

Application Form for a Designated Area Casual Trading Licence
CASUAL TRADING ACT 1995
European Union (Casual Trading Act 1995) Regulations 2018

PLEASE READ CONDITIONS (ATTACHED) BEFORE COMPLETING THIS FORM.

PLEASE COMPLETE IN BLOCK CAPITALS

<p><u>Applicants Details:</u></p> <p>Name of Applicant: _____</p> <p>Full Postal Address: _____ _____</p> <p>Mobile No.: _____</p> <p>Email: _____</p>	<p>PPS No/ Tax Reference No. (CRO): _____</p> <hr/> <p>Public Liability Insurance: Name of Insurance Company: _____</p> <p>Insurance Renewal Date: _____</p>
<p>Trading Details:</p> <p>Location of Trading: _____ Times & Days of Trading: _____</p> <p>Goods to be sold: _____</p> <p>Commencement Date of Trading: _____</p> <p>If you were the holder of a previous Casual Trading Licence please quote the following:</p> <p>Licence Number: _____ Expiry Date: _____</p>	

I declare: -

1. That I have not been convicted of two or more offences under the Casual Trading Act 1995, within three years prior to the date on which I intend to commence casual trading.
2. That the foregoing particulars are correct.
3. That I have read and agree to abide by the conditions of the Licence

Signature: _____ **Date:** _____

I enclose a cheque/bank draft/postal order/money order made payable to TIPPERARY COUNTY COUNCIL for the fee fixed under Bye-Laws by the Local Authority under Section 6 of the Casual Trading Act, 1995.

NOTE: The acceptance of an application by the Council's TIPPERARY-CAHIR-CASHEL MUNICIPAL DISTRICT does not guarantee the granting of a licence.

Casual Trading and Event Trading –GDPR

Reasons for requesting your personal information

- Your information is required in order to process your application for a Casual Trading/Event Trading licence.
- Your information is collected to process requests for a Casual Trading/Event Licence. The legal basis is provided for under the Casual Trading Act 1995.
- **If your application is successful it may be necessary to share your information with the statutory bodies i.e. Revenue Commissioners and the Minister for Social Welfare.**
- If the Casual Trading/Event Licence is granted, the information supplied by you will be kept securely for a period of up to seven years.
- If you do not provide the personal data required under the Casual Trading Act 1995 and the Casual Trading Bye-Laws 2013, Tipperary-Cahir-Cashel Municipal District will not be in a position to process your application.

For more information on the above please contact Tipperary-Cahir-Cashel Municipal District at Civic Offices, Rosanna Road, Tipperary Town or email customerservice@tipperarycoco.ie .

If you would like more information on section 4 (11) of the Casual Trading Act, or would like to read it please click

<http://www.irishstatutebook.ie/eli/1995/act/19/section/4/enacted/en/html#sec4>

If you would like more information on Casual Trading, Act, 1995 (inserted by section 141 of the Finance Act, 1996) please click

<http://www.irishstatutebook.ie/eli/1996/act/9/section/141/enacted/en/html>

If you would like more information on Section 13 of the Casual Trading Act 1995 (Register of Casual Trading Licenses on computer) please click

<http://www.irishstatutebook.ie/eli/1995/act/19/section/13/enacted/en/html#sec13>

If you would like more information on Statutory Instrument No 308 of 2018 European Union (Casual Trading Act 1995) Regulations 2018 please click

<https://dbei.gov.ie/en/Legislation/SI-No-308-of-2018.html>

Print Name: _____

Applicant's Signature: _____ Date: _____

FEES

The fees for a Casual Trading Licence shall be as follows:

- (1) In locations designated as Casual Trading Areas and described in the first Schedule to these bye-laws a fee per annum shall be payable for each Casual Trading Pitch allocated as follows: -

<p>Tipperary-Cahir-Cashel Municipal District Area (see list and maps in First Schedule).</p>	<p>€650 annual fee for each pitch equivalent to no more than 35 m² (approx. equivalent to three car parking spaces) and inclusive of space for pitch vehicle. This fee allows a licence holder to trade one day per week in a designated casual trading location as defined in the licence issued.</p>	<p>Where trading takes place on more than one day per week, the Licence Fee shall be €325 for each additional trading day but maximum fee per pitch of €2,000.</p>
<p>* Casual Trading Areas Serving public amenity areas including: The Glen of Aherlow Car Park and the Vee Car Park overlooking Bay Lough (see list and maps in First Schedule).</p>	<p>€650 annual fee for each pitch equivalent to no more than 35 m² (approx. equivalent to three car parking spaces) and inclusive of space for pitch vehicle. These pitches are solely for the purposes of servicing public amenity areas with refreshments. No mobile fast food casual trading permitted. Licence holders will be required to use environmentally friendly packaging and products.</p>	<p>€325 per additional day per week but maximum fee per pitch of €2,000.</p>
<p>Farmers Market Areas / Larger Bays including Cahir Farmers Market Area & Cashel Farmers Market & Tipperary Market Yard (see list and maps in schedule)</p>	<p>€950 annual fee for each Farmers Market Area / Larger Bays and inclusive of space for pitch vehicle.</p>	<p>This fee allows all members of the Farmers Market Group included in the licence application to trade one day per week in a designated casual trading location as defined in the licence issued.</p>

- (2) Events Licence - €35 per day (or part thereof)

- (3) The annual fees are fixed for a period of five years from date of adoption and subject to review by the Members.

CONDITIONS OF CASUAL TRADING LICENCE

1. Only the Licence Holder may engage in Casual Trading at the location specified in the licence.
2. Trading shall be confined to the allocated location for the specified times and days and no goods or articles shall overhang a stall or be deposited on the street except inside the allocated pitch.
3. The licence holder must prominently display the number of the licence at his/her trading place in such a way as to be clearly visible and easily legible to members of the public.
4. If requested the Licence Holder shall produce his/her licence on demand to any person.
5. The Licence Holder must trade within one metre of the stall.
6. The Licence Holder shall be present at all times where practicable. It is acceptable that the Licence Holder be absent during holiday periods or due to illness, but this absence must be advised to Tipperary-Cahir-Cashel Municipal District as soon as is practically possible and within at least within 2 months of ceasing trading. A medical certificate is required for a prolonged period of absence.
7. Tipperary-Cahir-Cashel Municipal District reserves the right to re-allocate any pitch that has been left unoccupied by a licence holder for a period of 2 months without reasonable explanation to Tipperary-Cahir-Cashel Municipal District.
8. Only two people may operate the stall at any one time.
9. No goods other than those specified in the licence may be sold.
10. The Licence Holder shall not sell counterfeit goods and must be able to produce a paper trail identifying the provenance of goods clearly identifying where stock came from.
11. The Licence Holder will clearly identify all goods that are sold as "seconds" at the point of sale.
12. Traders in foodstuffs must comply with the requirements of the HSE Environmental Health Officer in relation to the statutory control of food.
13. **Disposal of Waste**
 - a. The removal of waste generated at each trading location is the responsibility of the trader.
 - b. The Licence Holder shall provide a suitable container/receptacle for refuse and waste oil (if applicable) which must be kept at times of trading within the allotted pitch.
 - c. The Licence Holder shall not allow litter to accumulate in the vicinity of the allocated pitch during trading hours.

- d. At the end of trading each day, the Licence Holder shall clean the allocated pitch, arrange for the removal and proper disposal of waste or waste oil generated.
- e. Under the Waste Management Act 1996 traders have two options to dispose of their waste –
 - 1) Arrange for a private waste disposal company to do it or
 - 2) Arrange to dispose of the waste in an alternative proper manner.
- f. Traders must comply with their responsibilities under the Waste Management legislation and Tipperary-Cahir-Cashel Municipal District's Bye Laws. Failure to do so may result in prosecution.

14. **Stalls**

- a. A Licence Holder shall at his/her own expense provide a stall/unit, the specifications of which must be agreed with Tipperary-Cahir-Cashel Municipal District.
 - b. Stalls must be maintained to a good standard of appearance and repair.
 - c. Stall and other articles must be removed from the street after the hours of trading specified on the licence, unless otherwise agreed with Tipperary- Cahir-Cashel Municipal District.
 - d. Tipperary-Cahir-Cashel Municipal District reserves the right to remove any stall or like receptacle found in a trading place outside of trading hours and/or goods or articles left outside the allocated pitch at any time.
 - e. Tipperary-Cahir-Cashel Municipal District reserves the right to re-allocate any pitch which has been left unoccupied by a Licence Holder for a period of two months without reasonable explanation to Tipperary-Cahir-Cashel Municipal District.
15. The Licence Holder shall not obstruct any business, premises, footpath, public road or public right of way.
16. The Licence Holder shall not conduct trading in a manner that causes or is likely to cause offence.
17. Tipperary-Cahir-Cashel Municipal District reserves the right to suspend trading in order to facilitate works to a roadway, footpath, other infrastructure, on adjoining sites or for other operational reasons and where possible to relocate existing traders in or adjacent to the works site into other available designated trading pitches within the Council's administrative area. This will be done following consultation with traders.
18. The Licence Holder must have Public Liability Insurance in place at all times, indemnifying Tipperary County Council to the value of €6.5m in the case of any one accident.
19. The Licence Holder must have a current valid tax clearance certificate in place at all times.
20. The Licence Holder must give two months' notice if surrendering a pitch.

21. While occupying a trading place a Licence Holder must obey all lawful requests of an Authorised Officer or a member of the Garda Síochána.
22. The licence may be revoked at any time if any condition of the licence has been or is being contravened.
23. A person who contravenes any of the conditions of the licence shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €1,270.