



Midlothian

Civic Government (Scotland) Act 1982 TEMPORARY MARKET OPERATORS' LICENCE

Notes for Guidance

- 1 A Market Operator's Licence shall be required for carrying on a private market.
- 2 A Market Operator's Licence shall not be required in respect of:-
 - (a) Functions held by charitable, religious, youths, recreational, community, political or similar organisations; and
 - (b) Markets held only for the sale of livestock, flour or grain.
- 3 A "Private Market" means a market, whether covered or not, carried on by any person (other than a local or public authority) at which goods are offered by more than one seller for sale by retail to the public.
- 4 Completed application forms must be accompanied by the appropriate fee payable by cash cheques (payable to Midlothian Council) or credit/debit card. If application forms are delivered by hand, applicants or their agents should deliver them to Midlothian House 40-46, Buccleuch Street, Dalkeith.
- 5 All questions must be answered. Failure to do so may result in the application being delayed or possibly conviction.
- 6 **Subject to the provisions of the Rehabilitation of Offenders Act 1974, ALL CONVICTIONS MUST BE DECLARED including those not resulting in imprisonment or fines e.g. Admonitions, Community Service Orders, Compensation Orders, Deferred Sentences, Probation Orders, etc.**
- 7 If you are unable to provide this information you will be able to obtain it from Police Scotland You can submit a subject access request to Police Scotland by emailing:
dataprotectionsubjectaccess@scotland.pnn.police.uk
or by writing to Data Protection Central Processing Unit, Information Management Unit, Police Scotland, Queen Street, Aberdeen, AB10 1ZA.

Your request must be accompanied by scans/ photos/ photocopies of two official documents which between them should confirm your date of birth and your current address.

Once the Chief Constable is satisfied as to your identity, Police Scotland have one month to reply to your request.

Further information and application forms can be found on the Police Scotland website on the following link:

<http://www.scotland.police.uk/access-to-information/dataprotection/subject-access-requests>

8 **Failure to make a full declaration may lead to refusal of the application, prosecution and, if any omission is discovered after the Licence has been granted, suspension.**

9 The fee is **£176.00** for a temporary Licence.

10 The application should be submitted not less than 6 weeks prior to the event in order to allow full consultation. The Council cannot guarantee that any application submitted within this time limit will be processed timeously. In these cases the application fee will not be refunded.

11 The Council will consult the Chief Constable, Chief Fire Officer, and Planning Manager.

12 It is the applicant's responsibility to ensure that they have the correct planning permission in place prior to using a site for any purpose. Ideally this should be established before applying for a licence. If they have any queries about the suitability of a site for a certain use then they should approach the planning authority directly for advice. Pre-Application Advice can be sought here:-

http://www.midlothian.gov.uk/info/180/development_management_planning_applications/279/planning_information_and_guidance

13 It should be understood that any Licence does not carry with it the necessary consent or approval to any proposed development which may be required under Planning or Building Control legislation or under any other Statutes and Enactments.

14 If the property to which the application relates is owned by the Council, landlords' consent for the proposed use must also be obtained.

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