



Civic Government (Scotland) Act 1982 Guidance Notes - Second Hand Dealer

- You should complete the application form in pen or in type answering all questions fully, using a separate sheet if necessary.
- Where the applicant is an individual natural person, the whole of question 1 should be completed, and question 2 should be ignored.
- Where the applicant is a company, partnership or other non-natural person, the whole of question 2 should be completed and question 1 should be ignored.
- The lodging fees for applications are detailed on the list of fees within the site.
- The enclosed public notice requires to be completed and displayed on or near premises where it can be easily read by the passing public in the street, for a period of 21 days, starting on the day the application is lodged at the Licensing Section. You may wish to state in bold capitals “Any Application Lodged Less Than 21 Days Before The Event Cannot Be Considered”.
- The enclosed Certificate of Compliance requires to be completed and returned to the Licensing Section only after the 21 day notice period is over.
- The Licensing Committee may attach additional conditions to the licence as it sees fit, with each application being dealt with on its own merits.
- A fire risk assessment must be carried out on the premises and be returned with your completed application. A risk assessment document can be downloaded from the following web site. www.infoscotland.com/firelaw Then follow link to checklist.
- *(If appropriate)* Once we have received your Application, we will send a copy to Central Scotland Police. We will consult with other Council Services, for example Environmental Health, Building Control Roads, etc., depending on the nature of you're application.
- *(If appropriate)* if we think any additional enquiries should be carried out, you will be notified and the results of these may be taken into account before we decide your application. We will also require to take account of any objection to your application, either from consultees or from members of the public. We may decide to hold a Hearing to decide whether to approve your application and, if so, you will be notified in advance of this to give you an opportunity to be heard.

- *(If appropriate)* We must consider your application within 3 months of it being sent to us and must reach final decision within 6 months. The final decision is taken by Community and Regulatory Services. No functions for which an Second Hand Dealer's Licence is required should take place until a licence is issued.
- *(If appropriate)* We can refuse your application if we consider that:
 - (a) you are not a fit and proper person to hold a licence;
 - (b) the premises are not suitable or convenient for the proposed activity; and if
 - (c) there is any other good reason to refuse your application.

When an application is refused, you can ask for written reasons for the refusal and you have a right of appeal to the Sheriff.

If you require any further information please contact the Licensing Administrator on telephone number 01259 452093 or email address licensing@clacks.gov.uk