



OFFICIAL USE ONLY	April 2019
Receipt No:	
Photo Taken:	YES/NO

**1 YEAR 2 YEAR OR 3 YEAR
(delete as appropriate)**

Civic Government (Scotland) Act 1982

Application for a Street Trader's Licence

- Please refer to the attached guidance notes prior to completing this form
- Please Phone 0141 577 3001 to arrange an appointment to submit application
- Payment is due at the time you submit your application at the Licensing office. In the event of not being granted a licence, application fees are non-refundable

Please complete every question in typescript or black ink and capital letters

To be completed if applicant is individual natural person or employee (delete as appropriate)

1. Full Name:		
Home Address and postcode:		
Date moved to current address:		
Home phone number:		
Business phone number:		
e-mail address:		
If you are not an EU National do you have the right to work in the UK? YES/NO (delete as appropriate)		
Date & place of birth	Date of Birth	Place of Birth

2. Are you self employed? (Tick one box only) Yes No if yes, go to Question 4

3. State the name and address of the person or company who will employ you as a street trader?

Name: _____ Address and postcode: _____

4. Are you applying for the grant of a licence or to renew an existing street trader licence? (Tick one box only)

Grant:

Renewal:

If renewal, please state licence number

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5. Have you previously held a street trader's licence? (Tick one box only)

Yes

If yes, how long did you hold this licence?

If yes, give date last licence granted and name of Council

No

If No, please go to question 6

_____ years

6. Have you ever been refused a licence? (Tick one box only)

Yes

No

If yes, state date of refusal: _____ / _____ / _____

7. Do you intend to work as a street trader from a FIXED LOCATION (eg static in one position) or as a MOBILE (eg ice cream van doing rounds) street trader?

Fixed Location:

If **fixed location**, go to Question 8

Mobile:

Fill in the rest of this section then go to Question 9

If **MOBILE**, state the names of the street(s) and area(s) where you propose to trade?

8. If you intend to work from a FIXED LOCATION please describe the exact location by reference to street names AND a detailed plan (see last page of this application)

Is the site on the carriageway of a street?

Yes

No

(Tick one box only)

If No, are you the owner of the site?

Yes

No

(Tick one box only)

If you are not the owner of the site, a letter of consent from the owner of the site must accompany this application.

9. State days and time when you intend to trade as a street trader?

Days	Hours	For example
Monday:		10am to 5pm
Tuesday:		not trading
Wednesday		not trading
Thursday		not trading
Friday:		9am to 6pm
Saturday:		9am to 6pm
Sunday:		11am to 4pm

10. State nature of goods/services in which you propose to trade?

11. State type and registration number of vehicle or described and give dimensions of structure, kiosk, moveable stall or receptacle to be used?

12. State the address of the premises at which the goods will be stored when not being offered for sale?

13. Subject to the provisions of the Rehabilitation of Offenders Act 1974, state below particulars of any convictions you or any Directors, Partners or Manager have. This must also include contraventions of Street Trading or other Byelaws, Road Traffic Offences and Environmental health/Food Hygiene Offences. Continue on a separate sheet if necessary. IF THERE ARE NONE YOU MUST WRITE "NONE". If you are unsure DO NOT PROCEED, obtain a disclosure certificate from Police Scotland or Disclosure (Scotland) to confirm your details.

Date of conviction	Court of conviction	Offence	Sentence

Applicants not resident in the UK must provide (at their own expense, and officially translated if necessary) a Certificate of Good Conduct or similar document from the justice authority of the country where they are resident.

Applicants who have been resident in the UK for less than 5 years prior to application must provide (at their own expense, and officially translated if necessary) a Certificate of Good Conduct or similar document from the justice authority of the country where they previously resided.

Any person who in connection with the making of this application makes any statement which he knows to be false or recklessly makes any statement which is false in a material particular shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £500.

The information you supply on this form will be used by East Renfrewshire Council to process your application for a licence. We will also use your information to verify your identity where required, contact you by post, email or telephone to maintain our records and for certain research and statistical reasons. The Council will use this information because we need to do so in terms of the Civic Government (Scotland) Act 1982. The information will be shared with Police Scotland in full and a redacted version will be shared with other statutory consultees including community councils and the Fire Authority, if appropriate. This is necessary to provide this service and to fulfil the council's legal obligations in terms of the above Act and to perform a task carried out in the public interest. We also need to process more sensitive personal information about you for reasons of substantial public interest as set out in the Data Protection Act 2018. It is necessary for us to process it to carry out key functions as outlined by law.

If you do not provide us with the information we have asked for then we will not be able to provide this service to you. You can find out more about how we handle this information and your rights in respect of it by going to <https://www.eastrenfrewshire.gov.uk/licensing-privacy-notice>

If you do not have access to a computer and wish a paper copy please let us know by contacting Business Support, Licensing, Chief Executives Department, Council HQ, Rouken Glen Road, Giffnock, G46 6UG

If you have provided anyone else's details on this form, please make sure that you have told them that you have given their information to East Renfrewshire Council. We will use the information in the same way as your personal information and may verify the

information you have given with the person and may use it as if it is your information and to assist in determining your application. If the other person wants any more information on how we will use their information they can visit our web site at <https://www.eastrenfrewshire.gov.uk/licensing-privacy-notice>

I declare that all the particulars given by me on this form are true.	Signature:	
	Date:	

If lodging application by post, please make your cheque payable to East Renfrewshire Council.

Please ensure that you have read the attached guidance notes and that you have answered each question on this form.

If you intend to sell food, ensure you have your compliance certificate available for inspection before a licence is granted.

Completed applications should be returned to:-

East Renfrewshire Council
Legal Services
Council Headquarters
Eastwood Park
Rouken Glen Road
Giffnock
East Renfrewshire G46 6UG

Phone: 0141 577 3001

E-mail: celicensing@eastrenfrewshire.gov.uk

Applications in respect of a FIXED STANCE (Question 7) must complete the undernoted plan.

Before you may submit your application for a street trader's licence in respect of a **fixed stance**, please ensure that you have read the following noted:

- the undernoted area for a plan must show the **precise** location of the proposed stance(s)
 - the information to be shown on the plan must include
 - ◆ the name of the street or nearest street
 - ◆ the area name
 - ◆ the distance in metres from the nearest street or junction
 - the proposed stance must be no closer than 250 metres to a shop selling the same goods as the trader
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- The vehicle/trailer to be used must not stand on the footway and must be sited such that customers do not stand on the carriageway.

Area for plan:

Street Trader Guidance Notes

Street Trader Licence

Why do I need a street trader's licence?

A licence is required for selling, offering to sell or carrying out a service paid for by any person in a public place. This includes selling from a vehicle, kiosk or moveable stall.

A street trader's licence is not required if the kiosk or stall is carried out in conjunction with or is part of a retail business being carried out in premises abutting a public place.

Exemptions

The following types of activity are specifically exempt and anyone carrying on such a business will NOT therefore require a street trader's licence:-

- The sale of newspapers;
- The sale of milk by a registered person;
- The sale of coal, coke or solid fuel;
- Collecting on behalf of charity
- Peddling where a licence under the Pedlars Act 1871 has been granted.

Conditions

The licence holder will be required to comply with the Council's standard conditions (copy attached) and these conditions together with any other conditions the Council decides to apply, will form part of your licence.

Applications

The lodging of an application form does not allow a person to trade unless and until the licence is granted and issued.

While it may be that you already own a vehicle, stall or trailer or know the vehicle, stall or trailer which you intend to use, **YOU ARE ADVISED STRONGLY NOT TO ENTER INTO ANY COMMITMENT, FINANCIAL OR OTHERWISE REGARDING A VEHICLE UNLESS YOU HAVE BEEN INFORMED THAT THE COUNCIL IS PREPARED TO GRANT THE LICENCE FOR WHICH YOU HAVE APPLIED.**

If a question is irrelevant please mark it "not applicable" unless otherwise stated.

When your application is lodged and the appropriate fee has been paid, a copy of your application will be sent to Police Scotland who will carry out a full DVLA and criminal background check on each applicant. Please note any convictions not declared by you will be disclosed by the police and may affect your application and/or lead to prosecution. A copy will also be sent to the Counter Fraud Officer as you must be registered at home address for Council Tax purposes either as liable or non-liable.

Street Trader Guidance Notes

Applications may also be sent to the local Councillors and Community Councils, interested Council departments, Strathclyde Fire and Rescue, Scottish Water and Scottish Environment Protection Agency, UK Borders Agency.

For renewal applications, applicants are solely responsible for ensuring their renewal application form is lodged timeously, ideally around 6 weeks prior to the expiry date. Failure to lodge the renewal before the expiry date of the current licence will result in the licence lapsing.

Application Fees

PLEASE REFER TO COUNCIL WEBSITE FOR CURRENT PRICE LIST

<https://www.eastrenfrewshire.gov.uk/street-trading-licence>

Payment is due at the time you submit your application at this office. For application fees please refer to the licensing fees leaflet. Please note that applications cannot be emailed to us. You must print the form, complete it and post it, or hand deliver it to the licensing office (at the undernoted address) with the appropriate fee.

Application fees are non-refundable, even if your application is subsequently refused or withdrawn. However you will be entitled to a refund of the enforcement element of the application fee (15% of total fee). You will require to submit the request for this refund in writing to the council. Thereafter you will be issued with a cheque in due course.

Advertising the Application

The application may be advertised on the Council website or other government website.

Fixed Location Trading (Location Plan)

If you are applying for a street trader licence in respect of a **fixed stance** (ie the one location) you are required to provide a plan of our proposed trading location. Your plan must show the **precise** location of your proposed stance and must include:

- The name of the street or nearest street;
- The distance in metres from the nearest street or junction. (Please note that the proposed stance must be no closer than 250 metres to a shop selling the same goods as the trader).

Mobile Trading

If you are applying for a mobile street trader licence (eg an ice cream van doing rounds) you must state the area(s) in which you intend to trade. If you only propose to trade within one or two areas, please also specify the street names in the areas.

Processing the Application

Your application must be considered within 3 months of it being lodged and the Council must reach a decision on it within 6 months.

If your application is granted you will be notified accordingly. You will be issued with your licence and an identification badge. The licence should be displayed at all times and the identification badge should be worn at all times when you are operating as a street trader. You should also show this licence and badge to a police officer, an officer from East Renfrewshire Council or to any member of the public on demand.

If your application is refused, or granted conditionally, you are entitled to ask the Council within 28 days to give reasons for such refusal, or the imposition of such conditions, and thereafter you are entitled to appeal to the Sheriff against the decision on various grounds. You should seek the advised of a solicitor if you wish to appeal.

Documentation which must be produced on submission of application is as follows:-

1. Your current passport
2. Two items of correspondence showing your current name and address (e.g. DVLA licence, Council Tax Payment Book/Notice, Utility bill etc)
3. Applicants not resident in the UK must provide (at their own expense and officially translated if necessary) a Certificate of Good Conduct.
4. Applicants who have been resident in the UK for less than 5 years prior to application must provide (at their own expense, and officially translated if necessary) a Certificate of Good Conduct or similar document from the Justice Authority of the country where they previously resided.
5. Map of location.
6. Land owners consent.

Compliance Certificate

If your business involves the sale of food and you operate from a vehicle, kiosk or mobile staff or vehicle, you will require to obtain a **certificate of compliance** from the Environmental Services Department, to confirm that the requirements of the Food Safety Regulations have been met in condition with that vehicle, etc. It is your responsibility to contact the Environmental Services Department to have your vehicle, etc inspected. Your application will not be completely processed until you can exhibit a satisfactory certificate of compliance.

You can contact the Environmental Services Department by phone on 0141 577 3001 or by email at celicensing@eastrenfrewshire.gov.uk

Objections

If, during the processing of your application, the licensing section receive any objections to your application, you will be sent a copy of the letter(s) of objection(s).

Your application, the letter(s) or objection(s) and your response will then be referred to a meeting of the Licensing Committee. You will be invited to attend at the Committee meeting and given the opportunity to address the Committee. You may ask someone, such as a solicitor, to represent you.

Duration of Licence

You can apply for a licence for a one, two or three year period if the application is for the renewal of a licence. However, if you are applying for this first time then you can only apply for a licence for a one year period.

Any Further Questions

Should you have a query that is not covered in these guidance notes please feel free to contact the licensing section for further information.

Contact Details

Tel: 0141 577 3001

Email: celicensing@eastrenfrewshire.gov.uk

Or Write to:

East Renfrewshire Council
Legal Services
Council Headquarters
Eastwood Park
Rouken Glen Road
Giffnock
East Renfrewshire G46 6UG

Display Notice

Civic Government (Scotland) Act 1982

Application for the

(insert grant or renewal)

of a

(insert type of licence applied for)

licence

I declare that an application as detailed above has been made to East Renfrewshire Council. A copy of the application form lodged with East Renfrewshire Council is displayed opposite.

Any objection or representation relating to the application should be made to the Chief Officer – Legal & Procurement, East Renfrewshire Council, Licensing Section, Council Headquarters, Eastwood Park, Rouken Glen Road, Giffnock, G46 6UG.

before

(insert 21 days from the date the application is lodged with East Renfrewshire Council)

Any objection or representation must be in writing and:

- must specify the ground of the objections or the nature of the presentation,
- must specify the name and address of the person making it.
- must be signed by him/her or on his behalf.

Such a representation shall be considered to have been made within the period referred to if it is delivered by hand within that period or posted (by registered or recorded delivery post) so that in the normal course of post it might be expected to be delivered within that period.

It should also be noted that where an objection or representation is made to the Council after the date referred to but before a final decision is taken on the application, it is competent for the Council to entertain if it is satisfied that there is sufficient reason why the objection or representation was not made within the period of time stated.

Signed (by application)

PLEASE PRINT NAME:

This site notice must be displayed for the whole of the period of 21 days at, or near, the premises so that it can be conveniently read by the public.

Certificate of Compliance

Civic Government (Scotland) Act 1982

I,

(insert name of applicant)

applicant for a

(insert type of licence applied for)

licence

hereby certify that the Notice (as per overleaf) has been posted at or near the premises at:

(insert address of premises)

from:

(insert date application lodged at licensing office)

to:

(insert 21 days date thereafter)

containing such information as is required by paragraph 2(3) of Schedule 1 to the above Act.

* Where the said Notice was removed, obscured or defaced during the above mentioned period, I took reasonable steps for its protection and replacement as follows:- (give details and circumstances)

Date:

Signature:

Please complete this side of the form **after** the 21 days date and return to this office:

East Renfrewshire Council
Licensing Section
Council Headquarters
Eastwood Park
Rouken Glen Road
Giffnock
East Renfrewshire G46 6UG

*Please delete if inapplicable

Assistance for completing display notice and certificate of compliance

The **DISPLAY NOTICE** and the **CERTIFICATE OF COMPLIANCE** should be printed back to back.

The **DISPLAY NOTICE** must be completed and displayed at the premises to which the licence relates. Please note that the date on the display notice must be exactly 21 days from the date the application is lodged with the licensing section. (If posting your application please remember the 21 days will not commence until the application has been received at this office).

After the 21 days date has passed the **CERTIFICATE OF COMPLIANCE** (on the reverse of the display notice) requires to be completed and returned to the Licensing office. The dates on this certificate must reflect the date the application is lodged and the 21 days thereafter.

Once the 21 days date has passed and both sides of this form have been completed correctly you must ensure that you submit the original to the licensing office.

If you are in any doubt about these dates, please contact the licensing office at the undernoted address for clarification.

Contact Details

Tel: 0141 577 3001

E-mail: celicensing@eastrenfrewshire.gov.uk

Or write to:

East Renfrewshire Council
Council Headquarters
Eastwood Park
Rouken Glen Road
Giffnock
East Renfrewshire G46 6UG