

Civic Government (Scotland) Act 1982

APPLICATION FOR:-

- (Please tick appropriate box) **GRANT of a STREET TRADER LICENCE**
 RENEWAL of a STREET TRADER LICENCE

**PLEASE COMPLETE THE RELEVANT QUESTIONS IN BLOCK CAPITALS
 (Incomplete applications will be returned)**

Section 1 (To be completed by all applicants)

1. Full Name of Applicant	<u>Surname</u>	<u>First Name(s)</u>
2. Home Address		
3. Postcode		
4. Address for correspondence relating to this application (if different from the one above)		
5. Postcode		
6. Email Address		
7. Telephone Number(s)		
8. Date and Place of Birth	<u>Date of Birth</u>	<u>Place of Birth</u>
9. Is the applicant to carry out the day-to-day management of the business, or event?	<input type="checkbox"/> YES (go to <u>Section 2</u>) <input type="checkbox"/> NO (go to next question)	
10. Full Name of employee or agent who will be the day-to-day manager	<u>Surname</u>	<u>First Name(s)</u>
11. Home Address of day-to-day manager		
12. Email Address of day-to-day manager		
13. Telephone Number of day-to-day manager		
14. Date and Place of Birth of day-to-day manager	<u>Date of Birth</u>	<u>Place of Birth</u>

Section 2 (to be completed by all applicants)

15. Are you are applying for the RENEWAL of a Licence. If YES, please state the number and expiry date of your current licence	<input type="checkbox"/> YES Licence Number ST/ Expiry date of current licence <input type="checkbox"/> NO (please go to question 16)
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15. Are you are applying for the RENEWAL of a Licence. If YES, please state the expiry date of your current licence	<input type="checkbox"/> YES Expiry date of current licence <input type="checkbox"/> NO (please go to question 16)			
16. Are you applying for a licence as an individual or as a company, firm or organisation? If as individual you will be the licence holder. If on behalf of a company, firm or organisation that will be the licence holder.	<input type="checkbox"/> INDIVIDUAL (Please go to question 20) <input type="checkbox"/> COMPANY, FIRM or ORGANISATION If a company, firm or organisation is entered that will be the licence holder.			
17. Full name of Company, Firm or Organisation				
18. Address of Principal or Registered Office and telephone number				
19. Full names and private addresses of all Directors, Partners, Committee Members or other persons responsible for the management of the business (continue on a separate sheet if necessary)	Full Name (s)	Private Address(es)	Date(s) of Birth	Place(s) of Birth
20. State precisely locality/localities by reference to street names or a sketch map if necessary in which it is proposed to act as a STREET TRADER (or for existing street trader in which you currently act)				
21. Do you propose to remain stationary at any particular location for a period in excess of 20 minutes in any one day, including lay-bys?	<input type="checkbox"/> YES <input type="checkbox"/> NO (go to question 25.)			
22. If the answer to question above is YES please state the precise location from which you propose to trade.				
23. Are you the owner of the site(s) on which you propose to trade?	<input type="checkbox"/> YES <input type="checkbox"/> NO (please read notes below)			
<p style="text-align: center;">If the answer to the question above is NO it is up to you to ensure that you have the landowner's consent to trade on that site(s)</p> <p style="text-align: center;">Where you propose to stop and trade for more than 30 minutes on any part of the public road including lay-bys then the consent of Aberdeenshire Council as Roads authority must be obtained. <u>It is your responsibility to ensure that you obtain this consent.</u> The granting of a street trader's licence does not in any way imply that you have that consent</p> <p style="text-align: center;">Where the proposed location(s) are on trunk roads including lay-bys then consent must be obtained from the Transport Scotland as trunk road authority. The granting of a street trader's licence does not in any way imply that you have that consent .</p> <p style="text-align: center;">You may also require planning permission. The granting of a street trader's licence does not imply that you have any required permission.</p>				

24. State days/hours and places during which it is proposed to act as a STREET TRADER	Days	Hours From To	Places
		Monday to
	Tuesday	..... to .....	.....
	Wednesday	..... to .....	.....
	Thursday	..... to .....	.....
	Friday	..... to .....	.....
	Saturday	..... to .....	.....
	Sunday	..... to .....	.....
25. State nature of goods/services in which it is proposed to trade.			
26. State name and address of premises at which the goods will be stored when not being offered for sale.			
27. State type and registration number of vehicle or describe and give dimensions of Structure, Kiosk or Moveable Stall or Receptacle to be used in connection with the street trading. Include a sketch or plan if appropriate			

Section 3 DECLARATION (To be completed by all applicants)

28. Has the applicant or any person named on the application ever applied for and been refused such a Licence or had such a Licence suspended? If YES, please give details of which council refused/suspended the Licence and the date it was refused/suspended.	<input type="checkbox"/> YES Which Council?..... Date refused/suspended? <input type="checkbox"/> NO
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29. Do you or the day to day manager have any convictions against you? Note: “Convictions” includes both road traffic and criminal convictions. It includes both current and spent convictions	<input type="checkbox"/> YES <input type="checkbox"/> NO
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I declare that the particulars given by me on this form together with the details on the application attached are true, **the appropriate persons have read the attached privacy notice**, and I hereby make application to Aberdeenshire Council for the grant or renewal of the Licence applied for.

Date:	Signature of Applicant/Agent:
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Address of Agent (if any):-

Any person who in connection with the making of this application makes any statement which he knows to be false or recklessly makes any statement which is false in a material particular shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £2500.

GDPR

The applicant, and, where the applicant is a company, business or other body, any person who has supplied personal information as part of this application MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE.

FOR OFFICIAL USE ONLY

DATE RECEIVED AT SERVICE POINT	
NAME OF CUSTOMER SERVICE ADVISOR	
CUSTOMER SERVICE ADVISOR SIGNATURE	

SUBMITTED AT WHICH SERVICE POINT?

BANFF	ELLON	HUNTLY	INVERURIE	PETERHEAD	STONEHAVEN	TURRIFF

Please read the following notes prior to submitting your application:-

Applications should be submitted by email to licapps@aberdeenshire.gov.uk or alternatively by post to Aberdeenshire Council, Legal & People, Viewmount, Arduthie Road, Stonehaven. AB39 2DQ

Duration of Licences

If granted, your Licence will come into effect on the date specified on the Licence. Licences are normally granted for 3 years, unless a shorter period is specified.

Application Fee

Once your application is submitted a member of the Admin Team will contact you for payment. The fee for a Street Trader's Licence is non-refundable.

Insurance

It is a condition of any licence that the licence holder shall maintain a public liability insurance policy to the satisfaction of the Licencing Authority and shall exhibit the policy and renewal receipts on demand to any person. You must produce a certificate of Public Liability Insurance with your application.

The following documents require to be submitted with your application:-

The following documents require to be submitted with your application:-

- Completed Application Form
- Certificate of Insurance of public liability insurance
- Compliance Certificate from Environmental Health
- 2 Passport Photographs

Aberdeenshire Council require to carry out a FACE to FACE Identification Check under the Civic Government (Scotland) Act 1982. You will require to attend your local Licensing Office (or alternatively one of the Council Offices listed below) together with one of the following:-

- UK Passport***
- Non-UK Passport***
- UK Photo Driving Licence***

Please ask for the ID check to be carried out when you lodge your application

Note:- Where your application is for a 'static' Street Trader's Licence you will be supplied with an advert which you must have advertised in a local newspaper, covering the area where you propose to trade at your own cost. Proof of advertising must be submitted before a licence can be issued. The application will not be determined until at least 28 days after the advert is placed in the newspaper.

Trading within 50 metres of any establishment or premises in which are sold or offered for sale any goods or articles or services of the same or similar class and description as those to be sold or offered for sale will not be permitted. A condition stating this rule will be added to your licence. Any breach could lead to your licence being reviewed.

PRIVACY NOTICE

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AN.
 Email: dataprotection@aberdeenshire.gov.uk

Your information is being collected to use for the following purposes:

- The processing of your application for a Street Trader’s Licence
- The determination of your application for a Street Trader’s Licence
- The issue of any Street Trader’s Licence Granted
- Inclusion on the Register of Street Trader’s Licences available for public inspection
- Ensuring compliance with the terms of your Street Trader’s Licence
- The processing of any complaints made in respect of your Street Trader’s Licence
- The determination of any complaints made in respect of your Street Trader’s Licence

Your information is:

Being collected by Aberdeenshire Council

The legal Basis for collecting the information is:

Personal Data		Special categories of personal data	
Legal Obligations	X	Processing is necessary for one of the Conditions in Part 2 of Schedule 1 to the Data Protection Act 2018 referring to substantial public interest in terms of paragraph 6 thereof as processing is necessary for the exercise of a function conferred on a person by an enactment or rule of law	X

Where the legal basis for processing is either Performance of a contract or Legal obligation, please note the following consequences of failure to provide the information:

If you fail to provide the information required on the attached application form, Aberdeenshire Council may not be in a position to accept the application as a competent application. This means that your application cannot be processed and will be returned to you.

Your information will be shared with the following recipients or categories of recipient:

- | | |
|---|--|
| <ul style="list-style-type: none"> • <i>Police Scotland</i> • <i>Environmental Health</i> • <i>Some information will also be shared with the Public as part of the online processing of applications for Street Trader Licences or investigation of complaints/reviews of licences and via the Register of Street Traders Licences</i> | <ul style="list-style-type: none"> • <i>Planning</i> • <i>Roads Service</i> • <i>Trading Standards</i> • <i>Civic Licensing Standards Officers</i> |
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Your information will be transferred to or stored in the following countries and the following safeguards are in place:

NOT APPLICABLE

The retention period for the data is:

- (1) Where an application for the grant of a licence, permit or permission is refused by the Business Services' Licensing Sub-Committee (or relevant Area Committee) information relating to that licence, permit or permission will be retained for a period of two years from the **date of refusal** and thereafter will be destroyed
- (2) In any other case, information relating to a licence, permit or permission will be retained for a period of two years from the date the licence, permit or permission **ceases to have effect** and will thereafter be destroyed

The following automated decision-making, including profiling, will be undertaken:

Not Applicable

Please note that you have the following rights:

- to withdraw consent at any time, where the legal basis specified above is consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- To object, where the legal basis specified above is:
 - (i) Performance of a Public Task; or
 - (ii) Legitimate Interests.
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.