



WEST LOTHIAN COUNCIL
Civic Government (Scotland) Act, 1982
Street Trader Operator's Licence –Wheel Bin Cleaner - New Application

<p>APPLICATION under Section 39 of the Civic Government (Scotland) Act, 1982 for the GRANT of a:</p> <p style="text-align: center;">STREET TRADER OPERATOR'S LICENCE (Wheel Bin Cleaner)</p> <p>Information supplied on this form will be held on computer and applicants are advised that in processing this application background checks will be made which may include reference to personal data held on computer.</p>	For official use only																																
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Date application received</td> <td style="width: 30%;"></td> <td style="width: 20%;">Fee paid</td> <td style="width: 20%;"></td> </tr> <tr> <td>Date acknowledgement sent</td> <td></td> <td>Receipt no.</td> <td></td> </tr> <tr> <td>Date to Police</td> <td></td> <td>Deadline for consideration</td> <td></td> </tr> <tr> <td>Highways</td> <td></td> <td>Deadline for decision</td> <td></td> </tr> <tr> <td></td> <td></td> <td>Date to Committee</td> <td></td> </tr> <tr> <td></td> <td></td> <td>Decision</td> <td></td> </tr> <tr> <td></td> <td></td> <td>Date application determined</td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </table>	Date application received		Fee paid		Date acknowledgement sent		Receipt no.		Date to Police		Deadline for consideration		Highways		Deadline for decision				Date to Committee				Decision				Date application determined					
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(Please use block letters to complete this form).

Question 1 Personal details (Note: for application made as company or partnership please provide full details of Company/Partnership, full address of principle or registered office, contact number, names, address and dates of birth for all Directors/Partners or other persons responsible for the management of the business, on a separate sheet of paper. In addition the full name, address, and date of birth of the employee or agent who is to be responsible for the day to day management of the business).

Forename		Middle name(s)		Surname	
Title		Age		Date of birth	
				Place of birth	
Maiden Name				Telephone or contact number	
Home address					
Post code					
Business/trade name					
Business telephone or contact number (if any)					

<p>Question 2 State the type and registration number of the vehicle or give the type of structure and dimensions of moveable trailer to be used in connection with the activity,</p>	
<p>State the address of the premises at which the above is continually kept.</p>	
<p>State the name or the location of the Waste Water Discharge Point (See Note3</p>	

It is strongly advised that you read the notes before you complete this form

DECLARATION by Applicant

(A) I/We declare that the vehicle has been presented to the Fleet Cleansing and Domestic Services of the Council for inspection with a view to compliance of Waste Management and the relevant certificate is attached. (Note: You are strongly advised to contact Fleet Cleansing and Domestic Services for advice on the current standard required to meet legislation or waste disposal).

(B) I/We declare that the nominated disposal point has been certified as acceptable by East of Scotland Water and the relevant certificate is attached. (Note: You are strongly advised to contact East of Scotland for advice on the current standard required to meet legislation or waste disposal).

(C) I/We declare that the particulars given by me/us on this form are correct to the best of my/our knowledge and belief. (See note 5)

I enclose *cheque / postal order / cash to the value of In payment of application fee.

Date:

Signature of Applicant:

Where Applicant is Company or Partnership

Signature of agent:

Position of Applicant in Company / Partnership

Address of agent



**West Lothian
Council**

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982
LICENSING OF STREET TRADERS
WHEELED BIN CLEANERS**

CERTIFICATE OF COMPLIANCE

APPLICANT

NAME

ADDRESS

TRADING NAME

SCOTTISH WATER

DISPOSAL OF WASTE WATER – DISPOSAL POINT

Signature

Date

SCOTTISH WATER & WEST LOTHIAN COUNCIL

CHEMICALS TO BE USED IN THE PROCESS

Signature

Date

Signature

Date

WEST LOTHIAN COUNCIL

VEHICLE INSPECTED

Signature

Date

GUIDANCE NOTES

1. In terms of Section 39 of the Civic Government (Scotland) Act, 1982, a street trader's licence is required where a person, whether on his/her own account or as an employee, proposes to engage in the activity of street trading. This means that not only a street trader needs a licence as an employer but also each individual person who is employed in the street trading as well. Individuals engaging in the activity of street trading should complete Question 1. *Persons trading as a company or partnership will be required to ensure that each employee is licensed in his/her own right.*

Section 39 defines “**street trading**” as doing any of the following things in a public place.

- a) Hawking, Selling, or Offering or Exposing for sale any article;
- b) Offering to carry out or carrying out for money or money's worth any service.

“**Public place**” means any place (whether a thoroughfare or not) to which the public have unrestricted access and includes:

- a) The doorways or entrances of premises abutting on any such place; and
- b) Any common passage, close, court, stair, garden or yard pertinent to any tenement or group of separately owned houses.

Section 39 also provides that a street trader's licence will not be required for:

- a) The sale of newspapers only;
- b) The sale of milk by or on behalf of a person registered under Section 7 of the Milk and Dairies (Scotland) Act, 1914;
- c) The sale of coal, coke or any solid fuel derived from coal or of which coal or coke is the constituent;
- d) Any activity in respect of which a certificate under the Pedlars Act 1871 has been granted;

(A Pedlar is any person who travels and trades on foot, carrying to sell or exposing for sale any goods or procuring orders for goods immediately to be delivered or selling or offering for sale a skill in handicraft).

- e) Any activity in respect of which a licence is required under the Civic Government (Scotland) Act, 1982, apart from Section 39 of that Act dealing with street trader's licences; or
- f) Organising or participating in a public charitable collection within the meaning of Sub-Section (16) of Section 119 of the above Act in accordance with permission granted under that Section.

In terms of the Food and Drugs (Scotland) Act, 1956, **Food** is defined to include drink, chewing gum and other products of a like nature and use, and articles and substances used in the preparation of food and drink or of such products, but does not include:

- a) Water, live animals, or birds;
- b) Fodder or feedingstuffs for animals, birds or fish;
- c) Articles or substances used only as drugs.

“**Business**” is defined to include the undertaking of a canteen, club, school, hospital or institution, whether carried on for profit or not, and any undertaking or activity carried out by a public or local authority.

2. A licence will normally be granted for a period of 1 year, unless the activity is to be pursued only for a short period, in which case a temporary licence will be granted for a period of up to six weeks. ***The applicant must specify the particular period for which the licence is required.***

3. Where an application for a street trader’s licence is made in respect of the cleaning of wheeled bins:-

(i) the wash water arising must be disposed off through a foul sewer at business or domestic premises which must be approved in advance by East of Scotland Water. Any chemicals used should also be approved by them. Contact is as follows:-

Pollution Prevention Department, East of Scotland Water, 55 Buckstone Terrace, Edinburgh.
Telephone
0131 445 6391.

(ii) the vehicle must be examined by the Council’s Fleet Cleansing and Domestic Services Manager and a signed certificate of compliance must be obtained. Contact Fleet Cleansing and Domestic Services on 01506 – 777800.

A blank certificate of compliance is attached for this purpose. This must be completed and returned with the completed application form.

4. Any person who in or in connection with the making of this application makes any statement which they know to be false or recklessly makes any statement which is false in material particular shall be guilty of an offence and liable, on summary conviction to a fine not exceeding £500.

5. This application form, when completed, should be returned, together with the appropriate licence fee as detailed below either by mail to The Licensing Section, West Lothian Council, West Lothian House, Almondvale Boulevard, Livingston, EH54 6QG or in person at West Lothian Connected, Unit 16A, Almondvale Centre, Livingston, EH54 6NB. The payment counter at West Lothian Connected is open for receipt of applications between 8.30 am – 4.30 pm Monday, Tuesday and Thursday, between 10.00 am and 4.30 pm on Wednesday, between 8.30 am – 3.30 pm Friday and between 9.30 am - 2.00 pm on Saturday.

Street Trading Operator Wheel Bin Cleaner Only

£79 – 1 year licence (Initial Grant)

£56 – Temporary licence (up to six weeks).

6. The application form complete with certificate should be lodged with Licensing Services **not less** that 28 days before it is proposed to act as a street trader.



Service Standards

“West Lothian Council is committed to providing the people of West Lothian with services which are reliable, courteous and effective.”

Applying for Licences under the Civic Government (Scotland) Act, 1982, and for other Miscellaneous Licensing Schemes

Description of our Service:	Processing applications for licences for the activities listed below. Separate licences are required for each of the following activities: Tattooing and Skin Piercing Street Traders Wheeled Bin Cleaners Window Cleaners Late hours catering establishments Public Entertainment Public Fireworks Displays Market Operators Indoor sports entertainment Second hand dealers – general goods Second hand dealers – motor vehicles Metal dealers Itinerant Metal dealers Fruit machines (but not in hotels or public houses) Prize Bingo Amusement Arcades Cinemas Theatres Track betting Game and venison dealers Civil Marriages Sex Shops
Our Customers Are:	All those who wish to apply for licences for the above.
Our Business Address is:	Licensing Service Legal Services West Lothian House Almondvale Boulevard Livingston EH54 6QG Telephone: 01506 777229/777230/777187 Various e-mail addresses, including – Licensing Team
Business Hours:	Monday to Thursday 8.30am – 5.00pm Friday 8.30am – 4.00pm
Application Lodging Hours:	Monday, Tuesday and Thursday 8.30am – 4.30pm Wednesday 10.00am – 4.30pm Friday 8.30am – 3.30pm Saturday 9.30 am – 2.00 pm
	Application forms should be completed and submitted either by mail to The Licensing Section, West Lothian Council, West House House, Almondvale Boulevard, Livingston, EH54 6QG or in person at West Lothian Connected, Unit 16A, Almondvale Centre, Livingston, EH54 6NB.

We Will:

Provide all documents and assistance needed to make an application, including information about procedures and fees.

Provide a receipt for your application fee, either immediately if the application is made in person, or within 3 working days if the application is made by post.

Provide an acknowledgement advising that your application has been received.

Invite comments on your application, where required, from other Council services and outside agencies, such as the Police, within 1 working day of the date of acknowledgement that your application has been received.

Contact you within 3 working days if any problems come to light with your application.

Issue your licence within 4 weeks of its being lodged with the Council provided it presents no problems.

Inform you of any objection(s) to your application and of the date, time and place of the Licensing Committee meeting where your application will be considered. We will give you at least 7 days notice and explain your rights to attend or to be represented at the meeting. We will also give you a copy of any objection(s) received in connection with your application. Note: Licensing Committee meetings are normally held every 6 weeks.

Issue your licence/permission within 3 working days of its approval.

Inform you in writing within 5 working days of the decision being made if your application is refused, giving the reasons for refusal.

Making A Complaint

If you wish to make a complaint or a comment about the service, please write to:

Chief Solicitor,
Legal Services,
West Lothian Council
West Lothian House,
Almondvale Boulevard
Livingston.
EH54 6QG

Your complaint will be recorded and investigated. You will be advised of the outcome of the complaint.

Customer Feedback

The Licensing Service is committed to providing a client focussed quality service to you, the client. In order to help us to improve our service and standards it would be appreciated if you would complete the attached questionnaire and return to:

Licensing Services (Misc)
Free Post
West Lothian Council
West Lothian House
Almondvale Boulevard
Livingston, EH54 0BR

**Legal Services
West Lothian Council – Civic & Misc. Licensing
Client Feedback**

Q1 Did the Licensing Service provide you with the right information at the right time? (e.g. application forms, guidance notes, etc.)

A1 Yes No

Q2 How clear was the written material provided by the Licensing Service. (e.g. guidance notes, application forms)?

A2 Excellent Very Good Average
 Poor Very Poor

Q3 Would you find it helpful to receive such material by electronic means (i.e. E-mail or available from the Council's Web Site) ?

A3 Yes No

Aspects of Service

Thinking in general about any recent contact you may have had with Licensing Services, please say how much you agree or disagree with the following statements about aspects of the service.

Q4 The telephone was answered promptly:

A4 Strongly agree Agree Disagree
 Strongly disagree Not applicable

Q5 The Licensing Service Office was easy to get to:

A5 Strongly agree Agree Disagree
 Strongly disagree Not applicable

Q6 The replies to my letters/faxes/E-mail were prompt:

A6 Strongly agree Agree Disagree
 Strongly disagree Not applicable

Q7 The staff were courteous:

A7 Strongly agree Agree Disagree
 Strongly disagree Not applicable

Q8 The process of applying for a licence was clearly explained to me:

A8 Strongly agree Agree Disagree
 Strongly disagree Not applicable

Q9 I got all the information I needed at the right time:

A9 Strongly agree Agree Disagree
Strongly disagree Not applicable

Q10 The application form was easy to understand:

A10 Strongly agree Agree Disagree
Strongly disagree Not applicable

Q11 The advice I received was helpful:

A11 Strongly agree Agree Disagree
Strongly disagree Not applicable

Q12 The guidance notes were easy to follow:

A12 Strongly agree Agree Disagree
Strongly disagree Not applicable

Q13 The response to my queries was prompt:

A13 Strongly agree Agree Disagree
Strongly disagree Not applicable

Q14 It would have been helpful to have more information available electronically:

A14 Strongly agree Agree Disagree
Strongly disagree Not applicable

Q15 The Licensing Service communicates well with its customers:

A15 Strongly agree Agree Disagree
Strongly disagree Not applicable

Q16 Overall, I am happy with the service provided by the Licensing Service:

A16 Strongly agree Agree Disagree
Strongly disagree Not applicable

Have you any comments or suggestions about how the service provided by the Licensing Service could be improved?

Comments/Suggestions