

Guidance Notes
Consent to distribute free printed material

Blackpool Council has adopted powers to control the distribution of free printed material within specified areas of the town to reduce the amount of litter within those areas.

The following areas are subject to control:

1. The Promenade from Gynn Square to Burlington Road West
2. The town centre being the area bounded by Promenade, New Bonny Street, Central Drive, Albert Road, Regent Road, Cookson Street, Lark Hill Street, Talbot Road, High Street and Springfield Road.

It is an offence to distribute free printed material, for example flyers, business cards, newspapers and leaflets without prior consent.

Exemptions

Consent does not need to be obtained where the material is for charitable, political or religious purposes.

Definitions

“**Distribute**” – means to give out, offer or make available to members of the public. It includes affixing the material onto vehicles but does not include putting the material inside a building or letterbox.

“**Free**” – means it is given without charge to the person to whom it is distributed

Offences

It is an offence to knowingly distribute free printed material in a designated area without the consent of the Council. It is also an offence if a person causes another person to distribute free printed material in a designated area without consent.

The maximum penalty upon summary conviction is £2500. Council Officers may issue fixed penalty notices in the sum of £80. The Council is also able to seize all of the free printed material.

Applications

Applications for consent should be made on the prescribed form no later than 7 days before you wish to start distributing the free printed material.

Applications should be made to:

Licensing Service
PO Box 4
Municipal Buildings
Blackpool
FY1 1NA

Types of consent

A number of different consents are available:

Daytime consents cover distributions 09.00 – 17.00. Evening consents cover the period 17.00 – 09.00

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|----------------------|----------|
| 7 Day daytime | £50.00 |
| Monthly daytime | £62.00 |
| Monthly evening | £128.00 |
| Quarterly daytime | £155.00 |
| Quarterly evening | £280.00 |
| Quarterly venue only | £139.00 |
| Annual daytime | £560.00 |
| Annual evening | £1075.00 |
| Annual venue only | £540.00 |

Distributions may only take place under the terms of a venue only permit within a radius of 2 metres from the entrance to the venue.

Refusal to grant consent

The Council may refuse to grant consent if:

1. The Council is not satisfied that the standard conditions can be met
2. The Council considers that granting consent would be likely to lead to the defacement by litter of designated land
3. If an applicant has previously been issued with a fixed penalty notice for, or has been convicted of, distributing free printed material without consent in the last five years.

Revocation of consent

The Council may revoke consent if:

1. In the opinion of an authorised officer, the conditions of the consent are not being complied with.
2. The consent holder or distributor is issued with a fixed penalty notice for, or has been convicted of, distributing free printed material without consent.

Appeal

Any person aggrieved by one of the following decisions of the Council may appeal against that decision to Blackpool Magistrates' Court:

1. Refuse to grant consent
2. Impose any limitation or condition subject to which consent is given
3. Revoke a consent

Standard Conditions attached to consent:

1. A maximum of 2 persons may distribute free printed material on behalf of the consent holder at any one time.
2. Any person engaged in the distribution of free literature shall wear a clearly visible authorisation badge issued by Blackpool Council. All authorisation badges will remain the property of the Council and must be returned within seven days of the expiry of the consent.

3. The above authorisation badge shall be produced on demand to an authorised officer of the Council or a Police Constable/Community Support Officer.
4. Any person engaged in the distribution of free literature shall provide on demand to an authorised officer of the Council or a Police Constable/Community Support Officer their name and address
5. Distributors acting under the authority of a restricted venue only permit may only distribute free printed material within 2metres in any direction of the venues entrance.
6. No distribution of free literature shall take place on the Strand at any time unless it is in accordance with a restricted venue only permit.
7. No free literature may be offered to persons queuing for entry into any premises not associated with the consent holder.
8. The distribution of stickers is prohibited.
9. The free literature must bear the name and address of the consent holder who is responsible for its distribution.
10. No free literature shall be left unattended by staff for the general public to take at their discretion
11. Before the distributor moves on from a distribution point checks shall be made of the area and any discarded literature must be collected and removed by the distributor.
12. All unused leaflets and/or those collected as litter and all associated packaging and other materials arising from the distribution process shall be removed as waste for disposal or recycling at the distributor's own personal or trade waste facilities.
13. Free printed matter shall not encourage illegal activities or irresponsible behaviour nor advertise illegal events or activities. Any literature promoting alcohol must display a responsible drinking strap line