

THE HIGHLAND COUNCIL

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

Market Operators Licence: Schedule of Conditions

1. The licence must not be altered, erased or defaced in any way, it must be kept clean and legible and must not be lent to or used by any other person.
2. The licensee or his representative shall be present on the site of the market at all times whilst the market is being set up, or taken down or is operating, and shall have with him, at all times the licence issued to him by the Council.
3. The licensee or his representative shall, when requested by an authorised officer of the Council or the fire authority or a police constable, produce the licence for inspection. The licence holder shall produce the licence within 5 days of being requested to do so.
4. The licensee shall take all reasonable steps to ensure that;
 - (a) Any person, whilst operating or trading at the market keep himself and his clothing clean and;
 - (b) Any movable structure, vehicle or stall etc, used for the purposes of operating at a private market, vehicle etc, where perishable goods or goods for human consumption are stored prior to sale, are kept in a clean and hygienic condition in accordance with the standards specified in the relevant food safety legislation.
5. The licence holder shall require prior consent and approval of the Council for the layout of the market.
6. The licence holder shall take all reasonable steps to ensure that there are adequate toilet facilities at or near the market.
7. Any stalls used on the market shall be of a form which can be speedily and easily removed, and where such stalls, movable structures, vehicles etc are used for the sale of food, they shall contain equipment for the proper cleaning and sterilising of all utensils and vessels used in connection there with, and shall for the avoidance of doubt comply at all times with the requirements of the relevant food safety legislation.
8. The licence holder shall take all reasonable steps to collect and remove any paper, garbage or other refuse which may be produced or may accumulate during the course of market trading, and shall take all reasonable steps to ensure that the market is kept in a tidy condition so far as is reasonably practicable. Without prejudice to the foregoing generality the licence holder shall place litter bins throughout the market in appropriate places for the deposit of paper or garbage or other refuse by customers, and also take all reasonable steps to ensure that the site of the market is clear of all refuse at the end of trading.

9. On written notice signed by any authorised TEC Services Officer employed by the Council being given to the holder of this market operators licence, or to his authorised representative, or any person operating at the market under the licence, that he has become unsuitable in respect of the unsatisfactory condition of his clothing or person, or that any movable structure, vehicle, stall etc is unsuitable, the licensee, representative or such other person on whom the notice has been served shall immediately cease to trade or operate until he remedies the cause of complaint to the satisfaction of the authorised TEC Services Officer.
10. If the licence holder ceases to act as a market operator for the unexpired period of his licence, or has received notification that the licence has been suspended by the Council, or that it has been revoked or suspended by a court, he shall within 7 days thereafter, deliver his licence to the Council.
11. The licence holder will maintain a register of stall holders trading on the market at any particular time, and make available for inspection to any authorised officer of the Council at any reasonable time during which the market is in operation. This will include names, addresses, vehicle registrations.
12. The licence holder shall ensure that stall holders operating on the market display a clear and prominent notice of their trading name and address.
13. The licence holder shall take all reasonable steps to intimate to the Council any changes, additions, alterations to any stalls/vehicles/movable structures which sell food or perishable items, in terms of the relevant food safety legislation.
14. The licence holder shall maintain public liability insurance to a minimum level of indemnity of £2,000,000 throughout the currency of the licence, and must notify the Council before permitting any alteration to be made the policy. When requested the licence holder shall exhibit to the Council the policy and any receipt for premiums or any other document relating thereto as the Council may require. The Council may require the level of indemnity figure to be increased at any reasonable time.
15. Any vehicle to be used at the market must be in place on the site of the market before members of the public are admitted, and must not be moved during the time when the market is open to members of the public. Any portable generators should be enclosed wherever possible to reduce noise and safeguard the public.