

Public Document Pack



To: Councillor Forsyth, Convener; and Councillors Boulton, Corall, Cormie, Delaney, Graham, Grant, Len Ironside CBE, Kiddie, MacGregor, Malik, Malone and Townson.

Town House,
ABERDEEN 23 June 2014

LICENSING COMMITTEE

The Members of the **LICENSING COMMITTEE** are requested to meet in Committee Room 2 - Town House on **TUESDAY, 1 JULY 2014 at 10.00 am.**

JANE G MACEACHRAN
HEAD OF LEGAL AND DEMOCRATIC SERVICES

B U S I N E S S

REQUESTS FOR DEPUTATION

- 1.1 None received at this stage

MINUTES AND INFORMAL BUSINESS

- 2.1 Minute of Previous Meeting of 13 May 2014 (Pages 5 - 14)
- 2.2 Minute of Meeting of the Sports Ground Advisory Working Group of 20 February 2014 (Pages 15 - 16)
- 2.3 Informal Business Statement (Pages 17 - 18)

APPLICATIONS FOR LICENCES - INCLUDING LIST OF APPLICATIONS

- 3.1 Grant of a Licence for a House in Multiple Occupation - 10C Powis Circle (Pages 23 - 28)

- 3.2 Renewal of a Licence for a House in Multiple Occupation - 384E King Street (Pages 29 - 32)
- 3.3 Grant of a Licence for a House in Multiple Occupation - 76 Gordon Street (Pages 33 - 36)
- 3.4 Grant of a Licence for a House in Multiple Occupation - 26 Links View (Pages 37 - 40)
- 3.5 Grant of a Market Operator Licence - Aberdeen Castlegate Market (Pages 41 - 60)
- 3.6 Grant of a Second Hand Dealer Licence - Lesley Margaret Graham (Pages 61 - 62)
- 3.7 Renewal of a Street Trader Licence - Prawit Phanuthat (Pages 63 - 64)
- 3.8 Renewal of a Taxi Licence - Stephen Downie (Pages 65 - 66)
- 3.9 Renewal of a Taxi Licence - Tony Adu (Pages 67 - 68)
- 3.10 Renewal of a Taxi Licence - Richard Wilson (Pages 69 - 70)
- 3.11 Renewal of a Private Hire Car - Rainbow Cars Limited (Pages 71 - 72)
- 3.12 Renewal of a Taxi Licence - Roland M Menzies (Pages 73 - 74)
- 3.13 Renewal of a Taxi Licence - John Grant (Pages 75 - 76)
- 3.14 Renewal of a Taxi Licence - George Ronald MacGregor (Pages 77 - 78)
- 3.15 Renewal of a Private Hire Car Licence - Rainbow Cars Limited (Pages 79 - 80)
- 3.16 Renewal of a Taxi Licence - City Wide Taxis Limited (Pages 81 - 82)
- 3.17 Renewal of a Taxi Licence - Leslie Scott McRobbie (Pages 83 - 84)
- 3.18 Renewal of a Taxi Licence - Alexander Fraser Massie (Pages 85 - 86)
- 3.19 Renewal of a Taxi Licence - TX Cab Co. (Pages 87 - 88)
- 3.20 Grant of a Taxi Driver's Licence - Paul Andrew Cheyne (Pages 89 - 90)

- 3.21 Grant of a Taxi Driver's Licence - Neil Crawford (Pages 91 - 92)
- 3.22 Grant of a Taxi Driver's Licence - Scott Willox (Pages 93 - 94)
- 3.23 Grant of a Taxi Driver's Licence - Terence Rose (Pages 95 - 96)
- 3.24 Grant of a Taxi Driver's Licence - Adedayo Adegoke (Pages 97 - 98)

COMMITTEE REPORTS

- 4.1 Pittodrie Safety Certificate (Pages 99 - 142)
- 4.2 CCTV - Taxis, Private Hire Cars, Outcome of Consultation (Pages 143 - 188)
- 4.3 Change of Name - Informal Business Panel (Pages 189 - 192)

COMMITTEE BUSINESS STATEMENT

- 5.1 Committee Business Statement (Pages 193 - 194)

APPLICATIONS TO BE HEARD IN PRIVATE IN TERMS OF THE DATA PROTECTION ACT 1998 - INCLUDING LIST OF APPLICATIONS

- 6.1 Grant of a Taxi Driver Licence
- 6.2 Grant of a Taxi Driver's Licence
- 6.3 Grant of a Taxi Driver's Licence
- 6.4 Grant of a Public Charitable Collection

Website: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Mark Masson, tel. 52(2989) or e-mail mmasson@aberdeencity.gov.uk

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ABERDEEN
CITY COUNCIL

MEMO

Shelter & Environment

Housing & Environment

Second Floor West, Marischal College

To	Eric Anderson, Senior Solicitor, Corporate Governance		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	allyt@aberdeencity.gov.uk	Date	19 June 2014
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.10E Powis Circle, Aberdeen

Applicant/s: Gerald Lip

Agent: Geraghty-Gibb Property Management Ltd

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 1 July 2014 for the reason that one letter of representation/objection has been received by the HMO Unit.

I can advise you as follows:

The HMO legislation

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance
 - ix) There is, or would be, an overprovision of HMOs in the locality

The premises:

The premises to which this HMO Licence application relates is a first-floor flat with accommodation comprising of 3 letting bedrooms, one public room, one kitchen and one bathroom. The position of the property is shown on the plan attached as Appendix 'A'.

The HMO licence application:

The HMO licence application is dated 15 April 2014 and was received by the HMO Unit on 16 April 2014.

Work/Certification Requirements:

The HMO Officer has not yet carried out his initial inspection of the premises, however it is likely that HMO upgrading work and certification will be required although this is not the reason for referral to Committee.

Certificate of Compliance – Notice of HMO Application:

The Certificate of Compliance-Notice of HMO Application has not yet been submitted, however the application is dated 15 April 2014, this date being the first day of the statutory 21-day period during which the public Notice must be displayed outside the premises.

Letter of Representation/Objection:

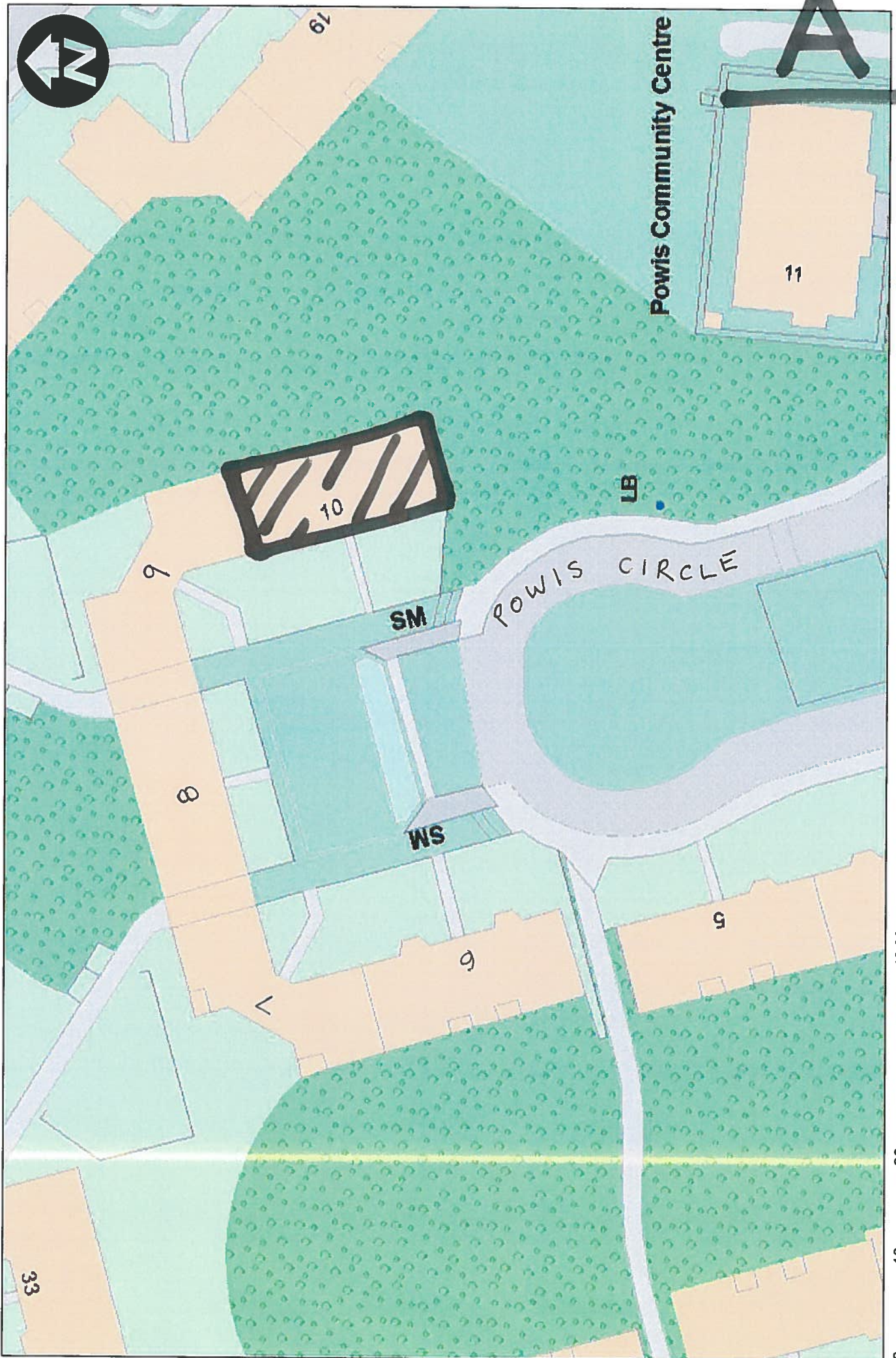
One letter of representation/objection, dated 4 May 2014, was received by the HMO Unit on 2 May 2014, within the statutory 21-day timescale, and is attached as Appendix 'B'. The letter is signed by 4 objectors and all 4 have been invited to attend the Committee meeting.

Other considerations:

- Police Scotland has been consulted in respect of the applicant's suitability as a 'fit & proper' person, and has made no comment or objection.
- The Scottish Fire & Rescue Service has been consulted in respect of the suitability of the premises as an HMO, and has made no comment or objection.
- At the date of this memo, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of anti-social behaviour at No.10C Powis Circle, Aberdeen.
- The applicant and his property are not registered with the Landlord Registration database, therefore it will be necessary for the applicant to do so prior to letting to tenants.
- The applicant has requested an occupancy of 4 persons, which is acceptable to the HMO Unit in terms of space and layout.
- The flat at No.10C Powis Circle is contained within the 6-flatted block numbering 10A, 10B, 10C, 10D, 10E & 10F Powis Circle.
- The letter of representation/objection refers to flats 10D & 10E as unlicensed HMOs. Following receipt of the letter, the HMO Officer visited both flats and established that 10D was not an unlicensed HMO, however 10E was an unlicensed HMO. We are therefore pursuing the owner & agent of 10E to regularise the position by either reducing occupancy below the HMO threshold or applying for an HMO licence.

I trust the above explains the position. Please contact me on x2870 should you have any queries regarding the above.

Ally Thain
Private Sector Housing Manager



1:500

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Mr Hayden J Bennett

Mr & Mrs Mike and Chris Brannigan

Mrs Geri Duncan

'B'

Aberdeen City Council
Housing & Environment
DATE RECEIVED
02 MAY 2014
Private Sector Housing Unit

4th May 2014

FAO: HMO Unit, Aberdeen City Council

To whom it may concern,

In response to the HMO licence application posted outside my property 20th April 2014, we, Mr Hayden Bennett, Mr and Mrs Mike and Chris Brannigan and Mrs Geri Duncan, are declaring an objection to it being granted.

Our objections are:

1: Noise: It has been noted by ourselves that the likely market for the tenants will be from the University of Aberdeen student population. We already have two units in the block (10, Powis Circle) of students who on several occasions have caused disturbance with unsocial noise at inappropriate times. I would also have it noted here that there was no obvious HMO licence application for either of the other properties (Flat D & E) and would ask that this be investigated also.

2: Fire Risk: With three independent tenants per licence, it can be assumed there will be three separate cooking of meals, therefore increasing fire hazard threefold per licenced flat. Taking into consideration that there are also another six independent occupants between the two unlicensed (suspected) Flats, D & E, this brings a potential scenario where there maybe 12 (Flat A, is one family with an assumed single cooking time for all members, as is Flat B, separate cooking incidences per mealtime. This increases the potential of fire incidence by cooking heat source from 6 (where the family/ single occupant is read as a single cook incident per meal) to 12. A doubling of potential fire incidence, is in my eyes too great a risk. This is before we even consider potential increased fire risk from drink/drug/social smoking that can prevail in student social spheres.

3: Parking: Whilst parking could be considered somewhat peripheral in HMO licensing, I would ask the authority to look at damage already caused to the natural environment of the estate (of particular note is the green- now sadly brown area in the centre of the circle). Whilst a potential increase of three more cars is only small, when taken into consideration with continued abuse of the estate by student driving populations seeking to free themselves of university restrictions and the effect of multiple home car ownership. It is my belief, whilst absolutely detrimental to the micro environment of the estate and it's population, the greatest risk is in having poor appropriate access for emergency services in times of need because of too many parked cars.

4: Community: The right to buy scheme was never intended as a means for private interests to advance profit, more a route for less well off but hard working families to improve their lot. Whilst it is not for me to say who the prior owner should or should not sell to, I do believe it to be a function of a publicly funded body, such as Aberdeen City Council to ensure that the future uses of such properties are not allowed to dilute community by actively increasing the likelihood of a transient, non tax paying resident. Much work has been done recently with the formation of the Powis Residents Group and there is a budding community feel to the estate, I feel the granting of such a licence would be counterproductive to this.

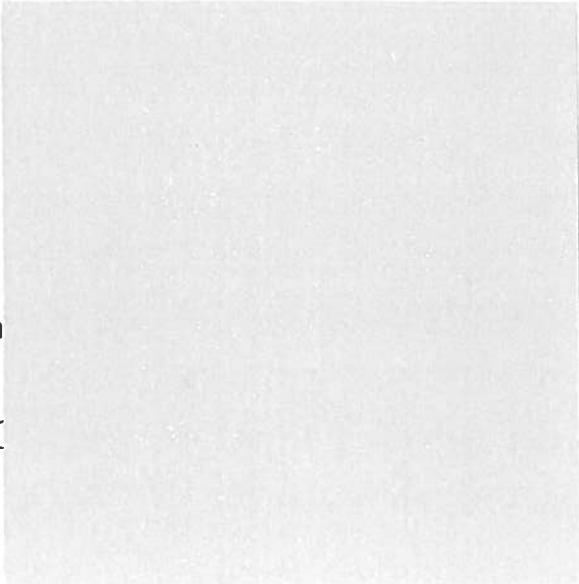
Yours sincerely,

Mr Hayden Bennett

Mr Mike Brannigan

Mrs Chris Brannigan

Mrs Geri Duncan





ABERDEEN
CITY COUNCIL

MEMO

Shelter & Environment

Housing & Environment

Second Floor West, Marischal College

To	Eric Anderson, Senior Solicitor, Corporate Governance		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	allyt@aberdeencity.gov.uk	Date	19 June 2014
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.384E King Street, Aberdeen

Applicant/s: Caroline Rawlings

Agent: None stated

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 1 July 2014 for the reason that the HMO upgrading work has not been completed.

I can advise you as follows:

The HMO legislation

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance
 - ix) There is, or would be, an overprovision of HMOs in the locality

The premises:

The premises to which this HMO Licence application relates is a top-floor flat, with accommodation comprising of 3 letting bedrooms, one public room, one kitchen & one bathroom. The location of the premises is shown on the plan attached as Appendix 'A'

The HMO application:-

The HMO licence application is dated 26 July 2013 and was received by the HMO Unit on 29 July 2013.

HMO upgrading works and certification:

The HMO Officer visited the premises on 18 September 2013, and wrote to the applicant on 18 September 2013, instructing the following HMO upgrading work to be carried out:

1. All self-closing doors to be examined and adjusted where necessary.
2. Batter carbon monoxide detectors to be installed where required.
3. An Electrical Installation Condition Report, and a current Gas Safe Certificate to be submitted to the HMO Unit.

At the date of this memo, only some of the above requirements have been completed.

Scottish Fire & Rescue Service (SFRS):

At the date of this memo, I have not been advised by the SFRS that they are satisfied with fire-safety at the premises.

Other considerations:

- Police Scotland, as a statutory consultee, was initially consulted in respect of the applicant's suitability as a 'fit & proper' person, and made no comment or objection.
- Scottish Fire & Rescue Service, as a statutory consultee, was initially consulted in respect of the suitability of the premises as an HMO, and made no comment or objection.
- At the date of this memo, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour at No.384E King Street, Aberdeen.
- The applicant and her property are currently registered with the Landlord Registration database.
- The applicant has requested an occupancy of 4 persons which is acceptable to the HMO Unit in terms of space and layout.
- The meeting of the Licensing Committee on 1 July 2014, is the last one before the one-year deadline therefore if the above-mentioned HMO upgrading works and any fire safety requirements have not been completed to the satisfaction of the HMO Unit and SFRS by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 1 July 2014. I will advise the Committee of the position on the day.

I trust the above explains the position. Please contact me on x2870 should you have any queries regarding the above.

Ally Thain
Private Sector Housing Manager



1:500

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ABERDEEN
CITY COUNCIL

MEMO

Shelter & Environment

Housing & Environment

Second Floor West, Marischal College

To	Eric Anderson, Senior Solicitor, Corporate Governance		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	allyt@aberdeencity.gov.uk	Date	19 June 2014
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.76 Gordon Street, Aberdeen

Applicant/s: Farhana Weerasinghe

Agent: Sean Khan

I refer to the above HMO Licence application, which is due to be considered by the Licensing Committee at its meeting on 1 July 2014 for the reason that the HMO upgrading work has not been completed.

I can advise you as follows:

The HMO legislation

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance
 - ix) There is, or would be, an overprovision of HMOs in the locality

The premises:

The premises to which this HMO Licence application relates is a 3-storey terraced townhouse with accommodation comprising of 3 letting bedrooms, one public room, one kitchen, one bathroom & one cloakroom. The location of the premises is shown on the plan attached as Appendix 'A'.

Pre-application history:

The HMO Unit received a complaint in July 2013 that the property was being operated as an unlicensed HMO. The complaint was investigated by an HMO Officer and an Officer from Scottish Fire & Rescue Service (SFRS), and it was established that it was indeed an unlicensed HMO. This resulted in the owner submitting an application for a licence.

The HMO application:-

The HMO licence application is dated 29 July 2013 and was received by the HMO Unit on 5 August 2013.

HMO upgrading works and certification:

The HMO Officer visited the premises on 11 July 2013, and wrote to the applicant on 16 July 2013, instructing the following HMO upgrading work to be carried out:

1. The bathroom light to be replaced by an IP44 rated light.
2. All missing or defective lightbulbs to be replaced.
3. Additional electrical sockets to be installed throughout.
4. A carbon monoxide detector to be installed.
5. All self-closing doors to be examined and adjusted where necessary.
6. The glass in the vestibule door to be replaced with safety glass.
7. All windows to be capable of easy-opening for ventilation.
8. The mouldy bath sealant to be replaced.
9. General housekeeping must be significantly improved.
10. The public Notice of HMO Application to be redisplayed in a public place.
11. The Certificate of Compliance, PAT test certificate, Electrical Installation Condition Report, Gas Safe Certificate and a copy of the Tenancy Agreement to be submitted to the HMO Unit.

Despite numerous requests for an update, the agent has failed to comply and it is likely that little or none of the above requirements have been completed.

Scottish Fire & Rescue Service (SFRS):

During the original inspection of the property prior to the application being submitted, the SFRS Officer identified several fire-safety concerns and served an Enforcement Notice on the owner requiring her to address these concerns within the following 28-day period.

At the date of this memo, I have not been advised by the SFRS that they are satisfied with fire-safety at the premises.

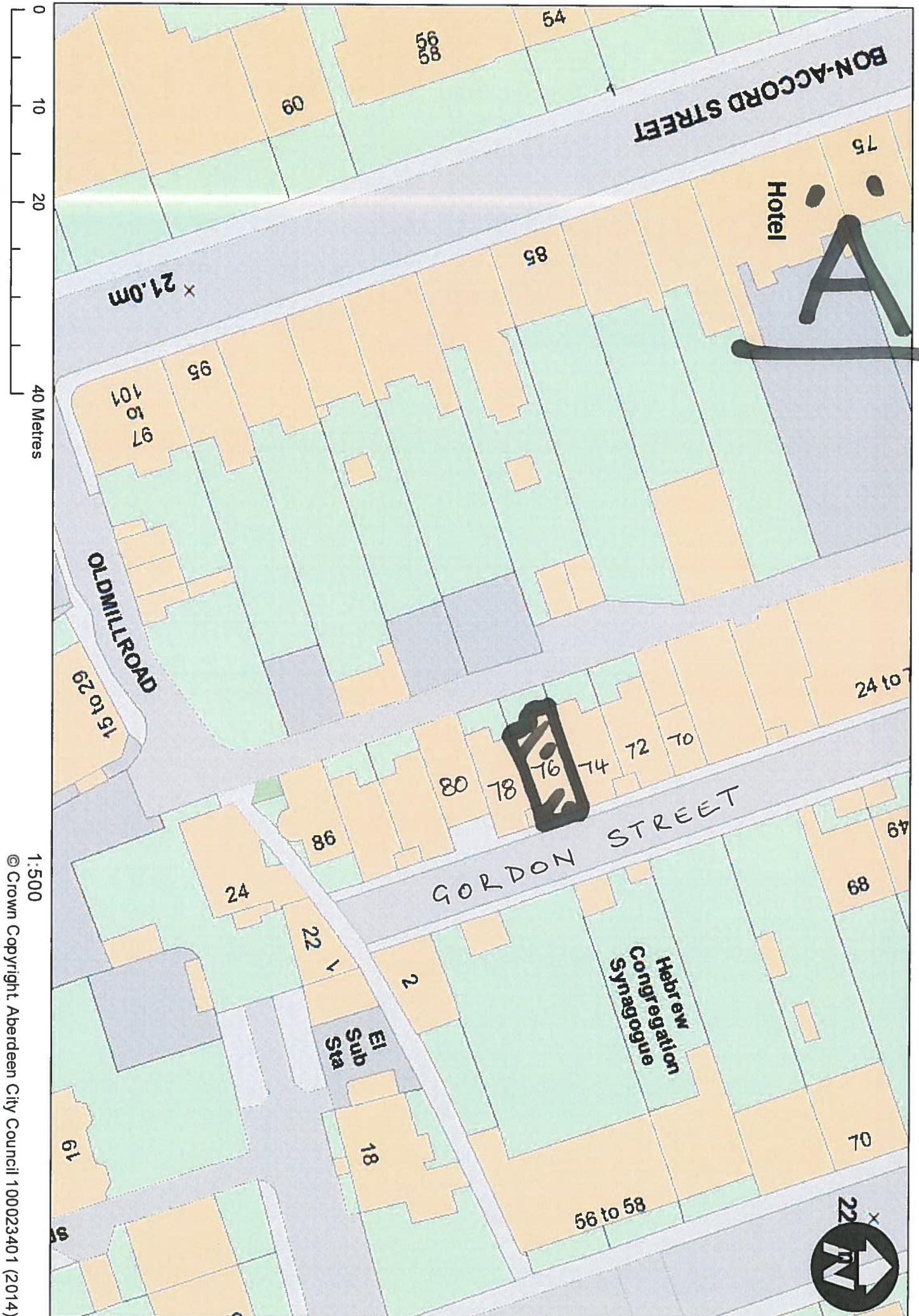
Other considerations:

- Police Scotland, as a statutory consultee, was initially consulted in respect of the applicant's suitability as a 'fit & proper' person, and made no comment or objection.
- Scottish Fire & Rescue Service, as a statutory consultee, was initially consulted in respect of the suitability of the premises as an HMO, and made no comment or objection.

- At the date of this memo, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour at No.76 Gordon Street, Aberdeen.
- The applicant and her property are currently registered with the Landlord Registration database.
- The applicant has requested an occupancy of 4 persons which is acceptable to the HMO Unit in terms of space and layout.
- The property continues to be occupied and therefore operated as an unlicensed HMO.
- The property is being marketed for sale by Aberdeen Considine, Solicitors.
- The meeting of the Licensing Committee on 1 July 2014, is the last one before the one-year deadline therefore if the above-mentioned HMO upgrading works and any fire safety requirements have not been completed to the satisfaction of the HMO Unit and SFRS by the day of the Committee, and the Committee are minded to refuse the application, they must do so at the meeting on 1 July 2014. I will advise the Committee of the position on the day.

I trust the above explains the position. Please contact me on x2870 should you have any queries regarding the above.

Ally Thain
Private Sector Housing Manager





ABERDEEN
CITY COUNCIL

MEMO

Shelter & Environment

Housing & Environment

Second Floor West, Marischal College

To	Eric Anderson, Senior Solicitor, Corporate Governance		
From	Ally Thain, Private Sector Housing Manager, Housing & Environment		
Email	allyt@aberdeencity.gov.uk	Date	19 June 2014
Tel.	522870	Our Ref.	
Fax.		Your Ref.	

Part 5 of Housing (Scotland) Act 2006

Application for a Licence to operate a House in Multiple Occupation (HMO) at No.26 Links View, Aberdeen

Applicant/s: Rameschandra Patel (Polpoint Limited)

Agent: Martin & Co.

I refer to the above HMO licence application, which is due to be considered by the Licensing Committee at its meeting on 1 July 2014 for the reason that it has been submitted within one year of the date of refusal of the previous HMO licence application.

I can advise you as follows:

The HMO legislation

This application is being dealt with under the provisions of Part 5 of the Housing (Scotland) Act 2006, as amended. Available grounds of refusal are as follows:

- 1) The applicant and/or agent is not considered to be a 'fit & proper' person to hold an HMO licence, and
- 2) The property is unsuitable for occupation as an HMO for one, some or all of the following reasons:
 - i) Its location
 - ii) Its condition
 - iii) Any amenities it contains
 - iv) The type & number of persons likely to occupy it
 - v) Whether any rooms within it have been subdivided
 - vi) Whether any rooms within it have been adapted, resulting in an alteration to the water & drainage pipes within it
 - vii) The safety & security of persons likely to occupy it
 - viii) The possibility of undue public nuisance
 - ix) There is, or would be, an overprovision of HMOs in the locality

The premises:

The premises to which this HMO Licence application relates is a 4th floor flat, with accommodation comprising of 3 letting bedrooms, one kitchen & one bathroom. The location of the premises is shown on the plan attached as Appendix 'A'

Previous HMO licence application:

The Licensing Committee at their meeting on 13 May 2014 considered my report on the previous application, which advised that all HMO upgrading work had not been completed and that the application was approaching its one-year deadline. Committee resolved to refuse the application.

Section 132, Part 5 of the Housing (Scotland) Act 2006 – ‘Restriction on Applications’

- (1) Where a local authority refuses to grant an HMO licence, the local authority may not consider a further application for an HMO licence by the same applicant in relation to the living accommodation concerned, or where the application was refused because of Section 130 (1)(b) in relation to any living accommodation, within one year of the date on which notice of the refusal is given to the applicant under Section 158.
- (2) This section does not prevent the local authority from considering a further application for an HMO licence where it is satisfied that there has been a material change of circumstances.

The HMO application:-

The HMO licence application is dated 22 May 2014 and was received by the HMO Unit on 23 May 2014.

HMO upgrading works and certification:

The HMO Officer visited the premises on 12 May 2014, and wrote to the applicant on 27 May 2014, instructing the following HMO upgrading work to be carried out:

1. All missing or defective lightbulbs to be replaced.
2. The damp/mould on the bathroom walls to be treated with anti-fungicidal wash then redecorated.
3. The mouldy bath sealant to be replaced.
4. The Notice of HMO Application to be redisplayed in a public place.
5. The Certificate of Compliance & Electrical Condition Inspection Report to be submitted to the HMO Unit.

At the date of this memo, only some of the above work has been completed although the agent has indicated that all work will be complete by the date of the Committee meeting..

Scottish Fire & Rescue Service (SFRS):

An SFRS Officer has confirmed that he is satisfied with fire-safety within the premises.

Attendance at the Licensing Committee:

The applicant has been invited to attend the Committee meeting on 1 July 2014 and explain the ‘material change of circumstances’ between the previously refused application and the application under consideration at the meeting.

Other considerations:

- Police Scotland, as a statutory consultee, was initially consulted in respect of the applicant’s suitability as a ‘fit & proper’ person, and made no comment or objection.

- Scottish Fire & Rescue Service, as a statutory consultee, was initially consulted in respect of the suitability of the premises as an HMO, and made no comment or objection.
- At the date of this memo, the Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints of anti-social behaviour at No.26 Links View, Aberdeen.
- The applicant and property are currently registered with the Landlord Registration database.
- The applicant has requested an occupancy of 3 persons which is acceptable to the HMO Unit in terms of space and layout.

I trust the above explains the position. Please contact me on x2870 should you have any queries regarding the above.

Ally Thain
Private Sector Housing Manager

n Sports Village



20 to 27

28 to 35

E1 Sub Sta

14 to 19

7 to 12

9 to 11

44 to 55

LINKS VIEW

LINKSFIELD ROAD

8.8m

x

x



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Aberdeen Castlegate Market

Rules for Traders

1. The market manager's decision is final in all matters and he can remove any trader at his discretion.
 2. You agree to abide by our Environmental and Health and Safety policies as supplied to you by us.
 3. You must provide us with evidence that you have current public liability insurance and a Market Trader's licence prior to trading.
 4. If you are selling foodstuffs they must be packaged and labelled in accordance with current legislation.
 5. You must be able to demonstrate compliance with Health and Safety regulations governing the use of outdoor electrical appliances and bottled gas if appropriate.
 6. You must provide us with evidence of a local authority licence to prepare and sell food for immediate consumption if appropriate.
 7. Stall / pitch fees must be paid at least two weeks in advance. Fees are only refundable in exceptional circumstances and at our discretion.
 8. Traders must remain on the market until it closes. If a trader has sold out prior to the market closing a 'Sold Out' notice must be displayed.
 9. You must pay for any electricity that we supply. Use of generators may be allowed with the manager's express permission.
 10. If you are selling second hand goods, you must be licensed to do so.
 11. The sale of weapons, laser pens and fireworks is not allowed.
 12. You must not take up more space than you have paid for without the manager's permission.
 13. Vehicles are not allowed on the market between 08.45 and 16.15 unless the manager has given consent and is present to ensure that movement of the vehicle(s) is directed safely.
 14. You must abide by our Health & Safety, Environmental and Equal Opportunity policies. Copies of these are supplied on request.
 15. You are entirely responsible for the security and safety of the goods that you sell on the market and you must take reasonable care of the equipment that we hire out to you.
-

These rules will apply until further notice and can only be amended by the Market Operator.

Environmental Policy Statement

The market operator will:

- actively manage the impact of its business on the environment and do its best to ensure that it has no detrimental impact on its surroundings.
 - comply with all relevant legislation and support schemes that it believes will protect or improve the world we live in.
 - work with all its suppliers and customers to reduce the amount of waste it produces.
 - participate in recycling schemes and ensure that as much of its waste as possible is reclaimed.
 - properly dispose of any residual waste it cannot recycle.
 - ensure that any hazardous waste it creates is recovered using professional contractors.
-

Market Shoppers' Charter

Thanking you for shopping at our market.

We and the market traders here wish to ensure that you enjoy the experience of market shopping. We hope that you will find the stallholders courteous and helpful and that the wide choice and variety of goods and services on offer represent excellent value.

It is our intention that you will not have any problems with your purchases, but the law does entitle you to certain protection if you do.

If you are not satisfied with the goods or services you have received from any trader whilst shopping at our market, you should do the following:-

Approach the stallholder concerned, taking with you any receipts and explain the problem, quietly and calmly. In most instances the problem is usually satisfactorily resolved at this stage. If you cannot reach an agreement with the stallholder, please contact a representative of the market operator who will be pleased to help.

You may be entitled to compensation or redress if:-

- The goods were sold as new and are now faulty and/or do not work satisfactorily.
- The goods are not safe and/or not fit for the purpose for which they were purchased.
- The goods are not as described either verbally or on the label or packaging or otherwise.
- Services are not as described and/or have not been carried out in a proper manner with the provider using reasonable skill and care and carried out within a reasonable time and at a reasonable price.

You are not entitled to compensation or redress if:-

- You have simply changed your mind over the colour, style, size etc of the article, seen a cheaper product elsewhere, or have no further use for the goods.
 - The goods contained defects, which were made clear to you at the time of the purchase, or as described by a notice.
 - You have mistreated, damaged or used the goods in the wrong way.
- If you are entitled to a refund you can choose a repair, a replacement or credit note instead.

Everything that the traders sell on the market is approved by the market operator and if you cannot find the Trader, please ask a representative of the company for help.

If you do not wish to follow this advice, you may seek your own independent professional advice. Free advice on any consumer-related matter is available from the local Council's Trading Standards Office or the Citizens Advice Bureau. If you contact the Market Manager on the number below, he will be pleased to give you the telephone number and address.

Market Manager

Tel:

Health & Safety Policy Statement

The market operator regards with the utmost importance the Health and Safety of our employees, our customers and the public who attend our Market. We will do everything that is reasonably practical to prevent the injury of individuals and to protect employees and property in general.

Everyone has a responsibility to prevent accidents. We believe that accidents happen because people do not respond appropriately to what is happening around us. We must take preventive action and follow safe systems of work.

We would remind all our traders that they have a moral obligation to co-operate in the operation of this policy. You must not misuse, damage or interfere with any work equipment. You must fully observe the rules governing the safe operation of such equipment. Failure to comply with this policy is a serious matter and could lead to a trader being removed from the market.

Additionally, all traders have an obligation to adhere to safe working practices and to promote this policy by carrying out the following procedures.

ALL TRADERS MUST:

- Know their individual responsibilities in the promotion of Health & Safety at Work.
- Report any incidents that have caused, or could cause, personal injury or damage to health.
- Co-operate in any subsequent investigations into accidents or incidents.
- Adhere to all safety measures whether given in writing or verbally by the Market Manager
- Ensure that working practices within their areas of responsibility are up to date.
- Maintain working practices strictly within the meaning of this policy document.

Health & Safety at Work practices are a proactive activity, which aid efficiency by reducing accidents and injury. This serves to assist in maintaining our operational staff levels and giving the public confidence to visit again.

Signed on behalf of the market operator

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Date:

Castlegate Market Proposal

Our intention is to establish a weekly market that will offer the public a wide choice of produce and goods that will consistently reflect current demand and taste. We aim to achieve this through a process of continual research and dialogue with the consumers of the city together with a rigorous selection process regarding the traders who will be allowed on to the market. Underpinning this will be our commitment to the traders to offer them the best possible environment for trade, through the facilities that we provide and the promotional activity that we carry out. In the long term we hope that our commercial success will contribute towards the regeneration of the Castlegate area itself. In addition to ensuring full compliance with the appropriate legislation and Aberdeen City Council's requirements in terms of operating the market, we will be pleased to be involved in any initiative that helps to achieve this.

We are in a position to immediately put in place the facilities for twenty to thirty traders on site and we are committed to build up to forty or more traders per week by the end of the first year of operation. If we are successful, this could lead to 'footfall' of 300 – 400 visitors per hour to the market at peak times. We recognise that the development of the market will require time, effort and financial commitment.

Through regularly featuring free entertainment and competitions for the public attending the market, we hope to create a weekly event that will have a strong popular appeal – particularly to families. We will be looking to introduce seasonal flavours to the market and encouraging our traders to refresh their 'offer' regularly.

We will supply all traders with a stall. Waste disposal units will be sited throughout the market area and these will be regularly emptied. All the waste collected will be properly disposed of. There will be at least two identifiable operator's representatives on site at any given time while the market is open and there will be an information point available to stallholders and the public. A qualified first aider will be present.

Draft copies of Health and Safety and Environmental Policies, Shopper's Charter and Market Rules are attached. Our certificate of public liability insurance will be available for inspection when we have confirmation that a licence has been granted.



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**SECOND HAND DEALERS
CASTLEGATE**

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