



WEST LOTHIAN COUNCIL
Civic Government (Scotland) Act, 1982
Market Operator's Licence - New Application

<p style="text-align: center;">APPLICATION under Section 40 of the Civic Government (Scotland) Act, 1982 for the GRANT of a:</p> <p style="text-align: center; font-size: 1.2em; font-weight: bold; margin: 20px 0;">MARKET OPERATOR'S LICENCE</p> <p style="font-size: 0.9em;">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: 25%;">Date application received</td> <td style="width: 25%;"></td> <td style="width: 25%;">Fee paid</td> <td style="width: 25%;"></td> </tr> <tr> <td>Date to Police</td> <td></td> <td>Receipt no.</td> <td></td> </tr> <tr> <td>Firemaster</td> <td></td> <td>Deadline for consideration</td> <td></td> </tr> <tr> <td>Environmental Health</td> <td></td> <td>Deadline for decision</td> <td></td> </tr> <tr> <td>Building Control</td> <td></td> <td>Date to Committee</td> <td></td> </tr> <tr> <td>Planning</td> <td></td> <td>Decision</td> <td></td> </tr> <tr> <td>Trading Standards</td> <td></td> <td>Date application determined</td> <td></td> </tr> </table>	Date application received		Fee paid		Date to Police		Receipt no.		Firemaster		Deadline for consideration		Environmental Health		Deadline for decision		Building Control		Date to Committee		Planning		Decision		Trading Standards		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	
Maiden name		Age		Date of birth	
Home address				Telephone or contact number	
Post code					
Business/trade name					
Address of premises or site where it is proposed that a market be carried on. (See Note 1)					
Give description of premises or site (including reference to the size of the premises/site and availability of toilet and parking facilities)					
Specify maximum number and layout of any stalls or other similar structures.					

Note: Seven copies of a plan of the premises/site and of the layout MUST be provided with this application.

Question 2 Do you propose to carry on the day to day management of the business for which this application applies? <i>(If No please give employee's details below)</i>			Yes / No	
Full name of employee			Date of birth	
Full address of employee				
Post code				
Question 3 Specify the period for which a licence is required <i>(See Note 2)</i>				
State the particular days of the week, and hours of each day when it is proposed that the market be carried on.				
Question 4 Has any person named in questions 1 or 2 been convicted of any crime or offence?				Yes / No
If answer is YES please provide details below; continue on separate sheet if necessary.				
Name	Date	Court	Offence	Sentence
Subject to the Rehabilitation of Offenders Act, 1974, <u>ALL</u> Crimes and Offences <u>MUST</u> be declared.				
Has any person named in question 1 previously held or does hold a Market Operator's Licence				Yes / No
If yes which Authority granted the licence? When was it granted?			What is it's reference number	
			When does it expire?	
Has any person named in question 1 previously been refused a Market Operator's Licence ?				Yes / No
If yes which Authority refused the licence?			When was it refused?	

DECLARATION by Applicant

**** (A) I/We declare that I/We shall, for a period of 21 days commencing with the date hereof, display at or near the premises or site so that it can conveniently be read by the public, a notice complying with the requirements of Paragraph 2(3) of Schedule 1 to the Civic Government (Scotland) Act, 1982 (See note 3).**

Or

**** (B) I/We declare that I am/We are unable to display a notice of this application at or near the premises or site because I/We have no rights of access or other rights enabling me/us to do so, but that I/We have taken the following steps to acquire the necessary rights, namely:**

Please detail the steps you have taken in the box below

--

But have been unable to acquire those rights

(c) I declare that the particulars given by me on this form are correct to the best of my knowledge and belief. (See note 4)

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:	<input type="text"/>	Position of Applicant in company / partnership
Address of agent	<input type="text"/>	<input type="text"/>

NOTES

**** Delete (A) or (B) as appropriate. Where declaration (A) is made, there must be produced in due course a Certificate of Compliance with Paragraph 2(2) of Schedule 1 to the Civic Government (Scotland) Act, 1982. A style for such Certificate of Compliance is enclosed with this form.**

1. In terms of Section 40 of the Civic Government (Scotland) Act, 1982, a market operator's licence is required where it is proposed to carry on a market, whether covered or not, at which goods will be offered by more than one seller for sale by retail to the public.

Section 40 also provides that a market operator's licence will **NOT** be required for carrying on:-

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

NOTES (Continued).

2. A licence will normally be granted for a period of 1 year, unless the premises or land are to be used only for a short period, in which case a temporary licence will be granted for a period of up to a maximum of 6 weeks. The applicant must specify the particular period for which they require a licence.
3. Unless the application is for a temporary licence for a period of less than 6 weeks, a site notice must be displayed at or near the premises, so that it can conveniently be read by the public, advertising your application. The site notice must be displayed for at least 21 days beginning with the date on which the application was submitted to the Licensing Authority. A style for this site notice is enclosed with this application form. Paragraph 2 of Schedule 1 of the Civic Government (Scotland) Act, 1982, deals with the advertisement of your application. If your application is for a temporary licence, this site notice is not required and the declaration (A) or (B) at the top of page 3 should be deleted.
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 a 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 licence fee £168 (for a 1 year licence) or £79 (for a temporary licence) either by mail to The Licensing Section, West Lothian Council, West Lothian House, Almondvale Boulevard, Livingston, West Lothian, 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 – 4.30 pm on Wednesday, between 8.30 am – 3.30 pm Friday and between 9.30 am – 2.00 pm on Saturday.

Certificate of Compliance Notice No. 2
Civic Government (Scotland) Act, 1982

NAME:

See Note 2

ADDRESS:

See Note 3

having made application to West Lothian Council for the grant/renewal of a:

TYPE of LICENCE:

See Note 1

in respect of:

SITE ADDRESS:

See Note 4

HEREBY CONFIRM THAT I/WE have complied with the terms of Paragraph 2 of Schedule 1 to the Civic Government (Scotland) Act 1982, by displaying a notice at or near the above mentioned premises or site where it could be conveniently be read by the public for a period of 21 days from (See Note 6)

Signed: (See Note 5)

Date: (See Note 8)



West Lothian Council
Civic Government (Scotland) Act, 1982
Site Notices and Certificates of Compliance

Paragraph 2 of Schedule 1 to the Civic Government (Scotland) Act, 1982 states that when an application for a licence is for an activity which is mainly carried out in premises, a site notice must be displayed on the premises, informing the general public that an application has been submitted to the Council.

Site notice requirements do **not** apply where the application is for a **temporary** licence. If you are applying for a temporary licence only, you may ignore what follows.

Two notices are attached to these notes. Notice No. 1 provides an outline of the notice to be displayed on the premises. It is called the **Site Notice**. Notice No. 2 is a **Certificate of Compliance** and states simply that the applicant, or the applicant's agents, has complied with the law in the display of the site notice.

The **Site Notice**, once completed, must be displayed on the premises that are the subject of the application. **It must be placed where it can be read easily by the public and must remain on display for a period of 21 days.**

The **Certificate of Compliance** must be completed and submitted to the Council once the site notice requirements have been fully complied with.

The Site Notice and Certificate of Compliance **must** contain the following information: -

- Note 1. The type of licence which is being sought for the premises. Normally site notices are required for the following activities:-
- a) Second Hand Dealers (including Second Hand Vehicle Dealers)
 - b) Public Entertainment
 - c) Metal Dealers
 - d) Late Hours Catering
- Note 2. The full name of the applicant must be given. This may be an individual name or that of a company or partnership.
- Note 3. The home address of the applicant must be stated. Where a company or partnership is making the application, the registered or financial office of that organisation should be given.
- Note 4. The address of the premises which form the subject of the application must be stated clearly even though the site notice must be displayed at that same address.
- Note 5. The site notice must be signed by the applicant or an agent acting on the applicant's behalf.
- Note 6. The date on which the site notice was first displayed should be clearly stated.

- Note 7. Any person wishing to object to the application or make other representations must make their views known to the Council within 21 days of the date of application or within 21 days of the site notice being displayed. Normally these two dates would be the same. The closing date for the submission of objections or representations must be set out on the site notice by the applicant. This closing date should be 21 days after the submission of your application, or 21 days after first displaying the site notice, whichever is later.
- Note 8. The Certificate of Compliance **only** should be signed and dated when it is submitted to the Council and should state quite clearly when the site notice was displayed. There has to be **at least** a period of 21 days between the two dates specified.

If you have any difficulties completing either of these notices, please contact licensing staff who will be pleased to help. Telephone 01506-777229 or 01506-777230.



West Lothian Council
Licensing
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 8.30 am – 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