



# Civic Government (Scotland) Act 1982

## Guidance Notes for Applicants - Street Trading Licences

### 1. Introduction

- 1.1 Any person who wants to sell goods in a public place in Aberdeen can only do so if they have a street trading licence issued by Aberdeen City Council. A "public place" means any place to which the public have unrestricted access.
- 1.2 Street trading is defined as hawking, selling or offering or exposing for sale any article, or offering to carry out, or carrying out for money or money's worth any service in a public place. It includes doing any of these things from a vehicle, a kiosk or a moveable stall not entered in the valuation roll.

A street trading licence is **not** required for:

- the sale of newspapers only
- the sale of milk by or on behalf of a person registered under the Food Safety Act 1990
- the sale of coal or fuel derived from coal or coke
- any activity for which a certificate under the Peddler's Act 1871 has been granted
- any activity for which a more specific licence is required
- organising or participating in a public charitable collection

- 1.3 Street trading can take place from a fixed location or traders can be mobile or both.
- 1.4 It is the responsibility of the applicant to identify a suitable fixed stance from which to trade. The stance must not obstruct pedestrian or vehicular traffic, be parked on yellow lines or cause a danger to road users.
- 1.5 Mobile traders will be asked to provide the times, days and streets where they want to trade. There are 9 trading zones within Aberdeen City for Mobile traders (see appendix A) the zones exclude city parks and council carparks. Mobile traders shall remain in the same place for 20 minutes or the time it takes to serve the queueing customers, whichever is the later, and shall then move on.
- 1.6 The Licensing committee have designated the city centre (Zone 9) as an exclusion zone for street trading. There is a presumption against street trading in Union Street or any pedestrianised area in the city centre except where a special case can be made out by the applicant or licence holder.

- 1.7 Everyone that works in the vehicle or kiosk must have a licence and will require to apply for an employee licence.

## 2. Making a new application

2.1 To apply for a new street trading licence you need to submit the following –

- A completed and signed application form. An application form can be obtained on our website - [Street trader licence | Aberdeen City Council](#)
- The application fee;
- Advertising fee if applicable (hot food only);
- For fixed locations - a description of the precise location of the trading unit. The application form must contain the following information (a) the name of the street, (b) the name of the nearest street; and (c) the distance in metres from the nearest street. For example: “The north side of Smith Street, 30 metres west of Jones Street”. For advice on the location of fixed stances please contact [enforcement@aberdeencity.gov.uk](mailto:enforcement@aberdeencity.gov.uk)
- For mobile traders - a list of the zones where you want to trade. There is no limit on the number of zones that may be applied for. To apply for all zones – the application form should state “All zones except Zone 9”
- Written permission from the landowner if the location is on private land such as a supermarket car park.
- Written permission from the city council if the location is on public land that is not a public highway; email [estates@aberdeencity.gov.uk](mailto:estates@aberdeencity.gov.uk)

2.2 The certificate of compliance issued by Environmental Health (if you are selling food or drink) does not need to be submitted with an application for a new licence but must be submitted and verified before a licence can be granted. Please see contact [commerical@aberdeencity.gov.uk](mailto:commerical@aberdeencity.gov.uk) to obtain a certificate of compliance.

## 3. Renewing an existing licence

3.1 If the applicant, the location, the trading hours or goods being sold have not changed then you only need to submit the following –

- A completed and signed application form.
- The application fee
- Certificate of Compliance (can be submitted at a later date but is required before a licence can be granted)



If there have been any changes to the licence a variation to the licence or a new licence will be required.

#### 4. Submitting your application

- 4.1 Please submit your application by email to: [licenisng@aberdeencity.gov.uk](mailto:licenisng@aberdeencity.gov.uk)  
Payment can be made on our payment portal [Civica Payments Portal - Products & Services \(civicaepay.co.uk\)](https://civicaepay.co.uk)

#### 5. Consultation

- 5.1 Applications for the grant of a Hot Food licence will be advertised in a local paper and on [Public Information Notices for Scotland | Tellmesotland](#)
- 5.2 When the application has been accepted, we will notify other parties, including the following –
- Local ward councillors (hot food applications only)
  - Aberdeen City Council Roads
  - Aberdeen City Council Environmental Health
  - Police Scotland
  - Any other interested parties that may be relevant.
- 5.3 There is a consultation period of 28 days to allow people to make comments. At the end of the 28 days the applicant will be told of any comments that have been made and of the next stage of the application.

#### 6. Grant or Refusal of a Street Trading Licence

- 6.1 Where there are no objections or representations to an application a licence will be granted after:
- The consultation period has concluded and
  - Upon confirmation that a Certificate of Compliance is in place.
- 6.2 Where objections or representations are received the matter will be dealt with as follows:
- A redacted copy of any objection or representation will be forwarded to the applicant;

- A hearing will be held before the Licensing Committee to determine the application;
- The applicant and anyone who made an objection or representation to the application will be invited to attend.
- At the hearing the Committee may –
  - grant the licence in full; or
  - grant the licence for fewer days or shorter hours, or limit the items permitted to be sold, or restrict the streets or part of a street in which the licence or holder is permitted to trade; or
  - refuse the application.

6.3 Applications from fixed stance traders who wish to operate in a residential area, or the south side of Aberdeen Beach will be considered by the Licensing Committee.

## 7. Appeal Process

7.1 You may appeal to the Sheriff Court a decision by the Council to refuse or to grant on different terms, a street trading licence if you attended the Licensing Committee meeting. You should seek independent legal advice on your appeal.

## 8. Further Information

8.1 Any trader that wants to sell hot food and/or hot drinks between 11pm and 5am will also need to submit an application for late hours catering licence. The two applications will be considered separately and obtaining one does not imply that the other will be granted.

8.2 Applicants require to have bought a vehicle or kiosk before applying. We are unable to grant a licence without a Certificate of Compliance from Environmental Health and the vehicle or kiosk requires to be inspected to obtain a certificate. The stance from which a fixed stance trader hawks, sells or offers or exposes for sale their goods shall be of a form that can be removed within a reasonable timeframe if so, required upon reasonable request by a relevant person.

8.3. Privately owned land and public parks:

- Trading on privately owned land will usually require a Street Trading Licence. Persons wanting to trade from private land should obtain consent from the landowner before submitting an application.
- A Street Trading Licence will be required in respect of any street trader operating in a park. Any such trader will also require authority from the relevant Council department.



#### 8.4 Temporary Licences and Consents:

- Temporary street trading licences are required for operators who wish to operate at an event (unless a market operator licence is in place) or another location other than that stipulated on the licence. Temporary licences last a maximum of 6 weeks.

## **Appendix A**

### **TRADING ZONES FOR MOBILE STREET TRADERS**

#### **ZONE ONE**

Beach Promenade from the Ballroom northwards to Bridge of Don, along the line of the River Don to Persley Bridge, Mugiemoos Road, North Anderson Drive, Kingsgate, Beechgrove Terrace, Rosemount Place, South Mount Street, Hutcheon Street, George Street, Gerrard Street, Mounthooly, Nelson Street, Urquhart Road, Links Road to the Beach Ballroom.

#### **ZONE TWO**

Kings Cross roundabout, North Anderson Drive, Mugiemoos Road, Greyhope Road, Mugiemoos Road, Auchmill Road, Howes Road, outer western limits of Northfield and Mastrick housing estates to Lang Stracht, Eday Road, Stronsay Drive, Kingsgate to Kings Cross roundabout.

#### **ZONE THREE - Excluded from this Zone is the City Centre zone 9**

Kings Cross roundabout, Anderson Drive, South Anderson Drive to Bridge of Dee, eastwards along line of River Dee to harbour mouth, Beach Promenade to Beach Ballroom, Links Road, Urquhart Road, Nelson Street, Mounthooly, Gerrard Street, George Street, Hutcheon Street, South Mount Street, Rosemount Place, Beechgrove Terrace, Kingsgate to Kings Cross roundabout.

#### **ZONE FOUR**

Kings Cross roundabout, Kingsgate, Stronsay Drive, Eday Drive, Eday Road, Lang Stracht, Kingswells village, A944 roundabout westwards on Westhill Road, Blacktop Road, Countesswells Road, Hillhead, Craigton Road, Jacobs Ladder, Abbotshall Road, North Deeside Road, Station Road Pitfodells, Garthdee Road, Bridge of Dee, South Anderson Drive, Anderson Drive to Kings Cross roundabout.

#### **ZONE FIVE**

Bridge of Dee downstream to the harbour mouth, south along the coastline to city boundary, city boundary west and north to River Dee, downstream to Bridge of Dee.

#### **ZONE SIX**

Persley Bridge, River Don downstream to mouth of the river, coastline northwards to the city boundary, city boundary westwards to River Don and then southwards to Persley Bridge.



### **ZONE SEVEN**

Persley Bridge, River Don downstream to mouth of river, northwards along the coastline to city boundary, city boundary west and south to A944, A944 to Kingswells, Lang Stracht to outer limits of Mastrick and Northfield housing estates, Howes Road, Auchmill Road, Mugiemoos Road to Persley Bridge.

### **ZONE EIGHT**

A944 roundabout at Kingswells westwards on Westhill Road, Blacktop Road, Countesswells Road, Hillhead, Craighton Road, Jacobs Ladder, Abbotshall Road, North Deeside Road, Station Road Pitfodels, Garthdee Road, Bridge of Dee, River Dee westwards to city boundary, city boundary northwards and westwards to A944, A944 eastwards to Kingswells roundabout.

### **ZONE NINE**

Holburn Junction, Holburn Street, Justice Mill Lane, Langstane Place, Windmill Brae, Bath Street, Bridge Place, Bridge Street, Guild Street, Trinity Quay, Virginia Street, Commerce Street, East North Street, West North Street, Littlejohn Street, Gallowgate, Upperkirkgate, Schoolhill, Rosemount Viaduct, Skene Street, Albert Street, Albyn Place.