



Renfrewshire
Council

Market Operator Guidance Notes

Market Operator Licence

Why do I need a market operator's licence?

A licence is required for carrying on a private market by any person other than a local or public authority at which goods are offered by more than one seller for sale by retail to the public.

The lodging of a new grant application form does not allow a person to trade unless and until the licence is granted and issued.

Exemptions

The following types of activity are specifically exempt and anyone carrying on such a business will NOT therefore require a market operator's licence:-

- functions held by charitable, religious, youth, recreational, community, political or similar organisations;
- markets held only for the sale of livestock, fodder or grain.

Applications

The licence itself may be held in the name of a firm or company (ie non-natural person) or in the name of an individual.

- Where the applicant is an individual natural person, the whole of question 1 should be completed, and question 2 should be ignored.
- Where the applicant is a company, partnership or other non-natural person, the whole of question 2 should be completed and question 1 should be ignored.

Please ensure that you complete every part of the form, including any convictions against you. If a question is irrelevant please mark it "not applicable" unless otherwise stated.

Application Fees

Payment is due at the time you submit your application at this office. For application fees please refer to the civic licensing application fees leaflet. Please note that applications cannot be e-mailed to us. You must print the form, complete it and post it, or hand deliver it to the licensing office (at the undernoted address) with the appropriate fee.

Application fees are non-refundable, even if your application is subsequently refused or withdrawn.

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Display of Public Notice

The enclosed **display notice** requires to be completed and displayed at the premises to which the licence relates, for a period of 21 days, starting on the day the application is lodged at the licensing office. (If posting your application please remember the 21 days will not commence until the application has been received at this office).

If you are in any doubt about these dates, please contact the licensing office by phone on 0141 840 3244 for clarification.

Compliance Certificate

On the reverse side of this display notice is a **certificate of compliance** which requires to be completed **after** the 21 days date and returned to the licensing office. The dates on this certificate must reflect the date the application is lodged and the 21 days thereafter.

Both the **display notice** and the **certificate of compliance** must be produced at the licensing office once the 21 days date is over.

Processing your application

When your application is lodged and the appropriate fee has been paid, a copy of your application will be sent to Strathclyde Police, Strathclyde Fire Brigade and various Council departments. They will carry out their own investigations and inspections and report back to the licensing office.

We will usually process your application within 6 to 8 weeks. The legislation allows for consideration of the application within three months and a decision within six months.

If objections are received in relation to your application you will be sent a copy of the letter or letters of objection. Your application, the letter(s) of objections and your response will then be referred to a Regulatory Functions Board meeting. You will be called to a hearing before the Board and given the opportunity of addressing the Board.

Detailed Plan

The application form must be accompanied by a detailed site plan drawn to a suitable scale (usually 1:100). This plan must show exactly where the proposed market is to take place by reference to street name(s) and location and must detail the layout of the stalls, etc.

Conditions of Licence

Renfrewshire Council may attach additional conditions to the licence as it sees fit, with each application being dealt with on its own merits.

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Once you are in receipt of your licence you must ensure that it is not altered, erased or defaced in any way. It should be kept clean and legible and must not be lent to or used by any other person. Should the licence be lost or become defaced or illegible you must obtain a replacement from Renfrewshire Council on payment of the appropriate fee (see fees leaflet). Your licence must be produced on request from a police officer, an officer from Strathclyde Fire Brigade or an authorised officer of Renfrewshire Council.

Duration of Licence

Applications for the grant of a licence are generally granted for a period of one year, whilst applications to renew an existing licence are normally granted for a two year period.

Any Further Questions

Should you have a query that is not covered in these guidance notes please feel free to contact the licensing section for further information.

Contact Details

Tel: 0141 840 3244

Fax: 0141 840 3566

E-mail: licensing.cs@renfrewshire.gov.uk

Office Hours

Monday to Thursday 8.45am - 4.00pm

Friday 8.45am - 3.15pm

Or write to:

Renfrewshire Council
Corporate Services Department
Licensing Section
Headquarters
Cotton Street
Paisley
PA1 1TT

