandise or associated structures on the footway, carriageway or public space and this proof should also be provided with any application to renew.
8. The completed application form should be submitted to Renfrewshire Council which is the Roads Authority for the location of the proposed street market. Contact details for can be found on Renfrewshire Council's Website.

Conditions Relating to Consent Application (Street Cafes)

1. Permission to use any part of the adopted road, including the footway, for a pavement cafe is granted by the issue of a permit by the Council as the Roads Authority under Section 59 of the Roads (Scotland) Act 1984. Tables and chairs placed on any part of the adopted road or footway without permission constitute an obstruction and the Council will take enforcement action in such cases.
2. The granting of permission under Section 59 of the Act only relates to occupation of the road and applicants will need to ensure that they obtain all other necessary permits and permissions eg planning consent, alcohol licencing. The granting of other relevant permits/consents should not be taken as an indication that occupation of the road will be permitted.
3. Street cafes will be considered on footways and other areas where there is public access. The minimum width of unobstructed space between the carriageway and the front of the street café must be no less than 1.8m. In streets with high pedestrian usage, and in pedestrianised areas, the minimum width will be greater. Each application will be judged on its merits and the unobstructed space will be set according to the street type and frequency of pedestrian usage.
4. If the street café is directly in front of the applicant's premises then a 1.5m wide unobstructed access corridor to the premise's entrance must be maintained at all times.
5. The street café must be surrounded by a physical barrier of not less than 0.6m in height to guide people with disabilities around the area and this should include a low level kick board or similar which can be detected by the visually impaired using a stick. These barriers must not be fixed to the ground and must be of a design agreed by the Council. There should be no free standing signs or other impediments placed outwith this barrier. Tables, chairs and associated barriers must be removed from the area promptly after trading hours.
6. It is a condition of consent that applicants agree to the removal, at short notice, of all tables, chairs and associated structures at any time that they are requested to so do by the Council, any Statutory Undertaker or by the emergency services. Applicants should also note that consent may be suspended by the Council at any time to allow for street works or for any other competent reason.
7. Permission for a street café will normally be granted for a 12 month period to allow the Council to monitor the operation of the facility and to ensure that these guidelines and conditions are being adhered to. Applicants should reapply on an annual basis confirming that the area to be occupied has not changed. Applicants will be required to provide proof of indemnification against all claims, injuries or accidents with cover up to £5 million for any one event prior to placement of any furniture or associated structures on the footway and this proof should also be provided with any application to renew.
8. The completed application form should be submitted to Renfrewshire Council which is the Roads Authority for the location of the proposed street market. Contact details for can be found on Renfrewshire Council's Website.