



Midlothian

MIDLOTHIAN COUNCIL

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

STREET TRADER'S LICENCE CONDITIONS

- 1 This Licence is not transferable and any material change of circumstances affecting the holder of the Licence or the activity to which the Licence relates, shall be notified to Midlothian Council, Midlothian House, Buccleuch Street, Dalkeith, as soon as reasonably practicable after it has taken place.
- 2 The holder of the Licence shall not make, or cause to be made, or permit there to be made, any material change in the vehicle without the prior consent of the Council.
- 3 The Licensee shall not carry on business on any street so as to cause obstruction.
- 4 The Licensee shall carry on business subject to any directions which he may receive from the Police.
- 5 The Licensee shall collect and remove any paper, garbage or refuse which may be produced or may accumulate in the course of his business, and shall not place or deposit the same or allow the same to be placed or deposited or to fall on any street, footpath or footway.
- 6 **The licence holder shall, during business hours and at the end of each day, ensure the collection and removal of any paper, food wrapping, food, litter or refuse, containers and drinks containers on any pavement (or adjacent amenity area) around the stance within a distance of 25 yards either side.**
- 7 The Licensee shall not sell or offer or expose for sale, goods or articles of any objectionable or indecent character.
- 8 The Licensee shall not occupy a stance within 200 yards of any shop or business premises in which are sold goods or articles of the same description as those sold by the Licensee.
- 9 The Licensee shall never carry on his business in such a manner as to cause annoyance to the public.

- 10 Street trading activities will not be permitted during the following hours:-
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| Ice Cream | 10.30 p.m. - 8 a.m. |
| Fish, Groceries and other associated articles | 7.00 p.m. - 8 a.m. |
| Fish and Chips and other "fast foods" | 11.00 p.m. - 8 a.m. |
- 11 A Street Trader shall not trade from any one location for more than twenty minutes and shall move at least one hundred yards away and shall not return to the previous location within twenty minutes. This shall not apply to traders who have the permission of the organisers to trade at local shows or events.
- 12 Where the licence allows the holder to sell from a stationary structure in any specified place in any street, the said structure shall be a form which can be speedily and easily removed and where such stalls are used for the sale of food they shall contain equipment for the proper cleaning and sterilising of all utensils and vessels used in connection therewith as shall be considered satisfactory by the Environmental Health Officer and shall comply at all times with any regulations made under Section 13 and 56 of the Food and Drugs (Scotland) Act 1956 (now Food Safety Act 1990). In the event of such a structure being located on a road, the consent of the Roads Services Manager, Dundas Buildings, Bonnyrigg shall be sought and granted before such location takes place.
- 13 Every Street Trader trading at a particular location for a period exceeding twenty minutes shall situate in the public place a litter bin or other receptacle for the deposit of paper, garbage or other refuse by customers.
- 14 (a) In relation to the Food Hygiene Regulations, the vehicles shall be inspected annually by the Environmental Health Officer and any proposed changes should be notified to the Council and a new Certificate of Compliance obtained by prior arrangement with the Food Safety Officer (Tel.No.0131 271 3549) and (b) in relation to Wheeled Bin Cleaners, the vehicles shall be inspected annually by the Commercial Waste Officer (Tel No 0131 271 3346).
- 15 Where goods or articles are sold or which are offered for sale by any person engaged or employed in street trading are of a perishable nature, or are intended for human consumption, the licence holder shall not store such goods or articles in any place or vehicle until that place or vehicle has been approved by the Environmental Health Officer for that purpose.
- 16 Every Street Trader shall at all times when street trading keep himself and his clothing clean and keep and maintain any moveable structure, vehicle or receptacle used for the purpose of street trading in a clean and proper condition to the satisfaction of the Environmental Health Officer.
- 17 A Street Trader while trading must always wear conspicuously on his/her outer garment, the licence ID/photograph card, and bearing his/her name.

- 18 A Street Trader shall not alter, erase or deface his/her licence or badge and shall, when reasonably required, produce it/them for examination.
- 19 The information contained in the application form to which the licence relates shall be of material effect, in relation to the operation of the licence, subject to the governing policies of the Council.
- 20 "Chimes" shall not be played:-
- (a) before noon or after 7 p.m;
 - (b) so as to give reasonable cause for annoyance;
 - (c) for longer than 4 seconds at a time;
 - (d) more often than once every 3 minutes;
 - (e) when the vehicle is stationary;
 - (f) except on approach to a selling point;
 - (g) when in sight of another vehicle which is trading;
 - (h) when within 50 metres of schools (during school hours), hospitals and places of worship (on Sundays and other recognised days of worship);
 - (i) more often than once every 2 hours in the same length of street;
 - (j) louder than 80 db (A) at 7.5 metres; or
 - (k) as loudly in quiet areas or narrow streets as elsewhere.

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