

Wexford County Council – Beach Trading Licence General Conditions.

In accordance with Sections 13-16 and 31-38 of Wexford County Council's Beach Bye-Laws 2022, ***the Council will consider the issuing of licences to trade at the designated beach locations listed below for the providers of motorised vehicles selling ice cream and/or hot/cold non-alcoholic drinks.*** The licences will be issued at the sole discretion of Wexford County Council. The Council reserves the right to refuse any application for a licence to trade at any of the stated locations. The general conditions listed below are obligatory for the issue of any licence.

1. The owner/operator/provider of a motorised vehicle selling ice cream and/or hot/cold non-alcoholic drinks shall provide a mechanically sound motorised vehicle that is suitably presentable and fit for the purpose of selling ice cream and/or hot/cold non-alcoholic drinks at the designated beach location. The owner/operator/provider shall provide details of the make, type and registration number of the vehicle, together with a photograph of same.
2. The vehicle shall be taxed up to date and hold a current certificate of road worthiness. (Warden to check tax & road worthiness @ the various sites)
3. The owner/operator/provider of the motorised vehicle selling ice cream and hot/cold non-alcoholic drinks at the designated beaches shall provide documentary evidence of public liability insurance cover with a limit of €6.5 million, employer's liability insurance cover with a limit of €13 million and adequate motor vehicle insurance cover. The public liability and employer's liability insurance policies should extend an indemnity to Wexford County Council. Insurance cover operative dates must correspond with the relevant trading period.
4. The provider/operator/owner of the motorised vehicle selling ice cream and hot/cold non-alcoholic drinks shall submit evidence of obtaining a current food stall certificate from the Health Services Executive.
5. The owner/operator/provider of the motorised vehicle selling ice cream and/or hot/cold non-alcoholic drinks shall submit to the Council with the application, evidence of tax clearance with the Revenue Commissioners.
6. In the event of a licence being granted, the owner/operator/provider of the motorised vehicle selling ice cream and/or hot/cold non-alcoholic drinks shall only operate from the specified area on the designated beach or beach car park and comply and co-operate with any instructions issued by Wexford County Council and its officers or agents responsible for enforcing Beach Bye-Laws, the Litter Pollution Acts 1997(as amended), Beach Licence conditions and any other legislative provision (Warden to check at each individual site).
7. The owner/operator/provider of a motorised vehicle selling ice cream and/or hot/cold non-alcoholic drinks shall produce evidence that any waste arising from the operation of the business (selling ice cream and/or hot/cold non-alcoholic drinks at the designated beach) will be segregated, collected or delivered to an authorised waste collector or permitted waste facility in accordance with the Waste Management Acts 1996 (as amended) (Warden to check @ each individual site). The owner/operator/provider shall accept reusable cups for hot and cold beverages and provide adequate signage to promote the use of contactless coffee by the public.

8. The owner/operator/provider of a motorised vehicle selling ice cream and/or hot/cold non-alcoholic drinks shall comply with the terms of Section 15 of the Litter Pollution Acts 1997(as amended) which requires the operator of any mobile outlet selling food to provide sufficient litter receptacles in the vicinity of the mobile outlet and to remove any litter caused by the operation of the mobile outlet within 100 metres of its vicinity. (Warden to check @ each individual site)
9. Wexford County Council's decision is final in all matters relating to the issue of a licence to trade at any designated beach location for a motorised vehicle selling ice cream and/or hot/cold non-alcoholic drinks and the operation of such a business.
10. The owner/operator/provider of a motorised vehicle selling ice cream and/or hot/cold non-alcoholic drinks shall not park in such a manner as to cause an obstruction to other road traffic or emergency services. The business shall operate in compliance with the Road Traffic Acts and the Health and Safety at Work Act 2005 and any regulations made there under. (Warden to check @ each individual site).
11. Applications for Licences will be assessed on the basis of the *Quality of the Service offering, the presentation and type of vehicle used, waste presentation/minimisation & re-use proposals, recycling/litter prevention & control arrangements and details of experience in the food catering industry (a maximum of 10 marks will be awarded for each heading). Licences being allocated to the applicant with the highest marks.*
12. In the event of more than one application for a licence, being received by Wexford County Council, to provide a service to sell ice cream and/or hot/cold non-alcoholic drinks from a motorised vehicle at a designated beach, the Council shall draw lots to allocate a licence to one of the applicants that meets all of the criteria listed in these conditions and where two or more applicants are tied on the marks allocated to them.
13. Licences will generally be valid for a period of 12 months from issue. The licence fee shall be €100 per square metre of space occupied by the vehicle.
14. Wexford County Council is subject to the provisions of the Freedom of Information Act 2014. Any information that applicants for a licence supply which they consider to be commercially sensitive or confidential in nature, this should be highlighted and the reason for its sensitivity specified. In such cases the relevant materials will in response to FOI requests be examined in the light of exemptions provided for in the FOI Act.
15. Designated locations for which Wexford County Council will consider application for a licence to trade for owners/operators/providers of motorised vehicles selling ice cream and/or hot/cold non-alcoholic drinks include;
 - Ballinesker Beach Car Park.
 - Culleton's Gap Beach Car Park.
16. During the period of the Licence if the Licence is not being actively used, it may be withdrawn by the Council.

Carolyn Godkin,
Director of Services, Housing, Community, Libraries, Arts, Emergency
Services, Environment and Climate Action.
Wexford County Council - 053 9196000

13th June, 2022