

SUSPENSION REQUEST**STREET TRADER LICENCE**

LICENCHOLDER NAME	John Bradley Scott
LOCATION/STANCE	Outside Cannonball House, Castle Hill Edinburgh
CONDITIONS	Standard Conditions – attached
OBJECTIONS RECEIVED	N/A
REASON FOR REQUEST FOR SUSPENSION	<p>The objectors legal representative has asked the committee to suspend the current licence as they consider the licence holder to be in breach of standard Condition 10 which states</p> <p>“The licence holder shall obtain all necessary and appropriate consents prior to commencing trading from any stance and in particular the consent of the owners of any land on which a stance is to be situated or which is adjacent to any stance”</p>
LICENCE VALID UNTIL	12 December 2015
NOTES:	
<p>A request for suspension has been received as the applicant is in breach of street trader standard condition 10 as he does not have the written permission from adjoining owners of property adjacent to the location of the stance’</p> <p>The applicant has held a street trader licence to sell professional photographs of Edinburgh between the hours of 9am & 6pm daily for this location since before 2010 which has been successfully renewed each until 2014.</p> <p>An objection to the renewal of the licence for the year 2014/15 was received on 1 October 2014 from the occupiers of the property adjacent to the stance and as such the application was considered by the sub committee on 12 December 2014. After consideration the committee resolved to grant the licence.</p> <p>The Committee is asked to note that if it is not minded to suspend the licence it has the power to vary the licence. Notice has been given that the committee may consider doing so.</p> <p>Application Continued from 20 March 2015 Committee to (1) to undertake an accompanied visit and (2) to advise the licence holder that he would require to submit an application for a variation for a stance on the opposite side of the road. Continued from 24 April to allow licence holder to submit new application for an alternative stance</p>	

STANDARD CONDITIONS – ALL STREET TRADERS

1. The licenceholder shall not carry on business on any street so as to unreasonably obstruct road users or affect their safety.
2. The licenceholder shall carry on business subject to any direction which the police or authorised officers of the City of Edinburgh Council may reasonably be required to give.
3. The licenceholder shall sell or offer or expose for sale only good or articles described in the licence. In particular no goods or articles of an objectionable or indecent character shall be sold or offered for sale.
4. The licenceholder shall on all occasions, when carrying on business, behave in a proper and civil manner, and shall not carry on business in such a way as to cause a nuisance or annoyance to any person.
5. The licenceholder shall at all times conduct business and position any vehicle used in connection with the business in such a manner that no danger is likely to arise to any other person.
6. The licenceholder shall at all times when trading wear the identity card which is issued with the licence. The licence must be displayed on any vehicle or stance.
7. The licenceholder shall not lend or allow any other person to use any licence or identity card issued by the Council.
8. The licenceholder shall trade only between the hours of operation stated in the licence. At the end of trading hours the licenceholder shall remove and take away any stall, kiosk, mobile unit or vehicle and all other ancillary equipment placed on or in the vicinity of the trading stance.

STANDARD CONDITIONS - STANCES

9. The licenceholder shall trade only from the stance detailed in the licence.
10. The licenceholder shall obtain all necessary and appropriate consents prior to commencing trading from any stance and in particular the consent of the owners of any land on which a stance is to be situated or which is adjacent to any stance.

11. The licenceholder shall, during business hours and at the end of each day, ensure the collection and removal of any paper, food wrapping, food, litter or refuse, containers and drinks containers on any pavement around the stance within a distance of 25 metres either side. If adjacent stances, to which the street trading licence conditions apply, are within 25 metres, any distance to be cleaned shall be the mid-point between the two stances.

STANDARD CONDITIONS – VEHICLES AND MOBILE UNITS

12. The licenceholder shall trade from the vehicle or trailer detailed in the licence. If a vehicle or trailer is used by the licenceholder for trading in food the licenceholder must ensure that prior to the first and subsequent anniversaries of the commencement of the licence the vehicle is examined for and on behalf of the Council's Director of Environmental and Consumer Services. Any recommendations made by the Director as a result of the examination must be implemented within one month of the date of examination or such other date as had been mutually agreed. In addition the vehicle or trailer may require to be produced for inspection by the Council from time to time at such time and place as may reasonably be required by the Council. The vehicle or trailer shall be roadworthy and if it is to be used for trading during the hours of darkness it shall have sufficient light and reflectors as determined by the Council.
13. The licenceholder shall not use whistles or other sound producing devices apart from chimes and loudspeakers to attract business.
14. The licenceholder shall comply with all statutory provisions relating to noise and in particular with the provisions of section 62 of the Control of Pollution Act 1974 relating the to the use of loudspeakers in streets.

STANDARD CONDITIONS – STALLS

15. All temporary structures shall be designed, erected and maintained to suit their intended purpose. The design and erection shall be to the satisfaction of the Council's Director of City Development.
16. All stalls shall be demountable and shall be removed from the stance at the end of trading hours on each working day.
17. Traded goods must be kept on and traded from the stall. At no time shall such goods be permitted to lie on the surrounding area or be left against adjacent walls or railings.