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|  Form amended January 2023 | CIVIC GOVERNMENT (SCOTLAND) ACT 1982 SECTION 39 APPLICATION FOR THE GRANT/ RENEWAL\* STREET TRADER’S LICENCE – WHEELED BIN CLEANER (STREET TRADER FORM No 4) \*DELETE AS APPROPRIATE |

For use by West Lothian Council Licensing Team

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| --- | --- | --- | --- |
| Date of application received |  | Receipt number |  |
| Date application complete |  | Deadline for initial decision |  |
| Date application acknowledged |  | Deadline for final decision |  |
| Date Fee paid |  | Date to committee (if applicable) |  |
| Fee paid |  | Decision |  |
| Date to Police Scotland |  | Date of determination |  |
| Date to Roads & Transportation Service |  |  |  |

**Applicants should start completing the form below**

Please read the guidance notes before completing the application. Please make sure when submitting your application that you attach all the required documentation as outlined in the guidance notes. Incomplete applications submitted by post will be returned by second class mail which will delay the processing of your application. Otherwise we will return incomplete applications sent by email by email.

Question 1 – Applicant details

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| First name | Middle name(s) | Surname  |
|  |  |  |
|  |  |  |
| Age | Date of birth | Place of birth |
|  |  |  |
|  |  |  |
| Previous name(s) | National Insurance Number |
|  |  |
|  |  |
| Length of time resident in the UK | Nationality |
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|  |  |
| Permanent address | Previous address (only to be completed if you have lived at your address for less than 3 years) |
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|  |  |
| Post code  | Post code  |
| Time resident at this address | E-mail address |
|  |  |
| Telephone number | Mobile number |

1

Question 2 – Operating details

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| (a)Do you trade under a different name from that given at Question 1? If yes, what name will you be trading under? | Yes/no |
| (b) State the type and registration number of the vehicle or give the type of structure and dimensions of movable trailer to be used in connection with the activity (see note 2(a) of the attached notes) |  |
| (c) State the address of the premises at which the above is usually kept |  |
| (d) State the name or the location of the waste water discharge point (see note 2(b) of the attached notes)  |  |
| (e) Specify the period for which a licence is required (see note 2(c) of the attached notes)  |  |
| (f) State the hours and days of the week on which you propose to trade (see note 2(d) of the attached notes) |  |
| (g) Specify the areas in West Lothian in which you intend to operate |  |

Question 3 – Licence details

|  |  |
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| Is this a renewal application? | Yes/no |
| If yes, what is the licence number and renewal date? |  |
| Have you ever applied for and been refused a licence by any council? | Yes/no |

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| If yes, which council refused the licence? |  |
| When was it refused? |  |

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| Have you ever held a licence which was suspended or revoked? | Yes/no |

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| If yes, which council/court suspended or revoked the licence? |  |

Question 4 – Further details (see note 4 of the attached guidance notes)

|  |  |
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| Have you ever been convicted of any crime or offence or accepted a fixed penalty for an offence? Subject to the Rehabilitation of Offenders Act 1974, all unspent crimes and offences must be declared.If answer is yes please provide details below; continue on separate sheet if necessary. | Yes/no\* (delete accordingly) |
| Date of conviction/fixed penalty | Court where convicted or fixed penalty paid | Offence | Sentence/penalty |
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2

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| Please tick the box to confirm that you have attached a passport size photograph (see checklist on guidance notes)  |

Question 5 - Declaration by applicant

I declare that the information given by me on this form is correct to the best of my knowledge and belief.

|  |  |  |
| --- | --- | --- |
| Date | Signature of applicant (handwritten forms only) |  |
|  | Print name of applicant |  |

If the application is being signed by an agent on behalf of the applicant please sign and complete the boxes below.

I declare on behalf of the applicant referred to in Question 1 of this form that the information given by me on this form is correct to the best of my knowledge and belief.

|  |  |  |
| --- | --- | --- |
| Date | Signature of agent (handwritten forms only) |  |
|  | Print name of agent |  |
|  | Address of agent |  |

Privacy Statement – Data Protection

All personal information that you supply will be used to process your application in accordance with data protection law and the Civic Government (Scotland) Act 1982. In terms of the 1982 Act we are required to share this information with the following bodies:-

* Police Scotland; and where the licensed activity takes place within premises,
* the Scottish Fire and Rescue Service or other enforcing authority under Part 3 of the Fire (Scotland) Act 2005

We are required by law to protect the public funds we administer. Therefore in line with the National Fraud Initiative (NFI) we may also share your information with other bodies responsible for auditing or administering public funds in order to prevent and detect fraud.

Some of the information provided by you on this form will be held on a register which is available for inspection by members of the public.

Further information about how we handle your personal information, including how long we retain the information, information about the NFI and how you can complain about our handling of your information, is available in our Privacy Notice which can be found on the Licensing Team’s webpage <https://www.westlothian.gov.uk/licensing>. A copy of our Privacy Notice is available on request by contacting the Licensing Team, email: licensingservices@westlothian.gov.uk, telephone: 01506 281632.

3

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|  | CIVIC GOVERNMENT (SCOTLAND) ACT 1982LICENSING OF STREET TRADERSWHEELED BIN CLEANERSCERTIFICATE OF COMPLIANCE |

APPLICANT NAME

……………………………………………………………………………………………

ADDRESS ……………………………………………………………………………………………

TRADING NAME ……………………………………………………………………………………………

VEHICLE REGISTRATION

……………………………………………………………………………………………

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| --- |
| SCOTTISH WATER |
| DISPOSAL OF WASTE WATER – DISPOSAL POINT Signature ………………. Date ……………………. |

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| SCOTTISH WATER & WEST LOTHIAN COUNCIL |
| CHEMICALS TO BE USED IN THE PROCESS Signature ………………. Date ……………………. Signature ………………. Date ……………………. |

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| WEST LOTHIAN COUNCIL  |
| VEHICLE INSPECTED Signature ………………. Date ……………………. |

**GUIDANCE NOTE FOR APPLICATIONS FOR THE GRANT OR RENEWAL OF A STREET TRADER’S LICENCE (WHEEL BIN CLEANER) (ST form No.4)**

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| **IMPORTANT – PLEASE READ BEFORE MAKING YOUR APPLICATION:**You should only complete this application form if:* You are responsible for street trading as a wheel bin cleaner and you hold a certificate of compliance signed by Scottish Water and West Lothian Council’s Waste Services

The council has standard conditions for street trader’s licences. These can be found on the council’s website at:http://www.westlothian.gov.uk/article/2460/Street-Traders-LicencePlease refer to these before submitting your application.**NOTE: all applications for temporary licences must be submitted a minimum of 35 days in advance of the event in order to allow the relevant advisors sufficient time to carry out all the necessary checks in relation to the application. It is council policy that such applications will not be processed if they are not received at least 35 days in advance of the event.**  |

**Question 1 – applicant details**

Please answer question 1 by including all of your relevant details, as appropriate.

**Question 2 – details of trading**

**Question 2(a):** the vehicle must be examined by the council’s Fleet Cleansing and Domestic Services Manager and a signed certificate of compliance must be obtained. You should contact:

Waste Services on 01506 280000.

**Question 2(b):** all waste water must be disposed of through a foul sewer at business or domestic premises which must be approved in advance by Scottish Water. Any chemicals used should also be approved by them. You should contact:

Pollution Prevention Department, Scottish Water, 55 Buckstone Terrace, Edinburgh on 0800 0778 778.

**Question 2(c):** a licence will normally be granted for a period of 1 year, unless the activity is to be pursued only for a short period, in which case a temporary licence will be granted for a period of up to six weeks.

**Question 2(d):** it is council policy that the maximum trading hours which will be approved will be between 6 am and 1 am the following day. Applications to trade outwith the hours of 6am to 1am will require to be referred to the Licensing Committee. The days and/ or times when you are permitted to trade will be stated on your licence and will form a condition of your licence.

**Question 3 – type of licence**

If your application is for renewal of an existing licence, please state the licence number and renewal date of your existing licence in the appropriate box.

**Question 4 – previous convictions**

Convictions which are spent in terms of the Rehabilitation of Offenders Act 1974 do not require to be disclosed in your application. Should you be in any doubt as to whether a conviction you have is spent, you should seek legal advice before completing this form. Should you be in any doubt as to the details of your convictions, these are available on payment of a fee from any police station.

**Question 5 – declaration section**

Any person who in or in connection with the making of this application makes any statement which they know to be false or recklessly makes any statement which is false in a material particular shall be guilty of an offence and liable, on summary conviction to a fine not exceeding £2500.

In terms of the Civic Government (Scotland) Act 1982, for the purposes of this application the person signing the form is responsible for its contents. If the application is signed by an agent full details of that agent must be provided.

**Checklist for submission of form**

* fee
* Identity documents
* you must include a passport size photograph of yourself with your application which is used to produce an ID badge. Please tick the box to confirm that this is enclosed.
* Certificate of compliance (a blank certificate of compliance is attached to the application form. This must be completed and returned with the completed application form)
* Letter of authorisation from Scottish water

Please note that if you do not provide all of the required items with your application, your application will be returned to you as incomplete.

**How to submit your application**

Applications may be lodged in two ways -

* **By email:** You shoulddownload a copy of the most recent version of the form from our website and complete it by typing the information into the boxes on the form. You must sign the form to confirm that the information is correct by typing your name in the declaration section at Q5. The council accepts this as a signature. You should then check that the form has been fully completed and email it along with any supporting documentation to licensingservices@westlothian.gov.uk in plenty of time before your licence is due to expire (if applicable). You will receive an emailed acknowledgement if it has been successfully delivered. Once your form and documents have been checked by the Licensing Team you will be emailed with information about how to make an online payment of the fee (unless no fee is applicable). Details of fees are available at the bottom of the webpage for each licensing scheme. Once your fee has been paid you will be emailed a site notice for immediate display, if applicable.
* **By post:** You shoulddownload a copy of the most recent version of the form from our website and complete it by hand and sign the form to confirm that the information is correct at the declaration section at Q5. You should then check the form has been fully completed and post it along with any supporting documentation and a cheque for the fee which is applicable to the Licensing Team, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston EH54 6FF in plenty of time before your licence is due to expire (if applicable). Details of fees are available at the bottom of on the webpage for each licensing scheme.
* Please also provide a copy of your photocard driving licence or passport and proof of your current home address i.e. recent utility bill. The address given in the application form must match the ID documentation.

**Temporary applications:** all applications for temporary licences must be submitted a minimum of 35 days in advance of the event in order to allow the relevant advisors sufficient time to carry out all the necessary checks in relation to the application. It is council policy that such applications will not be processed if they are not received at least 35 days in advance of the event.

**APPLICATIONS CANNOT BE SUBMITTED AT THE CIVIC CENTRE OR AT ARROCHAR HOUSE**

**Processing of applications**

Once your application is complete it will be processed. You will receive an acknowledgement once your application is complete. We will then contact you once vetting is complete. Most applications are determined within 60 days but applications which require to be referred to the Licensing Committee for a decision will take longer to be determined. In the event of an application being refused or withdrawn after being processed, no refund of the application fee paid will be made.

**Contact**

To contact the Licensing Team please email licensingservices@westlothian.gov.uk or call 01506 281632. Please note if you are directed to our voicemail, please leave a message with your name and number and we will phone you back. Please note that the team cannot provide advice as to whether a licence is required. Applicants should seek legal advice from a solicitor or advice centre.