

**EAST LoTHIAN COUNCIL  
CIVIC GOVERNMENT (SCOTLAND) ACT, 1982**

**APPLICATION FOR A GRANT/RENEWAL OF A MARKET OPERATOR'S LICENCE**

**EACH QUESTION MUST BE ANSWERED**

<p><b>1. (a) Full Name (BLOCK LETTERS)</b> (include any other surname you have been known by)</p>	<p style="text-align: center;"><b>Surname</b></p>	<p style="text-align: center;"><b>Forename(s)</b></p>	
<p><b>(b) <u>Home Address and telephone No.</u></b></p>			
<p><b>(c) Age, Date and Place of Birth</b></p>	<p style="text-align: center;"><b>Age</b></p>	<p style="text-align: center;"><b>Date of Birth</b></p>	<p style="text-align: center;"><b>Place of Birth</b></p>
<p><b>(d) is applicant to carry out day-to-day management of the activity</b></p> <p>if not give full name, address &amp; date of birth of any employee or agent so engaged.</p> <p>Give business hours telephone number of applicant or agent</p>	<p style="text-align: center;"><b>YES/NO</b></p>		
<p><b>2. To be completed if not natural person (i.e. Company or Partnership etc).</b></p> <p><b>(a) Full Name</b></p>			
<p><b>(b) Address &amp; Telephone number of Principal Registered Office</b></p>			
<p><b>(c) Names, private address and dates of birth of directors, partners or other persons responsible for management.</b></p>			
<p><b>(d) Full name, address and date of birth of employee or agent to carry on day-to-day management of the street trading.</b></p> <p>Give business hours telephone Number of applicant or agent.</p>			

3. Address of site or premises for which licence is required	
4. Specify kind of market to be carried be on	
5. Are Catering Facilities to be provided (if yes please provide details)	YES/NO
6. Days & Hours proposed to be trading as a market	
7. Period for which licence is required Annual 1 Year  Temporary up to six weeks	
8. Give details of toilet facilities to be made available	
9. Give details of layout of the market Including number of stalls (a site plan and layout plan is required)	
10. Give details of safety measures to be put in place and number of stewards provided	
11. Application for Renewal of an indoor Market, please specify all structural alterations which have taken place since last renewal/grant of licence	

Have you ever been convicted of any Crime or Offence, subject to the provisions of the Rehabilitation of Offenders Act, 1974, YES/NO If yes please give particulars below.

Date	Court	Offence	Sentence

**N.B. All crimes and offences must be declared.**

<p>12. (a) Have any party named in question 1 or 2 ever held or currently hold a Market Operator's Licence</p> <p>If YES, when was the licence granted When does it expire? Which Authority granted the Licence</p>	<p>YES/NO</p>
<p>(b) Have you ever applied for and been refused a licence for a Market operators licence If YES, when were you refused? Which Authority refused you a licence/permit?</p>	<p>YES/NO</p>

**13. DECLARATION**

(A) I/WE declare that I/We shall for a period of 21 days commencing with date hereof, display at or near the premises so that it can be conveniently read by the public, a notice complying with the requirements of Paragraph 2 (2) of Schedule 1 of the Civic Government (Scotland) Act, 1982.

(B) I/WE declare that I/We are unable to display a notice of this application at or near the premises because no access is available. The following action was taken to try to gain access: -

(C)

But was unsuccessful

Or

(C) I/WE declare that the application is for a temporary licence and therefore no requirement to display a notice is necessary.

(D) I/WE declare that the particulars given by me on this form are correct to the best of my knowledge and belief.

Signature of applicant/Agent .....

Agent's address .....

.....

.....

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Any person who in, or in connection with the making of this application makes any statement which he/she 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 of up to £2,500.

**DATA PROTECTION ACT 1998**

Please note that the information given on this form may be stored on a computer system by this Authority for the purpose of licensing.

The Identity of the Data Controller under the Data Protection Act 1998 (“the Act”).

East Lothian Council, John Muir House, Haddington, East Lothian EH41 3HA (“the Council”)

The purpose or purposes for which the data are intended to be processed.

The Data will be processed in order for East Lothian Council to fulfil its statutory duty under the Civic Government (Scotland) Act 1982 in receiving, registering, determining and granting applications for licenses under the said Act. The Data will be shared with public bodies who require to be consulted about the application, such as the Police. It will also be shared with internal East Lothian Council services, particularly within the Environment Department who give advice to the Council as Licensing Authority, in respect of the application.

East Lothian Council 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.

### **NOTES FOR GUIDANCE**

The completed application should be lodged with Licensing Section, Licensing, Administration & Democratic Services, John Muir House, Haddington, EH41 3HA

1. The following should be lodged with your application: -

The appropriate licence fee: -

	<u>50 traders or less</u>	<u>more than 50 trader</u>
Grant	- See Fee List	See Fee List
Renewal	- See Fee List	See Fee List
Temporary	- See Fee List	See Fee List

In the event of the application being refused the application fee is not refundable.

2. The application should be lodged at least 6 weeks prior to the date from which you wish the licence to operate. It is an offence to operate as a Market Trader without a licence.
3. A site plan requires to be lodged with this application showing the area to be licensed as a Market.
4. The applicant should arrange their own Public liability cover.
5. The applicant is required to provide car-parking facilities to the satisfaction of East Lothian Council.
6. Toilets and hand washing facilities will be provided to the satisfaction of East Lothian Council.
7. If alcohol is sold/supplied at the Market, an occasional licence/permission is required by the stallholder. An application form for an occasional licence/permission may be obtained from Licensing Section, Licensing, Administration & Democratic Services, John Muir House, Haddington, EH41 3HA, or online at [www.eastlothian.gov.uk](http://www.eastlothian.gov.uk)

- 8. Please note that in terms of the Civic Government (Scotland) Act, 1982 the Council, as licensing authority, requires to pass a copy of the completed application form to the Chief Constable.**
- 9. It should be understood that if your application for a Market Operator's Licence is granted under Part 11 of the Civic Government (Scotland) Act, 1982, the licence does not carry with it any consent or approval which may be required under any other statute or regulations. It is the responsibility of the licence holder to ensure that any necessary consents are obtained, where required e.g. the permission of a landowner to trade from his ground, planning consent, etc. prior to the commencement of trading.**
- 10. You are advised to contact the Planning Department to ascertain whether any planning permissions are required prior to trading. Planning Duty Officer on 01620 827216.**
- 11. Contact East Lothian Council Transportation Division on 01620 827711 form an application for a permit to occupy part of a street/Lay-by etc.**
- 12. For information on Food Safety contact East Lothian Council Public Health and Protection on 01620 827365.**
- 13. For information on Market Operators Licensing or the completion of this form please contact the Licensing Department on 01620 82 7867/ 0114 / 7217.**
- 14. Information supplied on this form may be held on computer and applicants are advised that in processing this application background enquiries will be made which may include reference to personal data held on computer. In terms of the Data Protection Act the data will be processed also by sharing it with officials of services within East Lothian Council, which are consulted on applications for licenses and on monitoring compliance with conditions attached to the licences such as Building Standards, Transportation and Environmental and Consumer Services.**

**The data will also be processed by sharing it with external agencies of the Police and Fire and Rescue Services who also are consulted by the Licensing Sub-Committee on applications for licenses and on enforcement or compliance with conditions of licence.**