

## **APPENDIX 1**

### **REVIEW OF LICENCE CONDITIONS**

The review of licence conditions issued under the *Civic Government (Scotland) Act 1982* makes a number of proposals in relation to the following:

#### **1. All Conditions**

- 1.1 Where appropriate, the conditions contained within the licences issued by the Council under the *Civic Government (Scotland) Act 1982* shall be amended in order to facilitate better understanding of the information contained therein. Any amendments carried out in respect of this shall not in any way make any substantive changes to the conditions amended.

#### **2. Metal Dealer Conditions**

- 2.1 The following condition is proposed to be added into the Schedule of Conditions for metal dealers as a new standard condition:

*“The Licence Holder shall comply in all respects and at all times with the requirements of Sections 33A-33E of the Civic Government (Scotland) Act 1982 and the requirements of the Civic Government (Scotland) Act 1982 (Metal Dealers and Itinerant Metal Dealers)(Verification of Name and Address) Regulations 2016.”*

#### **3. Boat Hire Conditions**

- 3.1 The following condition is proposed to be added into the Schedule of Conditions for boat hire licences as a new standard condition:

*“The holder of a Boat Hire Licence shall report any hazardous incidents which occur whilst carrying out their licenced activity to the Licensing Authority, in writing, as soon as practicable. This includes, without prejudice to the foregoing, incidents of passengers leaving the Licence Holder’s vessel and entering the water involuntarily. Any Licensee in doubt as to what constitutes a hazardous incident should contact the office of Head of Governance and Law, Kilmory, Lochgilphead, PA31 8RT for guidance.”*

#### **4. Street Trader Conditions**

- 4.1 The proposal is that the existing Standard Condition 17 be removed from the Schedule of Conditions for street traders, which states:

*“Except as otherwise directed by the Licensing Authority as aforementioned, no Street Trader shall at any time engage in street trading within 100 metres of any establishment or premises in which are sold or offered for sale any goods or articles or services of the same or similar class or description as those to be sold or offered for sale by the Street Trader. The Licensing Authority may in their sole discretion and on application direct that the terms hereof shall not apply to a particular Street Trader in a particular street or locality or area. Such a direction shall not be effective until it is endorsed by the Head of Governance*

*and Law on the licence.”*

It is proposed that this is replaced by a new Standard Condition 17:

*“17. A mobile Street Trader shall not trade in any one location for longer than 20 minutes without moving to another location, not less than 200 metres away and shall not return to a previous location within the same calendar day. If a Street Trader requires to trade in any one location for a duration which is longer than 20 minutes, they must obtain the necessary planning permission. (Condition 17 will not apply to street trading from a fixed pitch.)”*

4.2 The following addition is also proposed to be made to Standard Condition 11:

*“11. A Street Trader who has charge of any mechanically propelled vehicle, any beast of burden, or any vehicle, including any carriage, lorry, cart, wagon, truck, van, float or barrow, shall not cause or allow the same to stand on or within a distance of 10 metres from any pedestrian crossing, **bus stop or taxi rank.**”* [Addition to existing condition in bold.]

## **5. Window Cleaner Conditions**

5.1 The following condition is proposed to be added into the Schedule of Conditions for window cleaners as a new standard condition:

*“The Licence Holder shall comply with all provisions of the Health and Safety at Work etc Act 1974, as well as all guidance for window cleaners issued by the Health and Safety Executive and published on their website.”*