**Comhairle Contae Chill Chainnigh**

**Kilkenny County Council , City Hall, Kilkenny**

**Application Form for a Casual Trading Licence at the Designated Casual Trading Area, The Parade, Kilkenny.**

**Casual Trading Act, 1995**

***N.B. CLOSING DATE FOR RECEIPT OF COMPLETED APPLICATION FORM IS 12.00 Noon Friday, 13th JANUARY, 2024.***

**PLEASE READ THE NOTES OVERLEAF BEFORE COMPLETING THIS FORM**

PLEASE COMPLETE IN BLOCK CAPITALS

**PART 1: Trader Details**

(1) Name of Applicant: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(2) Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(3) Trading Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­­­­­­\_\_\_\_\_\_\_\_\_

(4) Contact Telephone Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(5) PPS No.: (for an individual): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(6) Tax Reference No. (in the case of a company): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(7) If application is in the name of limited company, the Company Registration Number, as supplied by the Companies Registration Office: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**PART 2: Trading Details**

**Description to goods to be sold (the only products acceptable under the Casual Trading Bye Laws are** **Food, fruit, vegetables, flowers and handmade craft items only):**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**PART 3: Stall Details**

Dimensions of Stall: **3 metres x 3 metres only**

MATTING must be provided for all stalls using electricity to cover all electric cables. Each stall is responsible for their own cables. Failure to do so may result in being told to remove cables.

**PART 4: Food Traders**

**HSE Registration Number:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**All food businesses must be registered with the Health Service Executive (HSE). A copy of the confirmation letter from the HSE is to be submitted with the application.**

**Do you intend using any equipment in connection with your stall, e.g. generator, cooking facilities, etc. Please supply details:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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Kilkenny Co. Council are endeavouring to introduce a no plastic policy for the Market and your assistance towards this is greatly appreciated.

**PART 5: Insurance Details**

**Traders are required to hold current insurance cover to the following Limits:**

**Public Liability €6.5 million, Employers Liability €13 million, Product Liability €6.5 million.**

**Insurance Policy Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Expiry Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Insurance Company: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Copy of current Insurance Policy to be submitted with the application.**

If you were a holder of a current Casual Trading Licence please quote the following:

Licence Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Expiry Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

***To The Local Authority Concerned:***

I DECLARE:

1. that 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. that the foregoing particulars are correct and I enclose a cheque/bank draft/postal order/money order for **€325.00** being the fee fixed for craft items only

**€400.00** being the fee fixed for non craft (eg. food/meat/fish/

bread/ flowers etc.)

under bye-law by the local authority under Section 6 of the Casual Trading Act, 1995.

3. That I have read the Casual Trading Bye Laws of Kilkenny Borough Council and note the provisions contained therein.

**Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**ATTACHMENTS:**

**Copy of HSE Registration (food traders): □**

**Copy of Insurance Policy: □**

**NOTES**

1. Section 4(11) of the Casual Trading Act, 1995, provides that the local authority concerned shall notify the Minister for Social Welfare of the name and address of a person to whom a casual trading licence was granted and the conditions of the licence and section 4(2A) of the Casual Trading Act, 1995 (inserted by Section 141 of the Finance Act, 1996 (No 9 of 1996)) provides that the local authority concerned shall notify the Revenue Commissioners of the name, address and tax reference number of a person to whom a casual trading licence was granted and the conditions of the licence. Section 10 of the Casual Trading Act, 1995, requires that the local authority may share information in relation to a Casual Trading Licence holder with An Garda Siochána.

Section 13 of the Casual Trading Act, 1995 also provides that a local authority may establish and maintain the Register of Casual Trading Licences on computer. In such circumstances, personal data kept in the register is subject to the requirements of the Data Protection Act, 1988 to 2018.

Personal Information received will be used by the Local Authority solely for the purposes of processing an application for a casual trading licence under the Casual Trading Act, 1995.

1. The acceptance of an application by Kilkenny County Council does not guarantee the granting of a licence.
2. Licence Holders are to obey all lawful requests of an Authorised Officer of Kilkenny County Council, or a member of the Garda Síochána.
3. The licencing period in any year will be from 1st March for a period of 12 months, each Thursday from 9.00 am to 4.00 pm.
4. Products for sale: Food, fruit, vegetables, flowers and handmade craft items only.
5. Cheques received with your application will only be receipted if you are successful in your application for a licence. Otherwise, payment will be returned to you.

**Schedule**

**to**

**Kilkenny County Council Casual Trading Act, 1995**

**Bye – Laws**

**Part III**

(a) The following are the fees in respect of Casual Trading Licences for the City of Kilkenny.

An applicant for a Casual Trading Licence in a casual trading area shall pay a **licence fee of €325/€400 per annum**. The license fee shall be adjusted each year on 1st January to reflect the annual change in the rateable valuation multiplier as decided by the County Council at its annual budget.

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| --- | --- | --- | --- |
| **For Official Use Only** | | | |
| **Recd.** |  | **Amt** |  |
| **Date** |  | **Type** |  |
| **Conv.** |  | **R.No** |  |

[](https://www.google.ie/url?sa=i&rct=j&q=&esrc=s&source=images&cd=&ved=2ahUKEwjk05LMoJjjAhUuUBUIHVhVDYcQjRx6BAgBEAU&url=https://kclr96fm.com/kilkenny-county-council-roll-small-business-vacant-premises-scheme/&psig=AOvVaw2fM1vK0_YCDyBDnNEFp3eq&ust=1562226140070049)

**Data Privacy Statement – Kilkenny County Council**

**CASUAL TRADING LICENCE**

1. **Purpose**

Your information is collected to assess your application for a casual trading license.

1. **Lawful Basis**

The legal basis for the collection of this data is provided for under Section 6 of the Casual trading Act 1995 as amended and all other enabling statutory powers and Article 6 (1) (c) applies.

1. **Information Sharing**

The information you provide may be shared with the following:

* The Minister for Employment Affairs and Social protection.
* Revenue Commissioners.
* HSE Environmental Health Department
* Other relevant Directorates of Kilkenny County Council.

1. Kilkenny County Council may, for the purpose of its functions under the legislation, request and obtain information at any time from:

* Department of Employment Affairs and Social Protection – for details of social welfare payments, PPSN’s, date of birth.
* Revenue Commissioners – for details of employment and income
* From sources where you have chosen to make your information publicly available, such as social media sites
* An Garda Síochána & Criminal Assets Bureau – to prevent or detect fraud and to seek information on an individual that may be engaged in anti-social behaviour
* Health Service Executive (HSE).

1. **Retention**

Your information will be retained for the duration of the licence + 7 years. Exception being if required for litigation then the licence will be retained for the duration of any legal case until all appeals are exhausted + 7 years.

6.**Your Data Protection Rights**

You have the right to request access to personal data held about you, obtain confirmation as to whether data concerning you exists, be informed of the content and source of data and check its accuracy [here](chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https:/kilkennycoco.ie/eng/your_council/data-protection/data-subject-access-application-form.pdf).

1. **Right of Complaint to the Office of the Data Protection Commissioner**

If you are not satisfied with the outcome of the response you received from Kilkenny County Council in relation to your data subject access request, then you are entitled to make a complaint to the Data Protection Commissioner who may investigate the matter for you.

The Data Protection Commission website www.dataprotection.ie has further details and the online form to be completed if you wish to raise a concern or make a complaint.

 You can contact their Office at:

Phone No: 01-7650100  Lo Call Number: 1800 437 737

E-mail: info@dataprotection.ie

Postal Address: Data Protection Commissioner

21 Fitzwilliam Square South Dublin 2

D02 RD 28

For further information in relation to Kilkenny County Council Council’s Data Protection Policy & Privacy Statement are available [here](https://www.kilkennycoco.ie/eng/your_council/data-protection/).

If you require a paper copy of either document, please contact us on 056-7794277 or email [dataprotection@kilkennycoco.ie](mailto:dataprotection@kilkennycoco.ie)