

PERTH AND KINROSS COUNCIL

CIVIC GOVERNMENT (SCOTLAND) ACT, 1982
MARKET OPERATOR'S LICENCE

CONDITIONS

1. The market operator shall be permitted to establish a market on/in the site/premises referred to in the licence and at no other location and to operate the market only during the hours specified. The licence shall be exhibited in a conspicuous location within the site/premises and be made available for inspection on request by any member of the public or authorised official of the Council or other body.
2. The market operator shall:
 - (a) take measures necessary to prevent noise nuisance to resident occupiers of premises in the vicinity,
 - (b) lay out and identify by some means the stalls within the market, and
 - (c) provide such parking areas in accordance with any instructions given in writing by the Council.
3. The market operator shall exhibit on request to the council a current Certificate of Public Liability/Third Party Insurance Indemnity.
4. The market operator shall be responsible for ensuring that all dealers in second-hand goods have a licence to deal in such goods in terms of Section 24 of the Civic Government (Scotland) Act, 1982. Any dealer in second-hand goods who has a licence issued by the Council or another authority shall not require a separate licence for a stall at a market within the District.
5. The market operator will keep available for inspection a register showing the names and addresses of all traders operating within the market and the stall(s) operated by them.
6. The market operator shall remove any paper, or other refuse which may collect as a result of the market's operation within 24 hours of a market being held. The market operator shall also provide litter bins within and outwith the premises for the use of customers to the satisfaction of the Executive Director of The Environment Service.
7. The market operator shall ensure that he/she has sufficient staff to supervise the running of the market and compliance with these conditions.
8. The market operator shall comply with or ensure compliance with all fire precaution requirements to the satisfaction of the Scottish Fire & Rescue Service.
9. The market operator shall obtain any necessary planning consent and building warrant before commencement of the market.

10. Notwithstanding the above and any other conditions annexed, the market operator, while the market is in operation, shall comply with any order or instruction given by an officer of the Police Force of Scotland.
 - (a) For the prevention of obstruction or annoyance to the public or to the occupiers of any premises, or
 - (b) in connection with any emergency or disturbance, or
 - (c) on any occasion when an Officer at his discretion may consider it necessary in the public interest to give such order or instruction.
11. The market operator shall notify the Council of any material change of circumstances affecting him/her or any other person or company named on the licence or affecting the activity to which his/her licence relates. A market operator who ceases to act as such for the unexpired period of the licence or whose licence has been suspended by the Council, shall within 7 days return the licence to the Head of Legal Services. The Council will issue renewal notices to the last known address of the market operator but it will be the duty of the market operator to ensure that an application for renewal is made whether or not a renewal notice has been received.
12. The Council may, at any time, vary the terms of the licence on any grounds which they consider reasonable. Notice will be given to the licence holder at least 7 days before any proposed variation is considered. The licence holder will be given an opportunity to be heard by the Committee before any variation is made.
13. A person shall be designated as the contact during the event for noise control matters and an undertaking given that, should noise nuisance complaints occur, any music can be suitably adjusted on the request of an Environmental Health Officer, Police Officer or Licensing Officer. The name and phone number at which this designated person may be contacted should be provided prior to the event.
14. The market operator shall ensure that any PA system shall not cause disturbance during any church service. To this end, the market operator shall ensure that any such system is not audible at the entrance to nearby places of worship.
15. The market operator shall ensure that all facilities they provide for use by food business operators comply with the Food Hygiene (Scotland) Regulations 2006.
16. The market operator shall ensure that all stalls/facilities provided by food business operators comply with the Food Hygiene (Scotland) Regulations 2006.
17. The market operator shall ensure that all food business operators comply with the Food Safety Act 1990 and the Food Hygiene (Scotland) Regulations 2006.

