

Standard Conditions – All Street Traders

1. The holder of a Street Trader's Licence shall not be less than 18 years of age.
2. The licence holder shall not carry on business on any street so as to unreasonably obstruct road users or affect their safety.
3. The licence holder 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.
4. The licence holder shall not, without the consent of the Licensing Authority, sell or offer or expose for sale any goods or carry out or offer to carry out for money or money's worth any service at any place other than as specified in their licence. In particular, no goods or articles of an objectionable or indecent character shall be sold or offered or exposed for sale.
5. The licence holder 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.
6. The licence holder 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.
7. Where vehicles are to be used to site or locate street trading units they must follow the Highway Code at all times. This includes NOT driving over public pavements to access an area or to place the unit on a stance. Vehicles may only drive over a pavement at specific designated locations where the kerb has been lowered for this specific purpose for vehicles. Pedestrian dropped crossings should not be used. This will include any deliveries to or servicing of any unit, stance or stall.
8. The licence holder shall only trade from the location or stance detailed on the licence. Any temporary relocation of stance can only be made with the consent of the appropriate Executive Director.
9. 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.
10. The licence holder shall at all times when trading be in possession of the licence document. The licence must be displayed on any vehicle or stance.
11. The licence holder shall not lend to or allow any other person to use any licence issued by the Council.
12. The licence holder shall not sub-let the use of the site to a third party.
13. Licence holders shall have a Public Liability insurance policy to the value of £1 million
14. The licence holder shall trade only during the hours of operation stated in the licence.

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 appropriate Executive Director.
16. Traded goods must be kept on and traded from the vehicle, trailer or stall. At no time shall such goods be permitted to lie or stand on the surrounding area or be left against adjacent walls or railings.
17. Where the licence allows the holder to sell from a vehicle, kiosk or moveable stall at an approved stance, the vehicle, kiosk or moveable stall shall be capable of being speedily and easily removed.
18. At the end of trading hours on each working day, the licence holder shall immediately remove the vehicle, kiosk or moveable stall from the approved stance and all other ancillary equipment placed on or in the vicinity.
19. The licence holder shall, during business hours and at the end of each day, ensure the collection and removal of any paper, garbage or other refuse which may be produced, or may accumulate in the course of trading 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.
20. Any stall or trading unit should not be connected to any utility service i.e. water, gas or electricity supplies either on a permanent or temporary basis and should not therefore be arranged by a Licence holder.
21. All generators must be used and stored in accordance with manufacturer's guidance.
22. The licence holder shall ensure that all music, amplified music and/or vocals are controlled to the satisfaction of the consent of the appropriate Executive Director.
23. The Health and Safety at Work etc Act 1974 and all other relevant health and safety legislation must be complied with at all times by the licence holder.
24. Any Authorised Officer of the City of Edinburgh, Fire Officer or, Police Constable or Council shall be permitted to enter and inspect any vehicle, trailer or stall at any time and all reasonable directions and requirements of such officers or of the City of Edinburgh Council must be complied with.
25. A Licence holder who changes his address shall within 14 days thereafter give notice thereof to the Licensing Authority and shall produce his licence to the Licensing Authority who shall update the particulars of such change of address.
26. If, during the currency of the licence, the licence holder is convicted of any offence, they shall, within 28 days, provide full details of such convictions, in writing, to the Licensing Authority.

Additional Street Trading Conditions – Food Trading

1. When any vehicle, trailer or stall is trading in food, all requirements of Food Safety legislation must be complied with, to the satisfaction of the appropriate Executive Director.
2. A valid food hygiene certificate must be provided to the Licensing Authority at time of application for a licence
- 1.1 The licence holder shall ensure that the food hygiene certificate and relevant documentation are valid, maintained and available for inspection by any authorised officer of the Council at any time during trading hours and at any other reasonable time. Relevant documentation includes:
 - Food Hygiene Training certificates for all that will be working on the stall.
 - PAT certificates (electrical safety certificates) for electrically operated equipment;
 - Gas Safety certificates for any LPG operated equipment. This must be issued by a Gas Safe registered engineer, who is registered to do LPG, Non-Domestic, and Mobile Catering; and
 - A copy of the Pressure Vessel Test for any espresso type coffee machine being used.
3. On the renewal of licence a food hygiene certificate, the licence holders will provide the Licensing Authority with a copy of the new certificate.

Additional Street Trading Conditions – Vehicles and Mobile Units

1. The licence holder shall only trade from the vehicle or trailer detailed in the licence.
2. The vehicle or trailer shall be roadworthy, and if it is to be used for trading during the hours of darkness it shall have appropriate lighting and reflectors to ensure that it is visible to other road users.
3. The vehicle or trailer shall be maintained in a sound condition so as not to leak oil or other substances onto the pavements or roads. Such an occurrence may damage the integrity of the surfacing used on the pavement and road. Failure to comply may incur costs being recovered to repair any damage caused.
4. The licence holder shall not use whistles or other sound producing devices apart from chimes and loudspeakers to attract business.
5. The licence holder 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 to the use of loudspeakers in streets.
6. Where the licence allows the holder to trade from a vehicle, kiosk or moveable stall other than at a fixed stance, the licence holder shall remain in the same place only for the time it takes to serve the queuing customers and shall then move on.

Specified Trading Zones for Mobile Street Traders

The specified zones in the City of Edinburgh local authority in which street traders are permitted to trade shall be the streets within the including and following boundaries (with the exception of Princes Street, George Street, Rose Street, the Mound Precinct and the Royal Mile.

1. Queensferry Road, Hillhouse Road, Telford Road, Groathill Road North, Ferry Road, Pennywell Road, Marine Drive.
2. Marine Drive, Pennywell Road, Ferry Road, Groathill Road North, Telford Road, Queensferry Road, Dean Park Crescent, Comely Bank Avenue, East Fettes Avenue, Ferry Road, Granton Road, Wardie Steps to Lower Granton Road.
3. Granton Road from Wardie Steps to Ferry Road, East Fettes Avenue, Comely Bank Avenue, Dean Park Crescent, Queensferry Road, Queensferry Street to Princes Street, Waterloo Place, Regent Road, Easter Road, Leith Links to Seafield Road.
4. Seafield Road, Leith Links, Easter Road, Regent Road, Waterloo Place, North Bridge, South Bridge southward to Lady Road, Peffermill Road, Duddingston Road West, Duddingston Road, Southfield Place, Brighton Place, Bath Street to Promenade.
5. Bath Street, Brighton Place, Southfield Place, Duddingston Road, Duddingston Road West, Niddrie Mains Road, Newcraighall Road.
6. Newcraighall Road, Niddrie Mains Road, Peffermill Road, Lady Road, Gilmerton Road.
7. Gilmerton Road from City Boundary, Craigmillar Park northwards to North Bridge, Princes Street, Lothian Road, Earl Grey Street, Home Street, Leven Street, Bruntsfield Place, Morningside Road, Comiston Road, Biggar Road.
8. Biggar Road, Comiston Road, Morningside Road, Bruntsfield Place, Leven Street, Home Street, Earl Grey Street, Lothian Road, Shandwick Place, West Maitland Street, Dalry Road, Ardmillan Terrace, Slateford Road, Lanark Road.
9. Lanark Road, Slateford Road, Ardmillan Terrace, Gorgie Road, Calder Road.
10. Calder Road, Gorgie Road, Dalry Road, Haymarket Terrace, West Coates, Roseburn Terrace, Corstorphine Road, St John's Road, Glasgow Road.
11. Glasgow Road, St John's Road, Corstorphine Road, Roseburn Terrace, West Coates, Haymarket Terrace, West Maitland Street, Shandwick Place, Queensferry Street, Queensferry Road.

12. In the north by the shore at South Queensferry, in the east by the Edinburgh City Boundary, in the south by the River Almond and in the west by the Edinburgh City Boundary.
13. In the north by the River Almond, in the east by the Edinburgh City Boundary, in the south by the Calder Road (A71) and in the west by the Edinburgh City Boundary.
14. In the north by the Calder Road (A71) in the east by the Edinburgh City Boundary and in the south east, south and west by the Edinburgh City Boundary.

Appendix B -Standard Conditions – Market Operators

1. Market operators will supply an Events Management Plan and Risk Assessment when they make an application. This will be available for inspection at any time when the market is in operation by any Authorised Officer of the City of Edinburgh, Fire Officer or Police Constable.
2. Licence holders shall have Market Operator Public Liability insurance with a minimum value of £5 million for any one claim.
3. Market operators will not sub-let the use of the site to a third party.
4. Any Authorised Officer of the City of Edinburgh, Fire Officer or, Police Constable shall be permitted free access to the whole of the market premises/area at any time and all reasonable directions and requirements of such officers or of the City of Edinburgh Council must be complied with. 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 such a stance is to be situated or which is adjacent to any such stance.
5. It is the licence holder's responsibility to inform the Council and other road users that a market will be in place between specific dates. The Licence holder must give the Council a minimum of seven days' notice, prior to the market being erected, to allow notification to other road users.
6. The licence holder shall ensure that the layout of the market and its stalls conforms to the configurations shown in the plan lodged with the application and approved for licence. The licence holder shall not, without the consent of the Licensing Authority, alter or amend the site or the premises or the layout of the site or of the premises. Nor shall the licence holder increase the number of stalls within the site from that specified on the licence.
7. Exit routes must be kept free of obstruction at all times whilst the market is open.
8. Wires, ropes or cables crossing any of the public areas must be out with the reach of the public, or installed to avoid any hazard to the public.
9. No motorised vehicles shall be permitted in the area used for the market during the hours of operation.
10. The licence holder shall not permit trading outwith the trading hours specified in the licence.
11. The licence holder must maintain an accurate register with individually numbered pages and entries showing:
 - (i) The date of each occasion upon which the market is open for business to the public
 - (ii) The name, permanent address, telephone number and place of business address of each trader, the nature of the goods sold and the registration marks of all vehicles used in connection with each trader.

- (iii) The register must also identify, on each occasion the market is open for business, the location within the market where each trader has a trading position.
- 12. The licence holder shall take all reasonable steps to ensure that all details of trading unit operators which are required to be registered are completed no later than four hours from the time of the market opening.
- 13. The licence holder shall ensure that the register and such other documents as are maintained shall be available for inspection on the licensed premises by any Police Constable, Fire Officer or Authorised Officer of the Council at any time when the market is open for business, and at any other reasonable time.
- 14. The licence holder shall ensure that registers and such other documents as are maintained must be retained by the licence holder for a minimum of two years.
- 15. The operator will provide details of all individual stallholders, including equipment, scope of business and type of product to the **Licensing Manager**, at least one week before the event.
- 16. The licence holder shall nominate in writing to the Council a suitable person who shall be responsible for the day-to-day running of the market and shall be in charge of and present at the market at all times when the market is open for business, with the exception of reasonable absences. The licence holder shall not, without the consent of the Licensing Authority, change the nominated person responsible for the day-to-day running of the market.
- 17. The licence holder shall comply with all reasonable requirements of the Scottish Fire and Rescue Service relating to fire precautions and safety.
- 18. The licence holder shall have a fire risk assessment and written evacuation policy for the site.
- 19. Adequate means of escape and firefighting facilities must be maintained during all hours of operation.
- 20. The number of persons admitted to the premises shall be controlled to ensure there is no overcrowding or numbers in excess of the evacuation capacity of the escape routes.
- 21. The premises shall be adequately illuminated to the satisfaction of the Council. Any emergency or escape route lighting shall be by a maintained system throughout the premises, kept in proper working order and in operation when the premises are open to the public.
- 22. A person, who is suitably qualified and equipped shall be nominated as a First Aider, and they will be in attendance in the market during trading hours and also while stalls are being erected and dismantled.
- 23. The licence holder or his/her agents shall take all reasonable precautions and exercise due diligence to ensure that no trader known or reasonably believed to be displaying for sale solely or mainly counterfeit merchandise (including contraband products) is permitted to trade upon the market. The licence holder or his/her agent

shall also exercise due diligence in ensuring to the best of their ability that no such merchandise is displayed for sale as part of any trader's overall stock of goods.

24. The Health and Safety at Work etc Act 1974 and all other relevant health and safety legislation must be complied with at all times by the licence holder.
25. When any stall is trading in food, all requirements of the Food Safety legislation must be complied with, to the satisfaction of the appropriate Executive Director.
26. The licence holder shall ensure that the food hygiene certificate and relevant documentation are valid, maintained and available for inspection by any authorised officer of the Council at any time during trading hours and at any other reasonable time. Relevant documentation includes:
 - Food Hygiene Training certificates for all that will be working on the stall.
 - PAT certificates (electrical safety certificates) for electrically operated equipment;
 - Gas Safety certificates for any LPG operated equipment. This must be issued by a Gas Safe registered engineer, who is registered to do LPG, Non-Domestic, and Mobile Catering; and
 - A copy of the Pressure Vessel Test for any espresso type coffee machine being used.
27. Adequate litter bins shall be provided by the licence holder for use by the public and shall be distributed throughout the market site. All dropped or windblown litter must be collected after close of trading and removed with the other commercial waste.
28. The licence holder shall ensure that adequate and suitable provision is made for the storage and removal of refuse and other waste from the premises; that a suitable litter bin of adequate capacity is provided outside the premises during all hours of opening.
29. The licence holder shall ensure that all music, amplified music and/or vocals are controlled to the satisfaction of the appropriate Executive Director.
30. The licence holder shall provide suitable and sufficient public sanitary accommodation on the site or in the premises for traders, their employees and the public, all to the satisfaction of the Licensing Authority.
31. All generators must be used and stored in accordance with manufacturer's guidance.
32. Wherever possible, all electrical and fuel controls must be made inaccessible to members of the public; failing which there must be suitable protection in place: all electrical installations must be certified as complying with current I.E.E. Regulations.
33. All temporary structures shall be designed, erected and maintained to suit their intended purpose. The design should meet with the approval of the appropriate Executive Directors.

34. The licence shall not be effective until the licence holder has received final clearances from the appropriate Executive Directors confirming that the premises may be operated.
35. The licence holder shall ensure that publicity material advertising events occurring on the premises is not distributed in such a manner as to produce litter.
36. The licence holder is responsible for the clearing of the area of all stalls and associated goods, debris, tools and any traffic management placed by them including all refuse as a result of the market, prior to vacating the site.

NOTE: Additional conditions may be attached at the discretion of the licensing authority