

**FALKIRK COUNCIL**

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

<b>CONDITIONS FOR STREET TRADERS' LICENCES</b>
--

1. A street trader, when acting as such, shall display his licence in some conspicuous place on his vehicle or structure at a place where it may be conveniently read by members of the public. If the trading does not take place from a vehicle or structure, the street trader shall exhibit his licence on demand to a member of the public wishing to purchase goods from, or make use of the services of, the street trader.
2. A street trader shall at all times keep his licence clean and legible and shall allow, on demand, any police officer or any other officer as may be authorised by the Licensing Authority, to note the particulars of the licence on production by that officer of his badge of office or written evidence of his authority.
3. A street trader, when acting as such, shall wear the identification badge issued by the Licensing Authority as part of his licence conspicuously on his outer clothing, with the lettered side outermost, so that the whole badge is distinctly visible and legible and must, when required, permit any person to inspect and note any details on the badge. Should the badge become damaged or lost, the licensee shall notify the Licensing Authority as soon as possible and a replacement badge may be issued on payment of the appropriate fee as fixed by the Licensing Authority.
4. A street trader shall not lend or allow any other person to use his licence or his identification badge.
5. A street trader shall not in any way alter, erase or deface his licence or his identification badge and shall, when reasonably required, produce them for examination by any officer of the Licensing Authority within the offices of the Licensing Section, Old District Court, Municipal Buildings, Falkirk, FK1 5RS (Tel: 01324 501542).
- 6(a) 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 within the area specified on the attached plan.
- 6(b) Where the Licence holder trades at a particular location for a period exceeding 5 minutes a litter receptacle shall be provided at the place of trading, for the use of customers

- 6(c) The licence holder shall make provision for emptying of the litter receptacle and ensure that all waste collected is removed along with all other commercial waste produced by his business.
- 6(d) The licence holder shall not vary the arrangements for disposal and presentation of waste generated by the business as detailed in the application for licence except as agreed in writing with the Chief Governance Officer.
7. Where a street trader sells from a stationary vehicle or structure, no such vehicle or structure shall be positioned on the public highway unless the street trader shall have first obtained the written permission of the Highways Authority.
8. Where a street trader sells from a stationary vehicle or structure, such vehicle or structure shall be of a form which can be speedily and easily removed.
9. Where any vehicle or structure contains a portable or fixed heat producing appliance, the street trader shall provide a 1 x 2.5 kilogram dry powder fire extinguisher sited adjacent to the exit from the vehicle or structure, the extinguisher to be maintained in accordance with British Standard 5306: part 3.
10. Notwithstanding the other terms and conditions relating to this licence, every street trader shall comply with any order or instruction given by any police officer in uniform:-
- (i) for the prevention of obstruction or danger or annoyance to the public or to the occupiers of any premises; or
  - (ii) in connection with any emergency or disturbance; or
  - (iii) on any occasion when such officer in his discretion may consider it necessary in the public interest to give such order or instruction.
11. Noise and litter issues resulting from the street trader remaining at the same location for a prolonged period will be dealt with by the laws of statutory nuisance, for example, the Environmental Protection Act 1990.
12. There will generally be a 500m exclusion zone around schools in which street traders are not allowed to trade. This restriction would only apply during term time and then between the hours of 12 noon to 2pm and 3pm to 5pm on any school day. The restrictions would apply to all street trading licences, regardless of whom the licence holders are targeting and whether or not the application is new or for a renewal of an existing licence
13. At the “terminal hour” in respect of vans and stalls etc, only customers who have placed and paid for their purchases will be served. Immediately thereafter, the premises require to be closed and locked to customers. At the “terminal hour” in respect of pedestrian traders, only customers who have placed and paid for their purchases will be served. Immediately thereafter, the pedestrian trader is required to cease trading.

14. Interpretation - for the purposes of these conditions, the following terms shall have the following corresponding meaning:-
- (i) vehicle - any vehicle whether mechanically propelled or otherwise and shall include any carriage, lorry, car, wagon, truck, van, float, caravan, trailer or barrow;
  - (ii) structure - any structure whether moveable or otherwise and shall include any kiosk, stall or table or any other structure of any nature used for the display of any article.