

**APPLICATION  
TO  
DISTRIBUTE  
FREE  
PRINTED  
MATERIAL**

GUIDANCE ON THE DISTRIBUTION OF FREE PRINTED MATERIAL  
IN WOLVERHAMPTON CITY CENTRE

Section 94B and Schedule 3A of the Environmental Protection Act 1990 contains powers (brought in by the Clean Neighbourhoods and Environment Act 2005) for Councils to control the free distribution of printed matter where areas are being defaced from time to time with litter arising from such activities.

The Council has determined that the City Centre is being defaced from time to time by free printed matter and has made an Order designating all relevant land within the Ring Road (see Page 10) where the distribution of free printed matter without consent is an offence.

New Application

1. Applications for consent must be made not less than 14 days before the required date for the distribution of free literature.
2. A consent will be subject to the payment of a fee based on the number of distributors per application with a maximum of 3 distributors.
3. “Free printed matter” includes any newspaper, document, card, leaflet, pamphlet, sticker or other literature for which no charge is made to the recipient. For the purposes of the Order:
  - “Free” means to distribute without charge to the person(s) to whom it is distributed.
  - “Distribute” means to give out to, or offer or make it available to, members of the public and includes placing it on or affixing it to vehicles but does not include putting it inside a building or letterbox. Distribution that takes place inside a public service vehicle is also excluded, but the provisions will apply to material distributed to the public from a vehicle onto designated land.
4. The City Council may only control distribution on designated ‘relevant land’. Relevant land includes for example:
  - Public recreation grounds, gardens, parks, pleasure grounds or open space under the management or control of the City Council.
  - Any street or way to which the public commonly have access, whether or not as of right.
  - Any relevant highway for which the City Council is responsible for and this includes footways and grass verges.
5. The Act gives the Council the power to attach conditions to any consent given to any person to distribute free literature. The “Conditions of Consent” are set out in the application pack.
6. The City Council may refuse, suspend and/or revoke a consent [entirely or to any extent] to the distribution of free printed matter in a designated place. There is a Right of Appeal against this decision to the Magistrates Court.
7. The consents can be issued for a period of 1 day, 7 days or 12 months and are issued by Licensing Services within Regulatory Services.
8. The consent given will indicate the number of persons that can distribute at any one time.

9. Should you have an existing 12 month consent and wish to increase the number of distributors on that consent i.e 1 to 2 or 2 to 3 (maximum) then you can surrender your existing consent and apply for a new consent, which when granted would run for a new 12 month period.

OR

You can amend your existing 12 month consent by paying an additional fee of £48.02 per person up to a maximum of 3 distributors. Your consent expiry will remain the same but the amount of distributors will be amended accordingly.

10. Any person who distributes free printed matter in a designated place without the consent of the Council is liable on summary conviction to a fine not exceeding level 4 on the standard scale (currently £2,500 maximum). An offence is also committed if someone 'causes' another person to distribute free printed matter in a designated area without consent.
11. Offenders may be issued with a Fixed Penalty Notice as an alternative to prosecution; the default sum has been set at £65, but reduced to £50 on early payment. If an offence is committed in accordance with Schedule 3A Section 1 of the Neighbourhoods and Environment Act 2005. An authorised officer of the Council may seize any supply of free printed matter which is being distributed without consent. Any printed matter which is seized in accordance with these provisions must be returned to the person from whom it is seized:-
- (a) At the conclusion of proceedings for the offence unless the Court orders otherwise.
  - (b) At the end of the period in which proceedings for the offence may be instituted, if no proceedings have been instituted in that period (or have been instituted but discontinued).

Wolverhampton City Council may dispose of or destroy any printed matter where it is not possible to return this because the name and address of the person from whom it was seized are not known.

The material may be reclaimed by the owner by way of making the appropriate application to a Magistrates' Court.

12. Application forms for a consent may be obtained via the Council's website:

[http://www.wolverhampton.gov.uk/business/licences/distribution\\_print/](http://www.wolverhampton.gov.uk/business/licences/distribution_print/)

Via City Direct on telephone number (01902) 551155

or via Licensing Services, Reception Point 14, First Floor, Civic Centre, Wolverhampton WV1 1DA.

CITY OF  
WOLVERHAMPTON  
C O U N C I L

APPLICATION TO DISTRIBUTE FREE PRINTED MATERIAL

ENVIRONMENTAL PROTECTION ACT 1990

WOLVERHAMPTON CITY CENTRE DISTRIBUTION OF FREE PRINTED  
MATERIAL ORDER 2007

I hereby apply for consent to distribute free printed material within the designated area of the Ring Road, Wolverhampton City Centre.

**1** Individual Responsible

Name: .....

Position held in the above business: .....  
*Please state (i.e. Director, Secretary, Manager)*

Tel: .....

E-mail: .....

**2** Detail of Business

Name of Business: .....

Address: .....

.....

Tel: ..... Mobile: .....

E-mail: .....

**3** Type of printed material to be distributed

Leaflets/Flyers       Balloons       Stickers

4 When do you wish the consent to start from? Please allow at least 14 days notice in order to process your application:

.....

5 Yearly Consent - Number of staff to be used as distributor at any one time/occasion:

- 1 = £320.10  (Please tick as appropriate)
- 2 = £368.12
- 3 = £416.14

6 Temporary Consent - Number of staff to be used as distributor at any one time/occasion:

- One Day Consent for up to 2 Distributors £53.35  (Please tick as appropriate)
- Seven Day Consent for up to 2 Distributors £106.70
- Two day consent for up to 2 Distributors £25.00   
for a new business (small/medium)

7 **Fee enclosed**

I/we confirm if the consent is issued I/we understand that it is my/our responsibility to ensure that I/we fully comply with the conditions at all times.

Signed ..... (Person Responsible)

Date .....

THE INFORMATION ON THIS FORM MAY BE HELD IN MANUAL OR COMPUTERISED FORM AND WILL BE SUBJECT TO THE PROVISIONS OF THE DATA PROTECTION ACT 1998.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

For further information, see

[http://www.wolverhampton.gov.uk/council/corporate/finance/corruption\\_fraud/nfi.htm](http://www.wolverhampton.gov.uk/council/corporate/finance/corruption_fraud/nfi.htm)

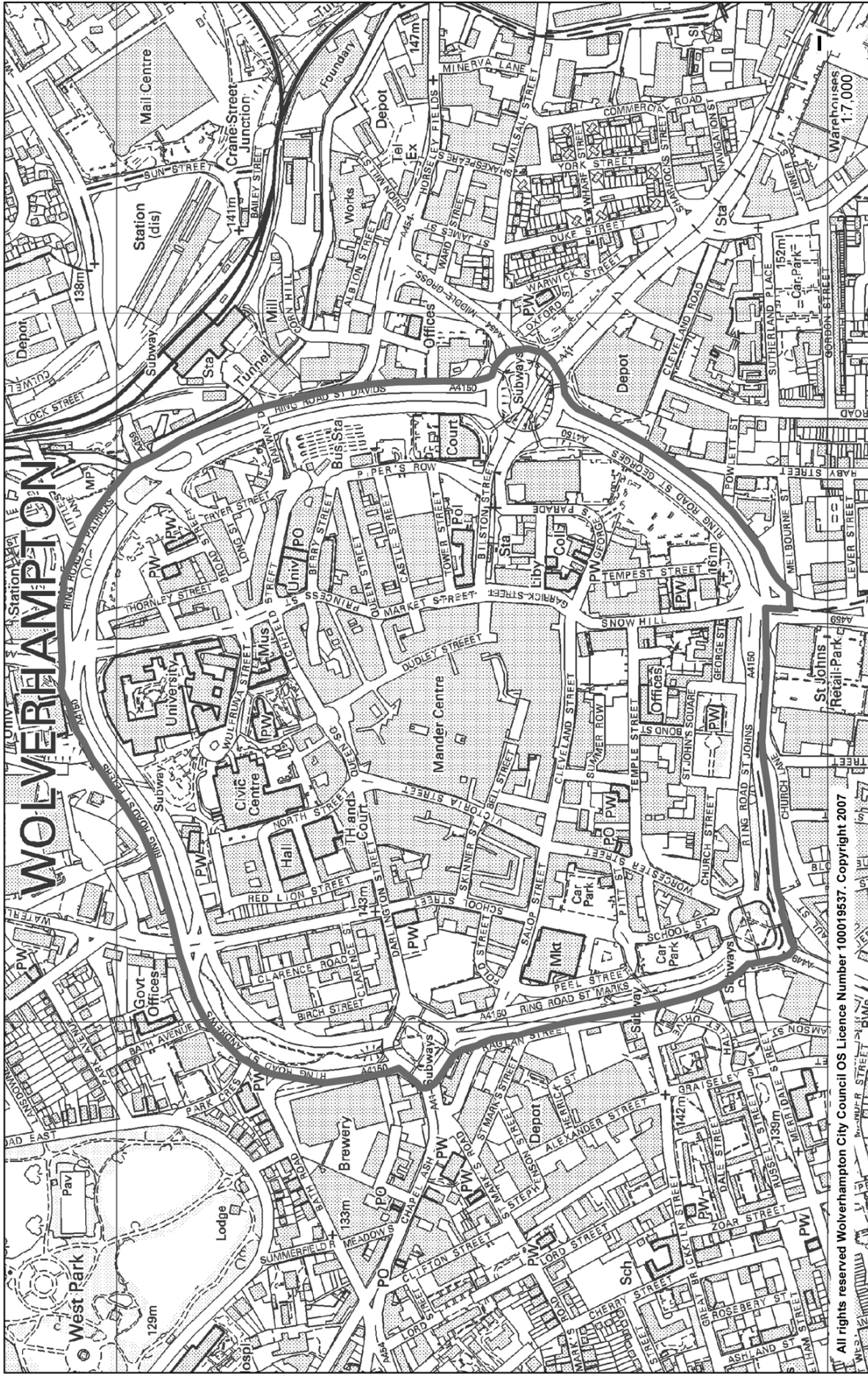
Date Received: .....
Amount: .....
Method of Payment: Cash <input type="checkbox"/> Cheque <input type="checkbox"/>
Cheque No: <input type="checkbox"/> <input type="checkbox"/>
Receipt No: <input type="text"/>
Initial: .....

Return application to:  
Licensing Services  
Regulatory Services  
Civic Centre  
St Peter's Square  
Wolverhampton  
WV1 1DA

## FOR DISTRIBUTION OF FREE PRINTED MATERIAL

1. Any person engaged in the distribution of free literature shall wear a clearly visible authorisation badge issued by the City Council.
2. Any person engaged in the distribution of free printed material who has been issued with a 1 day or 7 day consent by the Council shall ensure this is in their possession whilst distributing free literature.
3. The above authorisations in (1 and 2) shall be produced on demand to an authorised officer of the Council or a Police Constable/Police Community Support Officer.
4. No free literature shall be left unattended by staff for the general public to take at their discretion.
5. All places in which free literature 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 literature.
6. The free literature must bear the name and address of the consent holder who is responsible for its distribution.
7. Any person engaged in the distribution of free literature shall provide on demand to an authorised officer of the Council or a Police Constable/Police Community Support Officer any information reasonably required to enable compliance with consent conditions to be verified.

# Wolverhampton City Centre Ring Road



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For extra copies of this plan, or for more information regarding Copyright issues, contact the Council's "Asset Management Group" on 01902 555634. Quote map reference "WOLVERHAMPTON CITY CENTRE RING ROAD\_GS.mxd". This plan was produced on 09/10/07