

Comhairle Chontae Liatroma - Leitrim County Council

I wish to apply to Leitrim County Council for a Casual Trading Licence for the purpose described in this application and in accordance with the provisions of the Casual Trading Act 1995 and Leitrim County Council Casual Trading Bye-Laws 2009.

I DECLARE THAT:-

- (1) 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) The particulars given by me above/ and any additional information supplied with my application are correct and I enclose a cheque/bank draft/postal order/money order/cash for € _____, being the fee fixed under bye-law by the local authority under section 6 of the Casual Trading Act, 1995.
- (3) In the event that I am granted a Casual Trading Licence I agree to abide by the rules governing Casual Trading as set out in the Leitrim County Council Casual Trading Bye-Laws 2009
- (4) I will notify Leitrim County Council if there is any change from the postal address as given on this application form.

Applicants signature _____

Date _____

N.B. Please note that incomplete applications will be returned

FOR OFFICIAL USE ONLY

Date of receipt of application _____

Application Fee _____

Receipt No. _____

Date _____

Casual Trading Licence Granted/Refused _____

Date _____

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NOTES FOR APPLICANTS

1. An application for a Casual Trading Licence in County Leitrim, should be made on the attached form and returned with the documentation in the **checklist** below to the Senior Executive Officer, Planning, Community and Economic Development Department, Leitrim County Council, Aras an Chontae, Carrick on Shannon, Co Leitrim.
2. A **separate** application must be completed for each licence.
3. **An application for a Casual Trading Licence shall be made at least 30 days before the first day on which you intend to trade.**
4. **A Casual Trading licence in respect of one off events must be applied for at least 6 weeks before the date of the event.**
5. It is an offence to give false information to a local authority in relation to an application for a Casual Trading Licence.
6. The fees payable for a Casual Trading Licence are as follows:
 - (a) In designated Casual Trading Areas the yearly fee per casual trading bay is:

Carrick on Shannon	€ 400
All other locations	€ 200
 - (b) In the case of Events the fee is: € 25 per day(or part thereof)
6. The Council may refuse to grant a Casual Trading Licence to a person if:-
 - (a) The applicant fails to submit a completed application form for a casual trading licence.
 - (b) The applicant fails to pay the appropriate fee at the time of submitting application form.
 - (c) The applicant has been convicted of an offence in relation to the importation, possession or sale of goods committed while he was the holder of a casual trading licence or an offence under the Casual Trading Act, 1995, (other than an offence under Section 5 thereof) during the period of 3 years before the date of application for the licence.
 - (d) The applicant, who was convicted of two or more offences (each offence being either an offence in relation to the importation, possession or sale of goods) committed while the person was the holder of a Casual Trading Licence or an offence under the Casual Trading Act, 1995, (other than an offence under Section 5 thereof) if two, at least, of the convictions occurred less than 3 years before the first day on which the person proposes to engage in casual trading to which the application for the licence relates.
7. Further information may be required as well as the application form if a specific issue(s) arises and failure to provide such information may lead to refusal of licence.. (Section 25 of the Council's Casual Trading Bye Laws).
8. A Casual Trading Licence, if not previously revoked, shall be for 12 months or as stated in the licence.
9. When a Casual Trading Licence is granted the Local Authority will give details of the licence to the Minister for Social Welfare and to the Revenue Commissioners.

Checklist for Applicants for Casual Trading Licences

Please note that in order for your application to be accepted as valid you must submit all of the following:

1. Application Form fully completed and signed.
2. Evidence of appropriate current Public Liability Insurance cover to the value of €6.35m, indemnifying Leitrim County Council.
3. Tax Clearance Certificate from the Revenue Commissioners.
4. (a)Details of Stall to be used by the person engaged in Casual Trading, type, height, dimensions, etc. and,

(b)Details of Method of Operation and Maintenance of Pitch.

(c)Confirm if you intend using any equipment in connection with your Casual Trading activity e.g. cooking facilities, etc? Yes/No.
If Yes, please submit details.
5. Relevant Fee, as listed above.
6. Indicate if you propose to have an assistant who will act as an agent for Casual Trading purposes and if so, supply full details i.e. name, address, telephone no. and E-Mail address (if any).
7. If application is for the sale of food, a copy of Certificate from the Health Services Executive under the Food Hygiene Regulations .

Copies of the Leitrim County Council Casual Trading Bye-Laws 2018 are available from the Planning, Community & Economic Development Section, Leitrim County Council, Aras an Chontae, Carrick on Shannon, Co Leitrim or www.leitrimcoco.ie

Completed Applications should be submitted to:

**Senior Executive Officer
Planning, Community & Economic Development
Leitrim County Council
Aras an Chontae
Carrick on Shannon
Co Leitrim**

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CONDITIONS OF CASUAL TRADING LICENCE

- 1.** The Licence holder or agent acting as such and agreed in writing by the Council only shall engage in casual trading at the casual trading space specified in the Licence.
- 2.** Only goods as specified in the Licence shall be sold.
- 3.** Trading shall be confined to the allotted pitch at the designated casual trading area and no goods or associated vehicles shall over hang a stall or be deposited on the ground except in the allotted pitch and no stall shall exceed 2 metres in height.
- 4.** The type of stall to be used by a person engaged in casual trading must be approved by the Council and the dimensions of the same shall not exceed the defined space of the allotted pitch.
- 5.** A person carrying on casual trading in the casual trading area shall, keep the casual trading space, specified in the Licence and a radius of at least 50 metres in a clean and tidy condition and free from litter and for that purpose shall;
 - (a)** as often as is necessary cause all refuse arising from the trade or business to be placed in a suitable receptacle provided at the trader's own expense and approved in advance by the Council; and
 - (b)** as often as is necessary cause the contents of any receptacle provided for reception of refuse to be removed, without creating a nuisance or obstruction and to arrange for its disposal in a manner acceptable to the Council.
- 6.** A person engaged in casual trading in the casual trading area shall not obstruct or cause to be obstructed free passage through the casual trading area or any of the immediate approaches thereto.
- 7.** A person engaged in casual trading in the casual trading area shall not obstruct or cause to be obstructed the entrance to the premises in the vicinity of the casual trading area.
- 8.** A person engaged in casual trading shall comply with the following parking restrictions within the Casual Trading Act:
 - (a)** A person shall not park a vehicle in the casual trading area during trading hours unless such vehicle is for the time being in use for the casual trading and is wholly parked within the area of the casual trading space specified in the Licence.
 - (b)** A person shall remove such vehicle from the Casual Trading space specified in the Licence and from the casual trading area on each day upon which casual trading is permitted by the Licence not later than thirty minutes after the expiration of trading hours.
 - (c)** A person shall not park a vehicle earlier than thirty minutes prior to commencement of trading hours in the Casual Trading Area for the purpose

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of unloading goods or produce therefrom onto the casual trading space specified in the Licence.

(d) A person shall not park a vehicle for a period exceeding 30 minutes from the commencement of parking in the casual trading area for the purpose of unloading goods or produce therefrom onto the casual trading space specified in the Licence.

(e) A person shall not park a vehicle earlier than the expiration of trading hours in the casual trading area for the purpose of loading goods or produce thereon from the casual trading space specified in the Licence.

(f) A person shall not park a vehicle for a period exceeding thirty minutes from the commencement of parking the casual trading area for the purpose of loading goods or produce thereon from the casual trading space specified in the Licence.

- 9.** A person carrying on casual trading in the casual trading area shall ensure that the casual trading space, specified in the Licence remains unaltered and undamaged as a consequence of their casual trading.
- 10.** The Council reserves the right to remove stalls found on the designated casual trading area after trading hours as specified in the Licence and/or goods or other articles left outside the allotted pitch at any time.
- 11.** A person engaged in casual trading involving food must comply with the Food Hygiene Regulations for the time being in force or any further regulations that may be made in that regard.
- 12.** No Broadcasting or speech from a mechanical amplification system shall take place from any stall or any vehicle and no loud playing of radios or music reproduction appliances shall take place at any stall.
- 13.** A casual trader shall comply with the lawful requests and directions by an Authorised Officer of Leitrim County Council or by a member of the Garda Siochana.
- 14.** A person carrying on casual trading at the casual trading space specified in the Licence shall display by a notice in the form prescribed in the Bye-Laws the number of the Licence.
- 15.** A casual trader who fails to trade, on one or more days, for eight consecutive weeks is liable to have his/her Licence revoked. The Council may, at its discretion, serve notice on the Licence holder that his/her Licence has been revoked for the remainder of the Licence period, and arrange to reallocate the space in question. The holder will be given the opportunity to explain their absence prior to any decision regarding revocation of the Licence.
- 16.** Trading spaces shall not be exchanged without the prior consent of the Council in writing.
- 17.** The allocation of a trading space by a Licence shall not confer upon the trader any tenancy or right to occupy or transfer the said space.

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- 18.** The Council may revoke a Licence if it is satisfied that a condition of the Licence is being or has been contravened or if the person to whom it was granted is convicted of any offence in relation the importation, possession or sale of goods committed while he was the holder of a Licence or an offence under the casual trading act.

- 19.** The Council where possible reserves the right to prohibit casual trading on any trading day, or part thereof, in the event that exceptional circumstances arise which necessitate such prohibition. The Council where possible will notify any affected Licence holders in advance of any such prohibition taking effect.