

THE INVERCLYDE COUNCIL

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

MARKET OPERATOR'S LICENCE STANDARD CONDITIONS

1. The hours of operation under this Licence are as follows:-

(Trading Hours)

2. The Town & Country Planning (General Permitted Development) (Scotland) Amendment Order 2014 revises Class 15 of Part 4 of the Town & Country Planning (General Permitted Development) (Scotland) Order 1992 by removing the wording "or an open air market" and thus permits:

"The use of land (other than building or land within the curtilage of a building) for any purpose, except as a caravan site on not more than 28 days in total in any calendar year, and the erection or placing of moveable structures on the land for the purposes of that use".

As such the use of land for an open air market for up to 28 days in any calendar year does not require the benefit of planning permission.

3. It is the responsibility of the Licence Holder to:-

- (a) inform the Council of any change of address, whether permanent or temporary, as shown in this Licence within 7 days of such change of address: any change of address intimated to the Council shall not be treated as a Variation of Licence and the Licence shall be amended at the cost of the Council.
- (b) keep a record of every stall trader's name and address for a period of no less than 6 months and to make it available on request to any duly authorised officer of the Council,
- (c) ensure that the name and address of each stall trader is clearly displayed at each stall for the information of members of the public.
- (d) provide details of all individual stallholders, including equipment, scope of business and type of product to the Head of Safer & Inclusive Communities, at least one week before the event.
- (e) ensure all stalls comply fully with relevant legislation and codes of practice and any other conditions required to ensure public health and safety. In particular, all stalls will require to be registered with a Local Authority. In the event of unsatisfactory conditions or practices being found during the duration of the market the Head of Safer & Inclusive Communities or other authorised officer shall have the power to require a stall holder to cease trading with immediate effect.

4. The Market shall be laid out and operated in a manner so as to ensure the safety of all persons in or frequenting the market to the reasonable satisfaction of the Head of Safer & Inclusive Communities and Head of Regeneration & Planning. The number of persons admitted to the market area shall be strictly controlled to ensure that the premises do not become overcrowded in a manner likely to endanger the safety of, or duly interfere with the comfort of, persons admitted to the premises.

5. All fire exit routes are to be kept clear from obstructions.

6. Fire fighting equipment is to be provided and maintained and be available for use during the operating hours of the Market.
7. First Aid facilities is to be provided.
8. No motorised vehicles shall be permitted in the area used for the market area during the hours of operation.
9. The ground must be kept free during the operating hours of the market of all substances and materials which would render its surface slippery.
10. Public liability and third party insurance must be maintained for the operation of the Market at all times.
11. All noise (including amplified music and speech) shall be controlled in such a manner as not to cause a nuisance in terms of the Control of Pollution Act 1974 and all instructions given by the Council's Head of Legal and Property Services, Head of Safer & Inclusive Communities or other authorised Officer with a view to minimising or avoiding nuisance or annoyance to the general public shall be complied with.
12. The market operator's licence and these conditions shall be displayed on the site at all times in such a way and in such a place as they may be easily seen and read by members of the public using the market.
13. The Firemaster, any Police Constable and any Officer of the Council shall be permitted free access to the market at any time.
14. All electrical equipment used for the provision of entertainment or for other purposes in terms of this licence shall have cables and wiring of suitable strong insulation and maintained in good order and, where considered appropriate by the Council as licensing authority or by the Fire Authority must be fitted with an RCCB (circuit breaker).
15. Any necessary policing arising out of the operation of the Market shall be carried out at the expense of the licensee and to the complete satisfaction of the Chief Constable.
16. For the avoidance of doubt any trader wishing to sell alcohol as part of the Market shall also require permission of Inverclyde Licensing Board under the Licensing (Scotland) Act 2005.
17. All of the foregoing conditions must be complied with to the reasonable satisfaction of the Council as licensing authority or the Fire Authority as appropriate.