

**APPLICATION FOR PERMISSION TO OCCUPY THE ROAD WITH A
MARKET OR STALL
Roads (Scotland) Act 1984 Section 59**

Schedule of Charges: Invoice will be issued – No cheques/cash accepted.

- Regularly Recurring Events – Initial admin fee of £91.00 plus an annual charge of £9.00 per sq m of occupation.
- One-off Events – Admin fee of £91.00 plus a charge of £7.00 per sq m of occupation.

(For recurring events the initial admin fee is only payable with the first application not on identical annual renewal)

Applicants Name			
Address			
Post Code			
Tel No		Fax No	
Mobile No			
E-Mail			
Out of Hours Contact Name		Out of Hours/Emergency Contact No	
New Application (Y/N)		Renewal (Y/N)	
Address or Location of Proposed Market/Stall(s)			
New Applications – Please provide 2 sets of drawings clearly showing the location and extent of the proposed occupation.			
Planning Consent ref if applicable			
Start Date		End Date	
Proof of Public Liability Insurance must be provided at time of application. Failure to provide this will result in the application being rejected.			
Insurance Co. name	Policy No.	Renewal Date	Attach copy of Certificate of Insurance

IMPORTANT: NO OCCUPATION SHOULD TAKE PLACE UNTIL YOU RECEIVE OFFICIAL PERMISSION FROM THE HIGHLAND COUNCIL

Declaration – I hereby apply for permission to occupy part of the adopted road as detailed above for the purposes of a street market. I confirm that I have read and understood the Guidance Notes and Conditions for Granting of Permission relevant to this application and agree to be bound by these should this application be successful. I have in place Public Liability Insurance and will continue to have this in place throughout the duration of any permission granted. I have attached a copy of the current Public Liability Insurance Certificate.

Applicants Signature		Date	
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Please return completed application form to the relevant Roads Area Office as detailed below.

The Highland Council, Roads & Transport, Caithness House, Market Place, Wick KW1 4AB. Tel 01955 609584
email: Roads.caithness@highland.gov.uk

The Highland Council, Roads & Transport, Drummuie, Golspie KW10 6TA. Tel 01408 635306
email: Roads.sutherland@highland.gov.uk

The Highland Council, Roads & Transport, Diriebught Road, Inverness, IV2 3QN. Tel 01463 644188.
Email: Roads.inverness@highland.gov.uk

The Highland Council, Roads & Transport, Unit 4C, Dalfaber Ind Estate, Aviemore, PH22 1ST. Tel 01463 644698.
Email: Roads.LNBS@highland.gov.uk

The Highland Council, Roads & Transport, Balblair Road, Nairn, IV12 5LT. Tel 01463 703630.
Email: Roads.LNBS@highland.gov.uk

The Highland Council, Roads & Transport, Carrs Corner, Fort William, PH33 6TL. Tel 01349 781095.
Email: Roads.LNBS@highland.gov.uk

The Highland Council, Roads & Transport, Area Office, High Street, Dingwall, IV15 9QN. Tel 01349 868440.
Email: Roads.rossandcromarty@highland.gov.uk

The Highland Council, Roads & Transport, Area Office, Dunvegan Road, Portree, IV51 9HF. Tel 01463 644724.
Email: Roads.skyeandlochals@highland.gov.uk

STREET MARKETS - NOTES FOR GUIDANCE & CONDITIONS FOR GRANTING OF PERMISSION

Permission to use any part of the adopted road, including the footway and/or footpath, for a street market is granted by the issue of a permit by the The Highland Council as the Roads Authority under Section 59 of the Roads (Scotland) Act 1984. Stalls placed on any part of the adopted road, footway and/or footpath without permission constitutes an obstruction and the Council reserves the right to take enforcement action in such cases.

The granting of permission under Section 59 of the Act only permits the occupation of the road, footway and/or footpath and applicants must ensure that they obtain all other necessary permits and permissions eg planning consent. The granting of other relevant permits/consents should not be taken as an indication that occupation of the road, footway and/or footpath will be permitted by the Roads Authority.

Siting of markets will be considered on footways, footpaths, carriageways and other areas where there is public access. The area to be occupied by the street market must be clearly defined at the time of application and this area must not be exceeded at any time except with the prior written consent of the Roads Authority. The minimum width of unobstructed space between the carriageway and the market must be maintained at no less than 1.8m. On streets with high pedestrian usage, and in pedestrianised areas, the minimum unobstructed space will be much greater width as determined by the Roads Authority. Each application will be considered individually and the unobstructed space required by the Roads Authority will be determined according to the street type and frequency of pedestrian usage. Stalls, merchandise and associated structures must be placed at all times so as not to obstruct access to existing premises.

All stalls and associated structures must include a low level kick board or similar which can be detected by the visually impaired using a stick and merchandise must not be placed in a manner that would cause a hazard or obstruction to the disabled or visually impaired. All stalls, merchandise and associated structures must be removed from the area promptly after trading hours.

It is a condition of any permission issued that applicants agree to the removal, at short notice, of any or all stalls, merchandise and associated structures at any time that they are requested to so do by the Roads Authority, any Statutory Undertaker or by the emergency services. The Roads Authority reserves the right to suspend any permission at any time to allow for street works or for any other competent reason.

Permission for a regularly recurring street market will normally be granted for an initial 12 month period. The Roads Authority will monitor the operation of the facility and to ensure that these guidelines and any conditions are being adhered to. Applicants will be expected to reapply on an annual basis confirming that the area to be occupied has not changed. **It is a condition of the granting of permission that operators of markets have in place public liability insurance in the sum of £5 Million. Applicants for all markets will be required to provide to the Roads Authority a copy of their certificate of**

public liability insurance with cover up to £5 million for any one event prior to placement of any stalls, merchandise or associated structures on the footway, carriageway or public space. Operators are required to maintain such cover throughout the duration of any permission and must provide a copy with all subsequent applications to renew, or at any other time as requested by the Roads Authority. In the event that the Roads Authority establishes that such cover is not in place all permissions in the terms of this agreement will be rescinded and the operator will require to remove all stalls, merchandise and associated structures forthwith.

Appropriate fees will be payable as specified on the Application Form. An invoice will be issued for this charge. **Cheques and cash cannot be accepted.**

The completed application form should be submitted to the Community Services Area Office covering the location of the proposed street market.