

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

CONDITIONS APPLICABLE TO MARKET OPERATOR'S LICENCE

1. In these Conditions:-
 - a) "the premises" means the premises specified in the licence; and includes any market held out of doors or in temporary premises.
 - b) "the licenceholder" means the person named in the licence.
 - c) "the Council" means the Aberdeen City Council.
 - d) "trader" means any person offering goods for sale by retail to the public at a market.
 - e) "Director of Housing and Environment" means the Director of Housing and Environment of Aberdeen City Council.
 - f) "Director of Enterprise, Planning and Infrastructure" means the Director of Enterprise, Planning and Infrastructure of Aberdeen City Council.
 - g) "Director of Corporate Governance" means the Director of Corporate Governance of Aberdeen City Council"
2. The licenceholder shall display his licence at the premises when the market is taking place so that it may conveniently be read by all members of the public attending the market.
3. The licenceholder shall be permitted to hold a market only at the premises or location specified in his licence.
4. The licenceholder shall be permitted to hold a market only on the day or days, and at the times specified in his licence at the premises or location specified in his licence.
5. The licenceholder shall ensure that no alcoholic liquor is on or being consumed in the premises, that no person who is drunk is allowed therein, and that good order and decency is maintained while a market is being held, and assist the police in dealing with any incidents of disorder, or in the arrest or expulsion of offenders.
6. The licenceholder shall ensure to the satisfaction of the Director of Housing and Environment that an adequate number of receptacles are provided on the premises at all times for the deposit of litter by stallholders and members of the public; that said receptacles are emptied regularly, and that pavements or public areas bordering the premises are kept clear of litter at all times.
7. The licenceholder shall be responsible for ensuring to the satisfaction of the Director of Housing and Environment that, within a reasonable period of time not exceeding three hours following the conclusion of the market, the premises are cleared, tidied and restored to their condition immediately prior to the establishment of the market.

8. At least seven days before any market commences, the licenceholder must submit for approval a plan showing the proposed layout of stalls, gangways etc. and detailing the proposed construction of the stalls, to the Council. Approval of layout shall be given by the Convenor of the Licensing Committee in consultation with the Director of Corporate Governance, the Director of Enterprise, Planning and Infrastructure and the Director of Housing and Environment and markets must be held in accordance with said plan.
9. The licenceholder shall be responsible for ensuring that, where necessary, traders participating in the market are holders of second-hand dealers licences granted by the council.
10. The licenceholder shall, not later than forty-eight hours prior to the commencement of the market, furnish the Council with a comprehensive list of all the traders who are participating in the market. The Council shall be entitled, on cause shown, to prohibit any trader from participating in the market.
11. The licenceholder shall ensure that toilet and hand washing facilities are available for traders participating in the market and where appropriate for those frequenting the market. Such facilities shall be readily accessible and where temporary facilities have been provided they shall be sited to the satisfaction of the Director of Housing and Environment. The facilities shall be maintained in a clean and tidy condition, a satisfactory state of decoration, and in good working order, all to the satisfaction of the Director of Housing and Environment.
12. The licenceholder shall ensure that at no time will any trader resident within the City be required to pay a charge proportionally greater than any other trader for permission to trade.
13. The licenceholder shall provide insurance cover for all stallholders against claims of up to £1 million by third parties occasioned by negligence on the part of stallholders or any authorised employee of the licenceholder.
14. Any food preparation stalls or units within the market or associated with the market shall comply in full with the provisions of the Food Hygiene (Scotland) Regulations 1959/78.
15. All stalls or units and any premises contained in the market shall comply with the provisions of the Health and Safety at Work Act, 1974, subordinate codes of practices or other associated legislation.
16. An authorised officer of the Council, an officer of the Fire Authority or a Police Officer, shall before, during and after the market be permitted free access to the premises at any time for inspection purposes.

<:licence.conditions(1,"s")>

<misc\Signing.wmf,draw,20>

|1

Head of Legal and Democratic Services

|1