

## ANGUS COUNCIL

### CONDITIONS APPLICABLE TO STREET TRADERS' LICENCES

1. Street trading must not take place within 100 metres of a shop or 50 metres from another street trader whose main goods or services for sale are of the same or a similar class as those offered by the street trader.
2. A street trader shall not be permitted to trade from a fixed pitch unless special written permission to do so is given by the licensing authority and that in consultation with Tayside Police, the Director of Planning and Transport and Director of Roads.
3. A street trader shall only conduct his business between the hours of 7a.m. to 12 midnight Monday to Friday and from 7a.m. to 11p.m. on Saturday unless special written permission is given by the licensing authority. (Trading shall take place on a Sunday only between the hours of 12 noon to 11p.m.).
4. A street trader shall collect and remove any litter or other refuse which may be produced in the course of trading and shall not allow such litter to be deposited on any footpath or street in the immediate vicinity or on any adjoining property. Where the trader intends to trade or trades at any location for a period exceeding 5 minutes he shall place a suitable receptacle for the deposit of litter by customers at that location.
5.
  - (a) No use shall be made of a loudspeaker, horn, whistle or other device by a street trader other than for advertising his presence for trade or business. Such use shall be restricted to the hours of 12 noon to 7p.m.
  - (b) If the street trader is trading from a fixed pitch (see condition 2) then no use shall be made of a loudspeaker, horn, whistle or other device at any time.
6. The street trader shall at all times, while engaged in street trading, have with him the street traders badge issued by the licensing authority and shall wear the badge displayed conspicuously on his outer garment. The badge must be kept clean and legible and the street trader shall exhibit the badge or licence on demand to any customer, police constable or officer authorised by the licensing authority. The street trader shall not lend or allow any person to use his licence or badge and shall not in any way alter, erase, or deface his licence or badge.
7. The street trader, when undertaking street trading (including food business), shall:-
  - (a) provide and maintain in proper working order equipment necessary for the proper cleaning and sterilisation of all utensils and vessels used in connection therewith and comply at all times with the Food Safety Act 1990 and any regulations made thereunder;
  - (b) store and/or prepare goods to be used in connection with the food business only in premises approved by the licensing authority;

- (c) keep himself and his outer clothing clean and suitable and maintain any moveable structure, vehicle or receptacle in a clean and proper condition to the satisfaction of the licensing authority. On written notice being served by the licensing authority that as a street trader his clothing or person is unclean or unsuitable or that the moveable structure, vehicle or receptacle is unclean or unsuitable, the street trader shall cease trading until the complaint is dealt with to the satisfaction of the licensing authority; and
  - (d) not trade for longer than 30 minutes in one location without moving to another location, not less than 100 metres away and shall not return for 60 minutes. (Condition 7 (d) will not apply to street trading from a fixed pitch).
- 8. A street trader, when using a vehicle or stall, shall:-
  - (a) not cause or allow the said vehicle or stall to stand on or within the distance of 16 metres from any pelican or pedestrian crossing;
  - (b) ensure that at all times the said vehicle or stall is of a form which can be speedily and easily removed; and
  - (c) ensure that the said vehicle or stall is in a safe and serviceable condition.
- 9. A street trader making use of a vehicle or stall etc. shall on receiving the requisite notice in writing from the licensing authority, present his vehicle or moveable stall annually for inspection by an appropriate officer of the licensing authority as to its continued suitability and, on substitution of the vehicle or stall etc. for another, shall arrange for this to be inspected by an appropriate officer of the licensing authority before it is used for the purpose of street trading.
- 10. The street trader shall not employ or appoint for the purpose of street trading within the district any person who does not hold a street traders licence and no person under the age of 16 years shall engage or be employed in street trading except with the prior consent of the licensing authority.
- 11. Notwithstanding the above conditions, all statutory provisions and other approvals required from the licensing authority or any other appropriate authority must be complied with.
- 12. A street trader shall comply with any order or instruction given by any Constable for the prevention of obstruction or annoyance to the public in connection with any emergency or disturbance or on any occasion when such Constable in his discretion may consider it necessary in the public interest to give such order or instruction.
- 13. A street trader shall notify the licensing authority of any material change of circumstances affecting him or the activity to which his licence relates including a change in his home address. A street trader who ceases to act as such for the unexpired period of his licence or whose licence has been suspended by the licensing authority shall within seven days deliver his licence to the Director of Law and Administration, Angus Council, Forfar.

14. The licensing authority may, at any time, vary the terms of a licence on any grounds which they consider reasonable. Notice will be given to the licence holder at least seven days before any proposed variation is considered. The licence holder will be given an opportunity to be heard before any variation is made.
15. The licensing authority may order suspension of a licence if in their opinion :-
  - (a) the holder is no longer a fit and proper person to be the holder of such a licence, whether because of convictions for offences which have taken place since the grant or renewal of the licence or for any other good reason:
  - (b) the activity to which the licence relates is being managed by or carried on for the benefit of a person other than the licence holder, who would have been refused the grant or renewal of a licence under paragraph. 5 (3) of Schedule 1 of the Civic Government (Scotland) Act 1982:
  - (c) the carrying on of the activity to which the licence relates has caused, is causing or is likely to cause undue public nuisance or a threat to public order or public safety: or
  - (d) a condition of the licence has been contravened.
16. A Street Trader operating as a food vendor will not be permitted to trade during the school term between the hours of 9.00am and 4.00pm within the areas adjacent to any Secondary School in Angus as delineated on the attached plans.
17. For the purposes of maintaining access/egress to/from adjacent premises, the vehicle or stall must not obstruct vehicular or pedestrian access to or from adjacent premises.
18. Where a footway is available for the use of customers, the vehicle or stall should be set up to ensure customers are not required to queue on the carriageway.
19. Where the stall is not a vehicle, vehicles should not form part of the stall other than for setting up or taking down the stall.

**If the activities relates to power washing/wheelie bin cleaning the following additional condition shall also apply:**

20. That any water discharged from the cleaning process is contained and collected so as to prevent discharge onto open ground, roadways, pavements or public drains and that any disposal of waste water be by approved means and in an approved location.

Date Forfar

These are the conditions referred to in the Licence No issued to of even date herewith.

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 Authorised Signatory