



Casual Trading (Control and Designation) Bye - Laws 2021 made under The Casual Trading Act, 1995

Bye - Laws adopted by Waterford City and County Council on the 11th February 2021

LONG TITLE: “The Mayor and Members of Waterford City and County Council (hereinafter referred to as “The Council”) in exercise of the powers vested in them by the provisions of The Casual Trading Act, 1995 as amended and all other enabling statutory powers hereby make the following Bye-Laws for the Control and Designation of Casual Trading in the administrative area of Waterford City and County Council”

PRELIMINARY

NO. 1 SHORT TITLE: These Bye-Laws may be cited as the Waterford City and County Council Casual Trading (Control and Designation) Bye-Laws 2021.

NO. 2 AREA OF APPLICATION: These Bye-Laws apply to the administrative area of Waterford City and County Council.

NO. 3 COMMENCEMENT DATE: These Bye-Laws shall come into effect on 14th day of March 2021.

NO. 4 REVOCATION: “The previous Waterford City and County Council Casual Trading Bye-Laws are hereby revoked as and from the commencement date of the 14th day of March 2021.

NO. 5 INTERPRETATION: In these Bye-Laws the following words or phrases shall have the meanings hereby expressly given to them that is to say: “the Act” Means the Casual Trading Act, 1995.

“Waterford City and County Council” Means the administrative body for Waterford City and County as set out in Sections 10 & 11 and schedule 5 of the Local Government Act 2001 and Section 17 of the Local Government Reform Act 2014.

“Designated Area” Means an area marked in red on the attached maps and listed in Part III hereto and designated as a casual trading area.

“Licence” Means a casual trading licence issued under the Casual Trading Act, 1995.

“Casual Trading” Means selling goods at a place (including a public road) to which the public have access as of right or any other place that is a casual trading area as defined by the Act.

“Event Trading” Means licensed casual trading at an event or events specified in the licence or at or in the immediate vicinity of the place where and on the day or days on which the event takes place.

“Trading Place” Means a place in a designated area delineated by paint marking or different colour brick at pitch boundary. A trading place shall not exceed an area of 9 sq. metres.

“Licence Holder” Means a person to whom a licence has been issued or the licence holder’s servant or agent acting on the licence holders behalf.

“Authorised Officer” Means an employee of Waterford City and County Council or other person appointed by Waterford City and County Council for the purposes of the Act.

“Beach” refers to the area of the seashore and the foreshore. The words “seashore and foreshore” are defined in the Foreshore Act, 1933 (as amended). For the purposes of these bye-laws a “beach” shall include: any strand and/or area immediately adjacent to the foreshore consisting of a natural accumulation of sand/sand dunes and/or stones and/or shingle, which can be in either public or private ownership, any public parking place, footpath, public realm area, public open space or roadway that is immediately adjacent to the beach, together with the foreshore waters for a distance of 300 meters seaward from the shore and as listed on the First Schedule to the Beach Bye-Laws.

PART I

CASUAL TRADING AREA: Each of the lands described in Part III hereto and as set out in the attached Schedule of maps is hereby designated as a casual trading area for the purposes of the Act.

LICENCE: An applicant for a licence must pay the appropriate fee for the type of goods to be sold in the particular designated trading area. The licence shall indicate what goods may be sold and only such goods as are shown on the licence, and for which the appropriate licence fees have been paid may be sold by the licence holder. The Schedule of fees for designated trading areas are set out in Fees Bye-Laws made under the Casual Trading Act 1995.

An applicant for a licence for event trading must pay the appropriate fee for the type of goods to be sold under the appropriate heading as set out in the Fees Bye-Laws made under the Casual Trading Act 1995. A Casual Trading Licence may not be rented or sold by the holder.

TRADING PLACE: A licence holder shall engage in casual trading only within the space allocated to the licence holder in a designated area which space shall be identified by means of a description in the licence holders licence and delineated by paint marking or different colour brick at pitch boundary.

DISPLAY OF LICENCE NO: A licence holder shall prominently display the number of the licence at the licence holders trading place in such a position as to be clearly visible and easily legible to members of the public at all times during trading hours. If so requested the licence holder shall produce the licence on demand to any person.

STALL: A licence holder shall only use a stall or other like receptacle for carrying/displaying goods which is approved by an Authorised Officer of Waterford City and County Council and shall remove same at the end of each day's trading. Waterford City and County Council may remove any stall or like receptacle found in a trading place outside of trading hours. Stalls shall not exceed 2.5 metres in height.

OFFENCES: A person who contravenes a Bye Law shall be guilty of an offence.

PENALTY: Every person who shall offend against any of the foregoing Bye Laws shall be liable for every such offence on summary conviction to a fine not exceeding €1,269.74. Licences can be revoked for failure to stay within a casual trading pitch and/or failure to remove litter.

REPEAL OF BYE LAWS: From and after the date of commencement of these Bye-Laws, all previous Bye-Laws relating to the Casual Trading Act, 1995 heretofore made by Waterford City and County Council shall be and are, from that date, repealed."

MISCELLANEOUS PROVISIONS: The issue of licences for a trading place may be temporarily suspended by executive order to facilitate construction/development/maintenance of a roadway, footpath or other infrastructure or on adjoining sites or for other operational reasons.

ALTERNATIVE TRADING PLACES: An existing licence for a trading place may be temporarily suspended by executive order to facilitate construction/development/maintenance of a roadway, footpath or other infrastructure or on adjoining sites or for other operational reasons. As appropriate, alternative trading places within designated areas may be assigned by the local authority to existing licence holders following consultation, subject to availability.

EXEMPTIONS

Pursuant to Section 2 of the Act, casual trading does not include:-

- (a) Selling by auction (other than by Dutch auction) by the holder of a licence or permit for the time being in force under the Auctioneers and House Agents Acts, 1947 to 1973.
- (b) Selling to a person at the place where he resides or carries on business
- (c) Selling in respect of which it is shown by the seller -
 - (i) That any profits therefrom are for use for charitable purposes or for other purposes from which no private profit is derived, and
 - (ii) That no remuneration, emolument, gain or profit will accrue to the seller or his servants or agents therefrom.
- (d) Selling, during the period 1 May to 30 September in any year, by –
 - (i) The grower (within the meaning assigned to that expression by the Casual Trading Act 1995 (section 2(3)) Regulations 2004,
or
 - (ii) Subject to the condition specified in relation to this subparagraph by those Regulations being satisfied, a servant or agent of the grower,of one or more of the following fruits and vegetables, namely –
 - (I) Strawberries, raspberries, blueberries, gooseberries, blackberries, loganberries, tayberries and currants,
And
 - (II) Potatoes having loose skins and which have been harvested prior to maturity.

Designation

- (i) The Council hereby designates the lands shown on the attached maps in Part 3, as places reserved where Casual Trading may be carried out. Where a previous historical right is designated the area designated in the document designated as an area where casual trading can be carried out is recognised under these bye laws as a place where casual trading can take place.
- (ii) A Licence Holder shall engage in casual trading only within the space allocated to the licence holder in a designated casual trading area, which space shall be identified by means of a description in the licence holders licence or delineated by a paint marking or in the case of a specified event or events at such other locations as may be approved by the council pursuant to Section 4(1) (a) (iii) of the Act.
- (iii) The Council hereby designates that each District Council may, on the recommendation of the Chief Executive or nominee, move a designated Casual Trading Pitch to another area that may be so designated within that district long as the total number of designated pitches within the district is not exceeded.

PART II

General terms and conditions

Section 1: Designated area trading pitch allocation policy

1. Persons wishing to register for a designated area Casual Trading pitch must complete an “Expression of Interest to trade” form.
2. Vacant pitches will be offered on a first come first served basis, except in the case of new areas which will be allocated by lottery.
3. A licence will not be granted unless all the relevant information required in the application process is supplied. Documentation must be supplied within 30 days of receipt of offer.
4. The acceptance of an application form by Waterford City and County Council does not guarantee the granting of a licence.
5. An individual who is not in a position to accept the offer of a pitch at the time, for whatever reason, but still wishes to be considered for a pitch must go back to the end of the waiting list.
6. Due to demand for spaces only one pitch per Casual Trading area will be allocated to an individual.
7. A Casual Trading pitch cannot be sub-let or sold.
8. Waterford City and County Council reserves the right to revoke a licence at any time during the licensing period for failure to comply with the licence conditions.
9. Licences are not transferable but consideration may be given in exceptional circumstances (i.e. in the event of either death or long-term illness of the licence holder) to the transfer of a licence on a Casual Trading pitch to an agent/assistant who is a family member subject to the following conditions:
 - a. The family member has been the registered agent of the licence holder and has been working with the licence holder on the pitch for a minimum of four years.
 - b. The family member who has been the agent/assistant must also have previously registered an expression of interest for a Casual Trading pitch with Waterford City and County Council before consideration can be given to the transfer request. Priority may be given in this instance over others on the waiting list.
10. Waterford City and County Council reserves the right to re-allocate any pitch that has been left unoccupied by a licence holder for a period of 4 weeks without reasonable explanation to Waterford City and County Council.
11. Agents must register an expression of interest if they wish to be considered for a Casual Trading licence to trade in a designated Casual Trading area.
12. An individual has no right or entitlement to succeed to a Casual Trading pitch.
13. Waterford City and County Council reserves the right, in the event of works planned or due to take place, to relocate existing traders in designated areas in or adjacent to works, into other available designated trading areas within the City & County Council functional area. This will be done following consultation with traders.
14. Licence holders must give two months notice if surrendering a pitch.

15. The Council may refuse an application if:
 - a. There is no available pitch at the location requested.
 - b. It is not a product allowed in that designated area by these bye laws
 - c. The proposed product is already available in the Designated Area.
 - d. The proposed product is already available in the locality.
 - e. The designation of the area is under review by the Council.

Section 2: Terms and Conditions of Trading

1. Only the licence holder shall engage in Casual Trading at the location specified in the licence.
2. No goods other than those specified in the licence shall be sold.
3. Trading shall be confined to the allocated location.
4. Trading shall be permitted between the hours of 8am to 9pm, unless otherwise specified in the licence.
5. The allocation of a trading place by the Council shall not confer upon the licence holder any tenancy or right to occupy or to transfer said trading place.
6. Traders selling food for human consumption shall comply in all respects with all relevant statutory obligations such as the Food Hygiene Regulations 1950 – 1989, the European Communities (Official Control of Foodstuffs) Regulations 1998 and the European Communities (Hygiene of Foodstuffs) Regulations 2000 in respect to the preparation and sale of foodstuffs the
7. All people engaged in Casual Trading must indemnify Waterford City and County Council and any person using the facility/service being provided, against any liability arising out of the use of the facility/service in question. In this regard public liability insurance of €6.4m (minimum) in the case of any one accident must be obtained and proof of same must be given by the applicant to Waterford City and County Council before any licence is granted.
8. A licence holder shall provide, at his/her own expense, a suitable receptacle that meets The requirements of Waterford City and County Council for the disposal of litter/waste and shall keep the trading place clean and tidy at all times.
9. Waterford City and County Council may remove any stall or like receptacle found in a trading place outside of trading hours.
10. A licence holder shall prominently display his/her casual trading licence in such a position as to be clearly visible and easily legible to members of the public.
11. A licence holder may nominate two agents to assist in the operation of a designated trading stall under the following terms and conditions:
 - a. There may only be two people operating the stall at any one time and each of them must be trading within one metre of the stall.
12. A medical certificate is required for prolonged period of absence.
13. The licence holder must be present at all times where practicable. It is acceptable that the licence holder be absent during holiday periods or due to illness but this absence must be advised to the Casual Trading Section as soon as practically possible.
14. A licence holder must at all times be able to produce a paper trail identifying the provenance of goods clearly identifying where stock came from.
15. The sale of counterfeit items is strictly prohibited.

16. All products must comply with the provisions of the General Product Safety Directive 2009/95/EC as transposed into Irish law by S.I. No. 199/2004 and if required display a "CE" mark.
17. All goods that are sold as "seconds" must be clearly identified as "seconds" at the point of sale.
18. While occupying a trading place a licence holder must obey all lawful reasonable requests of an authorised officer or a member of An Garda Síochána.
19. A licence member shall be deemed to have forfeited their licence if they have not traded at the appointed pitch for more than 4 weeks without reasonable explanation to Waterford City and County Council.
20. This licence may be revoked at any time if any condition of the licence has been or is being contravened.
21. The only generators which are acceptable for use should be of the Diesel variety.
22. A person engaged in Casual Trading shall not obstruct any business, premises, footpath, public road or public right of way
23. Stalls and all other articles must be removed after the hours of trading specified in the licence.
24. A licence holder trading in a casual trading area shall not be permitted to use a loud speaker or public address system and shall refrain from causing any nuisance or disturbance.
25. A person engaged in Casual Trading shall not conduct trading in a manner that causes or is likely to cause offence.
26. No licence holder or any other person shall interfere with or obstruct any officer, servant or agent of the Council engaged in the carrying out of any works of maintenance on any part of the casual trading area even where such work is carried out during trading hours.
27. The Council shall not be responsible for any property belonging to any person wherever deposited or left in any part of the casual trading area nor for any loss, damage or injury caused by the negligence of any licence holder, his agents, employers or customers.
28. The design and specification of stalls, or other like objects for the carrying/displaying of goods shall be subject to prior approval and may be subject to guidelines issued by Waterford City & County Council.
29. During the days and hours of trading, no vehicles or objects shall be parked in designated Casual Trading area unless said vehicle or object is for the specific purpose of carrying on the trading to which the permit applies.
30. Trading vehicles, stalls, media for display, goods, etc. shall only be allowed in the Designated Casual Trading Areas during the hours covered by the licence. There shall be no overnight parking. No trader shall park any vehicle or object in the designated trading area so as to cause an obstruction on the public roadways footpaths or parking areas in the vicinity of the Designated Casual Trading Areas.

31. Casual traders/licence holders shall not conduct trading in a manner that causes or is likely to cause offence. The following types of behaviour are deemed unacceptable by Waterford City & County Council:

- (i) Verbal abuse/ bullying/ harassment
- (ii) Non-verbal abuse/ bullying /harassment
- (iii) Physical abuse/ bullying /harassment
- (iv) Coercion
- (v) Intrusion, menacing behaviour
- (vi) Intimidation of any sort
- (vii) Aggression

32. The above violations by the holders of a Casual Trading Licence issued by Waterford City & County Council will be classed as misconduct for the purposes of invoking disciplinary procedures and sanctions therefore. Persons who engage in such conduct may be subject to the following penalties:

- (a) Suspension and/or revocation of a casual trading licence
- (b) Immediate eviction from the Casual Trading Area
- (c) Further penalties pursuant to Section 14 of the Act

Section 3: Authorised Officers

1. The Council shall appoint Authorised Officers for the purposes of managing and controlling its Casual Trading Areas.
2. An Authorised Officer may:
 - (i) enter, inspect and examine any place where he has reasonable cause to believe casual trading is being engaged in,
 - (ii) require any person whom he has reasonable cause to believe to be engaging in casual trading to produce, if it is not being displayed, a casual trading licence authorising such trading and to permit the officer or a member of the Garda Síochána to examine the licence, and if he fails, neglects or refuses to produce such a licence or, in a case in which it is not being displayed, to furnish to the officer his name and address and, if he is the servant or agent of another person, the name and address of the other person,
 - (iii) make such examination and inquiry as may be necessary to ascertain whether the provisions of this Act or of bye-laws made hereunder are being complied with,
 - (iv) require any person whom he has reasonable cause to believe to be engaging in casual trading in contravention of this Act to give such information as is in his power to give as to the ownership of any goods being sold in the course of such trading,
 - (v) require any person whom he has reasonable cause to believe to be engaging in casual trading in contravention of these Bye-laws to produce to him any documents, books or records relating to such trading in his power, possession or control and give to him such information as he may request in relation to entries in those documents, books or records and examine, copy or take extracts from any such document, book or record.
3. An authorised officer who proposes to perform a power or function conferred on him by paragraph 2 may request a member of the Garda Síochána to accompany him if he has reasonable cause to apprehend any obstruction in the execution of his duty.
4. A person shall not obstruct or interfere with, or give false information to, an authorised officer or a member of the Garda Síochána in the performance of his functions under these Bye-laws.
5. A person shall not fail, refuse, or neglect to comply with a requirement of an Authorised Officer or a member of the Garda Síochána under these Bye-laws.
6. A person shall be deemed not to have failed or refused to comply with a requirement of an authorised officer under these Bye-laws to produce a casual trading licence if he gives to the officer his name and address and if he is the servant or agent of another person, the name and address of that other person.

Section 4: Fees

- (i) The standard fee for a Casual Trading licence shall be €350 per annum.
- (ii) Where trading takes place for more than **190** days per year the fee of €350 shall be increased by €25 for each additional day. The maximum fee for a Casual Trading Licence will be €1,250 per Casual Trading Licence unless otherwise specified.
- (iii) No maximum fee payable for any pitch designated along the Waterford Greenway (as identified in Part 3 of these byelaws) shall be set out within these Bye Laws. All such fees shall be set by the Council when granting the licence. Any applicant shall be informed of the fee before any agreement is finalised.
- (iv) An applicant for a Casual Trading Licence to trade at under Section 7.2 at locations specified in or events pursuant to Section 4(1)(a)(iii) of the Act shall pay a licence fee of €50 per day.
- (v) An applicant for a Commercial Event Licence to trade at under Section 7.4 at a location specified shall pay a licence fee of €200 per day per location.
- (vi) The Council may, at its discretion, revise the fees from time to time.

Section 5: Penalties

1. Penalties for infringement of these Bye-laws will be the penalties as set out in Section 14 of the Casual Trading Act 1995 or by any amendment thereto.

Infringements of the above terms and conditions shall be treated as follows:

- (i) 1st Infringement – 1st written warning
 - (ii) 2nd Infringement – 2nd written warning
 - (iii) 3rd Infringement - total revocation and non renewal of licence
2. Where a person is trading in an area not designated as a casual trading area and the product being does not fall under the exemption set out in Section 2(3) of the Casual Trading Regulations 2004 then they shall be guilty of an offence as set out in Section 3 of Casual Trading Act, 1995 (as amended) and be shall be liable to the penalties set out in Section 14 of the Casual Trading Act, 1995.

Section 6:

6.1 Waste Management

- (i) The removal of waste generated at each Casual Trading Area is the responsibility of the licence Holder.
- (ii) Licence holders shall ensure that all waste generated at the Casual Trading Area is disposed of appropriately and in accordance with the Waste Management Act 1996, as amended and any relevant Regulations and EU Directives.
- (iii) Licence holders shall provide a minimum of a 3 bin system for their waste. Food Waste, Dry Recyclable Waste and General Waste shall all be segregated, stored and disposed of separately by the License Holder to an appropriate waste facility. In the case where a Licence holder uses cooking oil, waste cooking oils shall be disposed of separately by the License Holder to an appropriate waste facility.
- (iv) Licence Holders shall, on request by an Authorised Officer, produce evidence of method of disposal of waste generated at the Casual Trading Area.
- (v) Contravention of this provision of these byelaws shall result in enforcement action being taken against the Licence Holder under the Waste Management Act 1996, as amended.
- (vi) The provision or sale of any single use plastic product will be prohibited; this includes bottles, cutlery, containers, single use sachets, plates, straws, etc. Compostable or reusable alternatives must be used instead of single use plastic. The Food waste bin(s) should clearly state that the plates, cups, etc are compostable and can be placed in this bin.

6.2 Litter

- (i) A Licence Holder shall provide, at his/her own expense, adequate and suitable litter receptacles, that meet the requirements of the Council, for the disposal of litter and shall keep the Casual Trading Area and vicinity clean and tidy at all times, in accordance with Section 15 of the Litter Pollution Act 1997, as amended.
- (ii) Litter shall not be allowed to accumulate in the vicinity of the Casual Trading Area during authorised Casual Trading hours and at the end of each trading day, the Casual Trading Area shall be cleaned and all litter removed and shown to be properly disposed of by the Licence Holder.
- (iii) Contravention of this provision of these byelaws shall result in enforcement action being taken against the Licence Holder under the Litter Pollution Act 1997, as amended.

6.3 Noise

- (i) No broadcasting or speech or music from a mechanical or electronic amplification system shall take place from any stall or any vehicle and no loud playing of radios or music reproduction appliances shall take place at any stall, save with the expressed permission of Waterford City & County Council.

Section 7: Application process

7.1 Designated Area Licences

All Designated Area Licences are renewed on a specific annual date. Renewal forms are posted out in the month prior to the expiry of the Licence. The following must be submitted for an application for a Casual Trading Licence for a designated area:

- i) Completed application form
- ii) 2 passport photographs of the licence holder
- iii) Proof of identity – Passport/drivers licence
- iv) Copy of insurance policy.
- v) If the licence holder wishes to nominate agents, they must supply the agent's name, PPS number and passport photograph.
- vi) In the case of licences to sell food, a copy of HSE registration and a photograph of the unit to be used will also be required.
- vii) Valid tax clearance certificate at time of application.
- viii) Appropriate fee

7.2 Event Trading Licences

All applications must be made up to 10 days in advance of the event for “trading from the hand” Licences and 30 days for all other licences. Applications made outside of these timeframes may not be processed. The following must be submitted for an application for a Casual Trading Licence for an event:

Completed application form

- i) 2 passport photographs of the licence holder
- ii) Proof of identity – Passport/drivers licence
- iii) Copy of public liability insurance policy of at least €6.4 million with Waterford City and County Council indemnified on the policy, with the exception of “trading from the hand” licences.
- iv) In the case of licences to sell food, a copy of HSE registration and a photograph of the unit to be used will also be required.
- v) Valid tax clearance certificate at time of application.
- vi) Appropriate fee

7.3 Special Event Licences

Applications to the Casual Trading Section should be made no later than **2 months** prior to such markets where the expected attendance is less than 5,000 people. Where the expected attendance is more than 5,000 people, applications should be made to the Casual Trading Section, Waterford City and County Council no less than **3 months** prior to the proposed date of market.

Applicants for Theme Markets should also be aware that they must hold a valid Event Licence issued by Waterford City and County Council. An Events Licence will be issued following the completion of the requisite information which includes the following:

- i) Name of applicant
- ii) Address of applicant
- iii) Key Contact Person
- iv) Contact Number
- v) Start date (incl. set up)
- vi) Finish date (incl. de rig)
- vii) Location
- viii) Start time
- ix) Finish Time
- x) Summary overview of content of the event.
- xi) Expected audience attendance.
- xii) Public liability insurance cover with a specific indemnity for Waterford City and County Council to the sum of €6.4m and employers liability of €13m (if applicable)
- xiii) A detailed Event Management Plan to include a site specific risk assessment & Health &
- xiv) Safety Statement.
- xv) A Litter Management Plan.
- xvi) Details of road closures if required.
- xvii) Details of suspension of parking requests.
- xviii) Details re. positioning of vehicles.
- xix) Details of any temporary structures/props being used as part of the event.

7.4 Commercial Event Licences

Organisation or Companies undertaking outdoor commercial activities to highlight an issue or product may apply to the Casual Trading Section for a Commercial Event Licence. These licences are for 24 hours only and the activities are limited to the area proscribed below. Application should be made no later than **4 weeks** prior to such activity

1. John Roberts Square, Waterford City
2. Arundel Square, Waterford City
3. Applemarket, Waterford City
4. The Mall, Waterford City
5. Grattan Square, Dungarvan
6. Walton Park & Environs, Dungarvan
7. The Promenade, Tramore, Co. Waterford

The applicant must provide the following information:

- (i) Name of applicant
- (ii) Address of applicant
- (iii) Key Contact Person
- (iv) Contact Number
- (v) Start date (incl. set up)
- (vi) Finish date (incl. de rig)
- (vii) Location
- (viii) Start time
- (ix) Finish Time
- (x) Summary overview of content of the event.
- (xi) Public liability insurance cover with a specific indemnity for Waterford City and County Council to the sum of €6.4m and employers liability of €13m (if applicable)
- (xii) A detailed Event Management Plan to include a site specific risk assessment & Health & Safety Statement.
- (xiii) A Litter Management Plan.
- (xiv) Details of road closures if required.
- (xv) Details of suspension of parking requests.
- (xvi) Details re. positioning of vehicles.
- (xvii) Details of any temporary structures/props being used as part of the event.

7.5 Beach Trading Licences

Beach trading includes the sale of goods or services, the hire of equipment or the provision of tuition on a beach. Beach Trading licences are limited to the beaches listed in the “First Schedule” to the Beach Bye-Laws.

In determining whether to permit beach trading at a selected site, the Council will consider the following:-

- i. Any effect on road safety, arising from the sitting of the pitch or from customers visiting or leaving;
- ii. Any loss of amenity caused by noise, traffic, smell or other nuisance;
- iii. The provisions of any existing Bye-laws (incl. Parking and Beach Bye-laws) or other regulations governing matters such as waiting restrictions, parking, etc;
- iv. Any potential obstruction of pedestrian or vehicular access;
- v. Any obstruction to the safe passage of pedestrians or beach users;
- vi. The safe access and egress of customers and staff from the pitch and immediate vicinity;
- vii. The impact on local businesses;
- viii. The impact on the character of the area;
- ix. The nature of goods or services which may be sold from any pitch will be as specified in the application process. No substantial change to the products/services sold will be permitted without referral back to the Roads Department;
- x. All Beach Trading Licences are renewed on a specific annual date, renewal forms will be posted out in January each year by the Roads Department.
- xi. A licence granted by the Council shall be valid for a period of twelve (12) months after date of issue, in the case of a licence for an activity, or for the duration of the event in the case of a licence granted for an event.
- xii. All licences issued are subject to the terms and conditions of the Beach Bye-Laws.
- xiii. Applicants providing water sports tuition will be required to meet and provide evidential proof of compliance / certification with the relevant current standards with respect to standards as may be prescribed or recommended by the Irish Surfing Association, Irish Water Safety and any other standards as may be determined by the Council.
- xiv. Applicants must submit all the required documentation as set out in the Beach Trading Application form, with the relevant fee.
- xv. First time applicants should contact the Administrative Officer, Roads Department to request an application form.

PART III: Designated Areas and Times of Trading.

Metropolitan District

1. John Roberts Square Market

Location: Broad Street & John Roberts Square

Number of Trading Places in Designated Area: 20

Products Permitted: Applications for a licence to trade in the John Roberts Square Casual Trading Area shall be considered having regard to the following criteria:

Preferred:

- i. Locally produced food products that are grown, reared, caught, brewed, pickled, baked, smoked, or processed by the stallholder and are of exceptional quality.
- ii. Locally produced arts and craft goods manufactured by the stallholder, which are of exceptional quality.

Open to Consideration:

- i. Irish produced food products that are grown, reared, caught, brewed, pickled, baked, smoked, or processed by the stallholder, and are of exceptional quality.
- ii. Irish produced arts and craft goods manufactured by the stallholder which are of exceptional quality.
- iii. Non-Irish produced food products that are of exceptional quality and are considered to be beneficial to the mix or diversity of products available for sale in the Casual Trading Area.
- iv. Other products or goods, which are considered to be beneficial to the mix or diversity of products available for sale in the Casual Trading Area

MAP REF. NO.: 2020/CS-SL001

TIMES OF TRADING:

9am until 6pm each Friday.

9am until 6pm each Saturday.

9am until 6pm for the Seven days preceding 25th December each year.

During major festivals or Events held within the City Centre (being an event subject to an Event Licence as per Planning & Development Act, 2001 and the Planning & Development Regulations 2001 – 2015 or a Special Event Licence as per Part II, Section 7 of these bye laws) the market shall be relocated (as required) out of the Designated Area to a temporary area so designated by Waterford City & County Council.

2. Tramore

Location: Promenade Car Park

Number of Trading Places in Designated Area: 6

Products Permitted: General Non Food Items, Clothes, Gifts and Toys

Map Ref. No.: 2020/CS-SL002

Days of Trading: each day May 1st until August 31st

Times of Trading: 10 am to 7 pm

3. Tramore

Location: Priest Road Car Park

Number of Trading Places in Designated Area: 8

Products Permitted: Baked Goods, Fresh Food, Firewood & Associated goods, Farm Produce, Craft Goods and Artisan Foods

Map Ref. No.: 2020/CS-SL003

Days of Trading: Every Saturday & Seven days preceding 25th December each year.

Times of Trading: 9 am until 5pm

9 am until 6pm Seven days preceding 25th December each year.

4. Newtown Cove, Tramore

Location: Car Park

Number of Trading Places in Designated Area: 1

Products Permitted: Ice Creams, Beverages & Foods for immediate consumption

Map Ref. No.: 2020/CS-SL004

Days of Trading: weekends and public holidays from October 1st to March 31st
each day April 1st until September 30th

Times of Trading: 8am to 9pm

5. Tramore

Location: Old Railway Station, Strand Street

Number of Trading Places in Designated Area: 12

Products Permitted: Applications for a licence to trade shall be considered having regard to the following criteria:

Preferred:

- i. Locally produced food products that are grown, reared, caught, brewed, roasted, pickled, baked, smoked, or processed by the stallholder and are of exceptional quality.
- ii. Locally produced arts and craft goods manufactured by the stallholder, which are of exceptional quality.

Open to Consideration:

- i. Irish produced food products that are grown, reared, caught, brewed, pickled, baked, smoked, or processed by the stallholder, and are of exceptional quality.
- ii. Irish produced arts and craft goods manufactured by the stallholder which are of exceptional quality.
- iii. Non-Irish produced food products that are of exceptional quality and are considered to be beneficial to the mix or diversity of products available for sale in the Casual Trading Area.
- iv. Other products or goods, which are considered to be beneficial to the mix or diversity of products available for sale in the Casual Trading Area

Map Ref. No.: 2020/CS-SL005

Days of Trading: Each day January 1st to December 31st each year.

Times of Trading: 8 am until 10pm

6. Woodstown

Location: Lower Car park (L470761)

Number of Trading Places in Designated Area: 1

Products Permitted: Ice Creams, Beverages & Foods for immediate consumption

Map Ref. No.: 2020/CS-SL006

Days of Trading: weekends and public holidays from October 1st to March 31st
each day April 1st until September 30th

Times of Trading: 8 am to 9pm

7. Waterford Greenway

Location: Bilberry Car Park

Number of Trading Places in Designated Area: 1

Products Permitted: Ice Creams, Beverages & Foods for immediate consumption

Special Condition: *This location is adjacent to the Waterford Greenway and therefore Section 4, Part (iii) of these byelaws applies.*

Map Ref. No.: 2020/CS-SL007

Days of Trading: weekends and public holidays from October 1st to March 31st
each day April 1st until September 30th

Times of Trading: 8am to 9pm

8. Waterford Greenway

Location: Killoteran Greenway Car Park

Number of Trading Places in Designated Area: 1

Products Permitted: Ice Creams, Beverages & Foods for immediate consumption

Special Condition: *This location is adjacent to the Waterford Greenway and therefore Section 4, Part (iii) of these byelaws applies.*

Map Ref. No.: 2020/CS-SL008

Days of Trading: weekends and public holidays from October 1st to March 31st
each day April 1st until September 30th

Times of Trading: 8am to 9pm

9. Waterford Cultural Quarter

Location: O'Connell Street from its Junction with Thomas Hill to Gladstone Street

Number of Trading Places in Designated Area: 10

Products Permitted: Applications for a licence to trade in the Waterford Cultural Quarter Casual Trading Area shall be considered having regard to the following criteria:

Preferred:

- (i) Up to 75 % of stalls to be of locally produced arts and craft goods manufactured by the stallholder, which are of exceptional quality
- (ii) Locally produced cultural & artisan food products that are prepared, grown, reared, caught, brewed, pickled, baked, smoked, or processed by the stallholder and are of exceptional quality.

Open to Consideration:

- (i) Irish produced food products that are grown, reared, caught, brewed, pickled, baked, smoked, or processed by the stallholder, and are of exceptional quality.
- (ii) Irish produced arts and craft goods manufactured by the stallholder which are of exceptional quality.
- (iii) Non-Irish produced food products that are of exceptional quality and are considered to be beneficial to the mix or diversity of products available for sale in the Casual Trading Area.
- (iv) Other products or goods, which are considered to be beneficial to the mix or diversity of products available for sale in the Casual Trading Area

Map Ref. No.: 2020/CS-SL009

Days of Trading: Friday and Weekends; Public Holidays and the ten days preceding 25th December each year.

Times of Trading: 4pm to 8pm on Fridays
11am to 6pm all other times

Comeragh District

1. Annestown

Location: Beach Car park

Number of Trading Places in Designated Area: 2

Products Permitted: Ice Creams, Beverages & Foods for immediate consumption plus.

Map Ref. No.: 2020/CS-SL010

Days of Trading: weekends and public holidays from October 1st to March 31st
each day April 1st until September 30th

Times of Trading: 8am to 9pm

2. Ballymacarbery

Location: Melody's Car park

Number of Trading Places in Designated Area: 1

Products Permitted: Ice Creams, Beverages & Foods for immediate consumption.

Map Ref. No.: 2020/CS-SL011

Days of Trading: weekends and public holidays from October 1st to March 31st
each day April 1st until September 30th

Times of Trading: 8am to 9pm

3. Portlaw

Location: The Square

Number of Trading Places in Designated Area: 2

Products Permitted: Baked Goods, Fresh Food, Farm Produce, Craft Goods and Artisan Foods

Map Ref. No.: 2020/CS-SL012

Days of Trading: Every Saturday & Seven days preceding 25th December each year.

Times of Trading: 9am until 5pm

4. Kilmacthomas

Location: Old Train Station

Number of Trading Places in Designated Area: 6

Products Permitted: Baked Goods, Fresh Food, Farm Produce, Craft Goods and Artisan Foods

Special Condition: *This location is adjacent to the Waterford Greenway and therefore Section 4, Part (iii) of these byelaws applies.*

Map Ref. No.: 2020/CS-SL013

Days of Trading: Every Saturday & Seven days preceding 25th December each year.

Times of Trading: 9am until 5pm

5. Kilmacthomas

Location: Main Street

Number of Trading Places in Designated Area: 1

Products Permitted: Baked Goods, Fresh Food, Farm Produce or Artisan Foods.

Map Ref. No.: 2020/CS-SL014

Days of Trading: Every Thursday.

Times of Trading: 9am until 5pm

6. Stradbally

Location: High Street

Number of Trading Places in Designated Area: 5

Products Permitted: Baked Goods, Fresh Food, Farm Produce or Artisan Foods.

Map Ref. No.: 2020/CS-SL015

Days of Trading: Every Saturday.

Times of Trading: 9am until 5pm

Dungarvan & Lismore District

1. Dungarvan Farmers Market

Location: Grattan Square

Number of Trading Places in Designated Area: 20

Products Permitted: Applications for a licence to trade in the Grattan Square Casual Trading Area shall be considered having regard to the following criteria:

Preferred:

- (i) Locally produced food products that are grown, reared, caught, brewed, pickled, baked, smoked, or processed by the stallholder and are of exceptional quality.
- (ii) Locally produced arts and craft goods manufactured by the stallholder, which are of exceptional quality.

Open to Consideration:

- (i) Irish produced food products that are grown, reared, caught, brewed, pickled, baked, smoked, or processed by the stallholder, and are of exceptional quality.
- (ii) Irish produced arts and craft goods manufactured by the stallholder which are of exceptional quality.
- (iii) Non-Irish produced food products that are of exceptional quality and are considered to be beneficial to the mix or diversity of products available for sale in the Casual Trading Area.
- (iv) Other products or goods, which are considered to be beneficial to the mix or diversity of products available for sale in the Casual Trading Area

Map Ref No.: 2020/CS-SL016

Days of Trading: Every Thursday & Seven days preceding 25th December each year.

Times of Trading: 8am to 5pm

2. Youghal Bridge

Location: Car Park

Number of Trading Places in Designated Area: 1

Products Permitted: Ice Creams, Beverages & Foods for immediate consumption.

MAP REF. NO.: 2020/CS-SL017

Days of Trading: All Year

Times of Trading: 6am to 10pm each day 1st January to 31st December

3. Tallow

Location: Tallow square

Number of Trading Places in Designated Area: 2

Products Permitted: Fresh Food, Farmers Produce, Baked goods

MAP REF. NO.: 2020/CS-SL018

Days of Trading: each day 1st January to 31st December

Times of Trading: 9am to 5pm

3. Tallow

Location: Town Centre Car Park

Number of Trading Places in Designated Area: 10

Products Permitted: Fresh Food, Farmers Produce, Baked goods

MAP REF. NO.: 2020/CS- SLO/019

Days of Trading: Friday and Saturday plus the Seven days preceding 25th December each year

Times of Trading: 8am to 8pm

4. Abbeyside, Dungarvan

Location: Public Car Park, L3152 Strandside North

Number of Trading Places in Designated Area: 1

Products Permitted: Ice Creams, Beverages & Foods for immediate consumption.

MAP REF. NO.: 2020/CS-SL020

Days of Trading: 1st January to 31st December

Times of Trading: 5 pm to 2 am

5. Waterford Greenway

Location: Shanacool (Durrow Train Station)

Number of Trading Places in Designated Area: 1

Products Permitted: Ice Creams, Beverages & Foods for immediate consumption

Special Condition: *This location is adjacent to the Waterford Greenway and therefore Section 4, Part (iii) of these byelaws applies.*

Map Ref. No.: 2020/CS-SL021

Days of Trading: weekends and public holidays from October 1st to March 31st
each day April 1st until September 30th

Times of Trading: 8 am to 9pm

6. Clashmore

Location: Main Street (Raheen Quay Walk Entrance)

Number of Trading Places in Designated Area: 1

Products Permitted: Ice Creams, Beverages & Foods for immediate consumption

Map Ref. No.: 2020/CS-SL022

Days of Trading: weekends and public holidays from October 1st to March 31st
each day April 1st until September 30th

Times of Trading: 8am to 9pm

7. Ceann Heilbhic (*Helvic Head*)

Location: Harbour Car Park (L6133)

Number of Trading Places in Designated Area: 1

Products Permitted: Ice Creams, Beverages & Foods for immediate consumption

Map Ref. No.: 2020/CS-SL023

Days of Trading: 1st January to 31st December

Times of Trading: 8am to 10pm

These Bye-Laws shall come into effect on the 14th March 2021

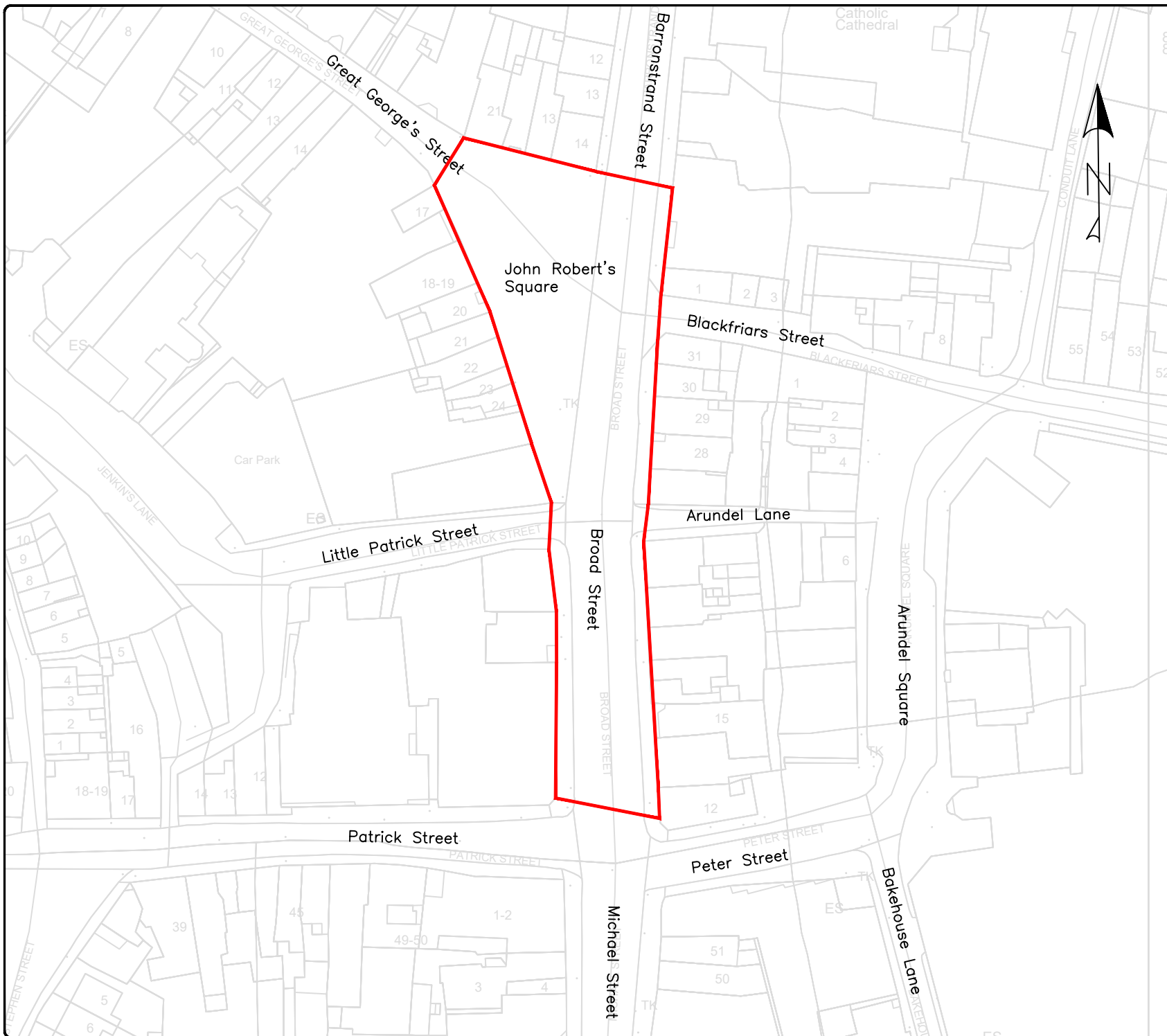
TO WHOM IT MAY CONCERN

PRESENT when the seal
Of Waterford City and County Council was affixed

Hereto:

Mayor.
Waterford City and County Council

Michael Quinn
Director of Economic Development and Planning



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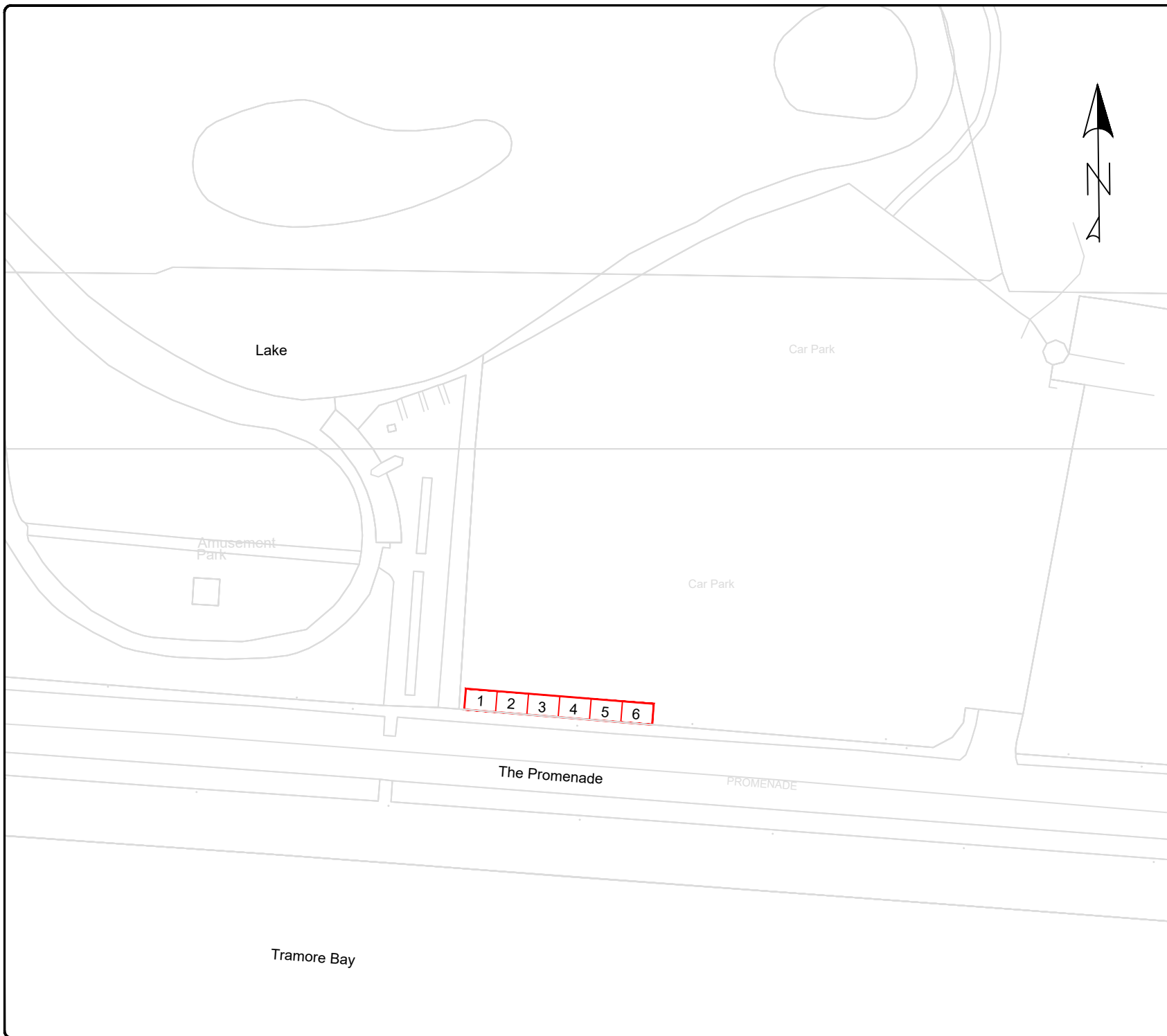
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 Director of Economic Development
 Mr. Lar Power

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 Casual Trading Bylaws

Title
 Part III – Designated Areas
 John Roberts Square Market

Scales 1:1000	Date 01/12/2020
Drawn By Finn Brophy	Checked Billy Duggan

Drawing No. 2020/CS-SL001	Revision A
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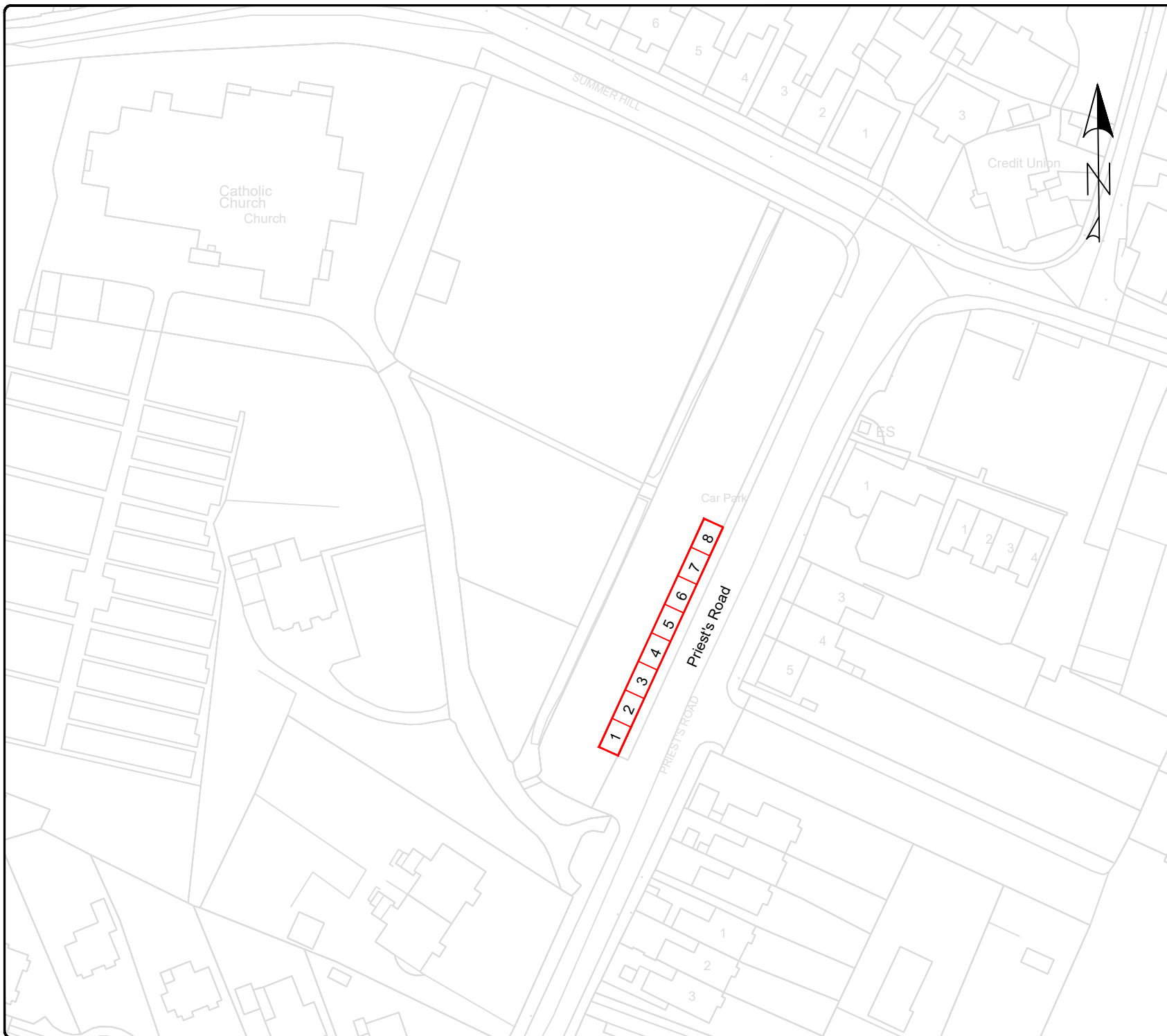
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 Director of Economic Development
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Title
 Part III – Designated Areas
 Trammore Promenade Market

Scales 1:1000	Date 01/12/2020
Drawn By Finn Brophy	Checked Billy Duggan

Drawing No. 2020/CS-SL002	Revision A
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Title
 Part III – Designated Areas
 Tramore Priest's Road Market

Scales 1:1000	Date 01/12/2020
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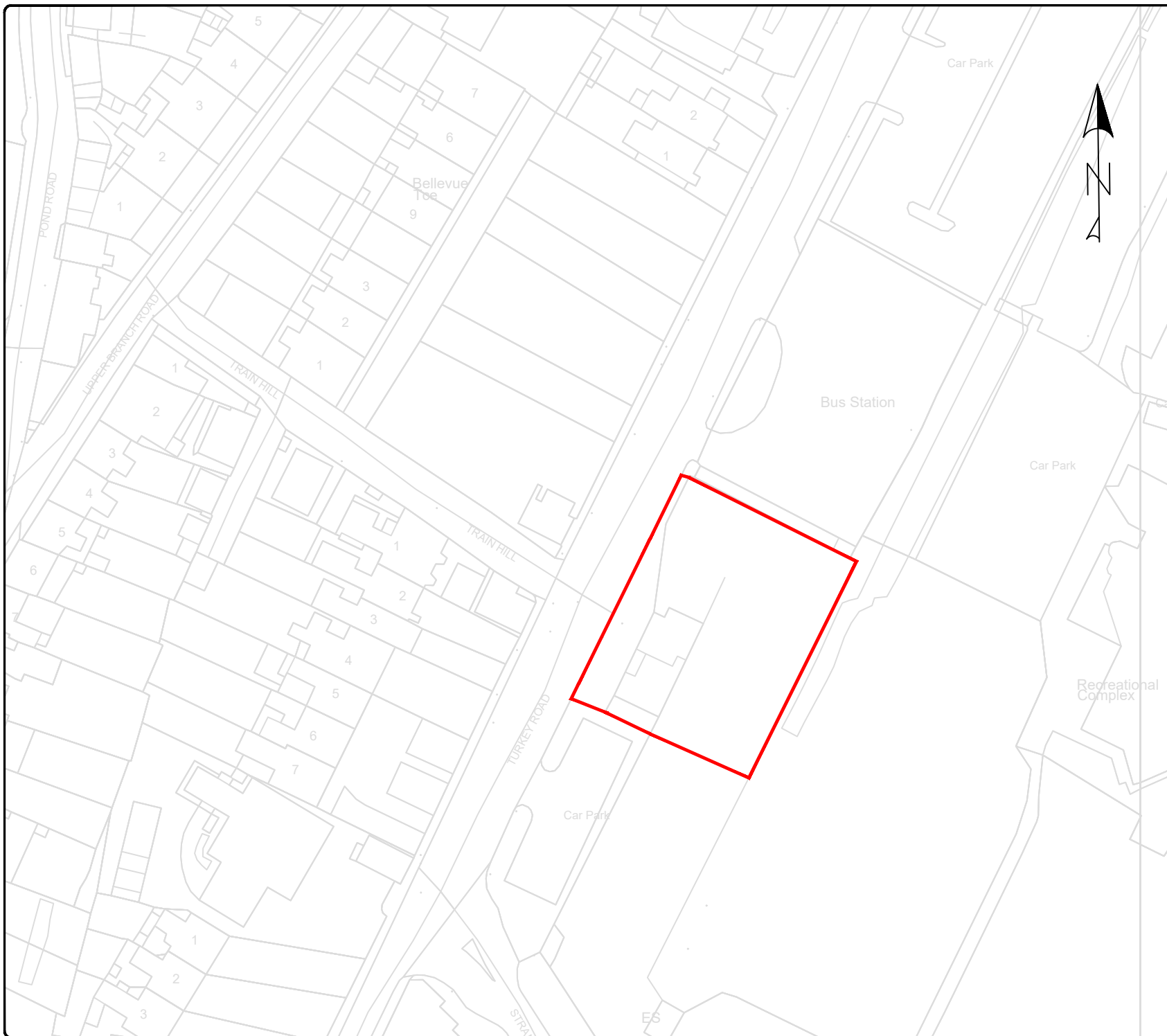
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 Mr. Lor Power

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Title
 Part III – Designated Areas
 Tramore – Newtown Cove

Scales 1:1000	Date 01/12/2020
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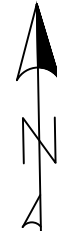
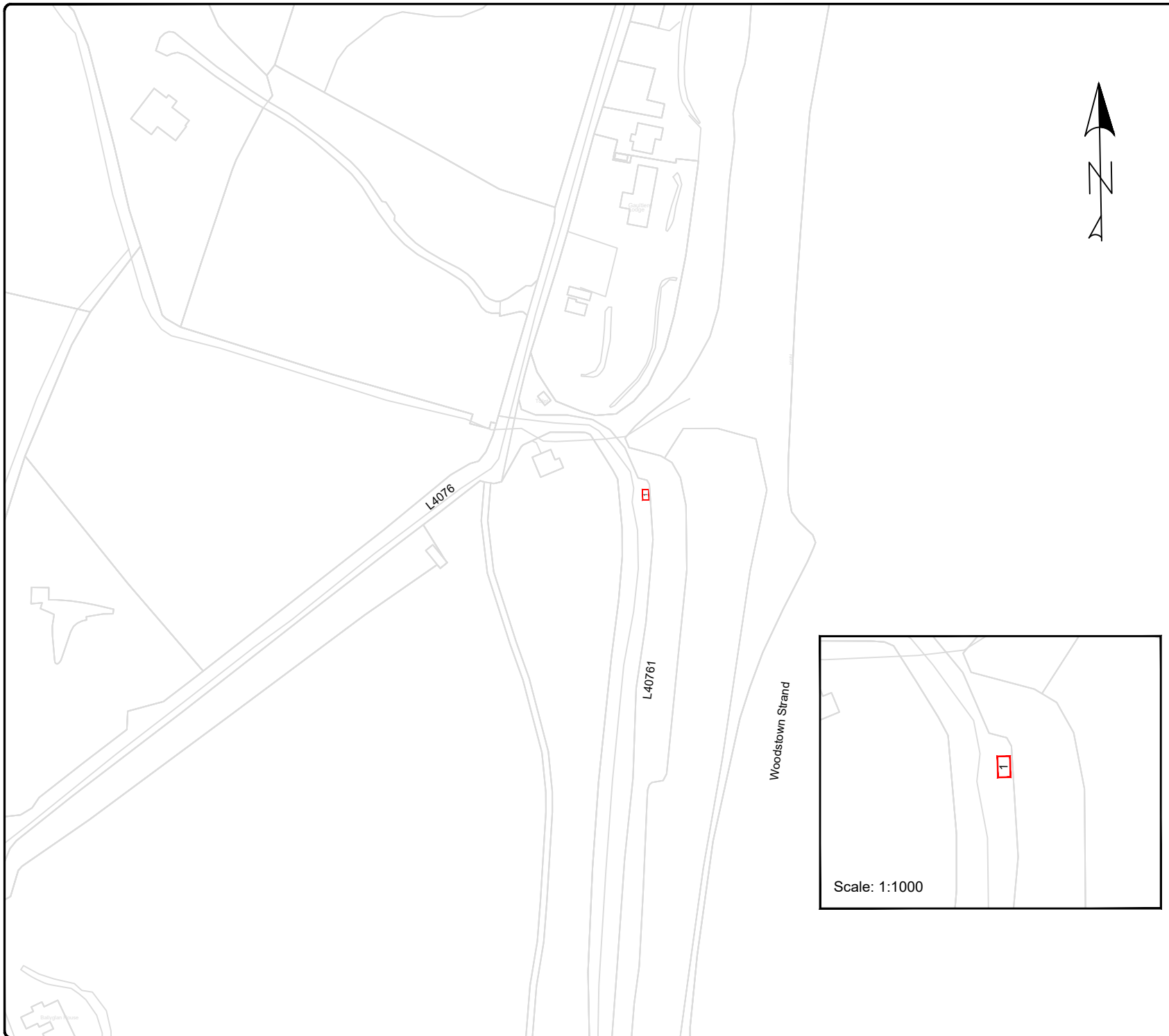
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Title
 Part III – Designated Areas
 Tramore Railway Station Market

Scales 1:1000	Date 01/12/2020
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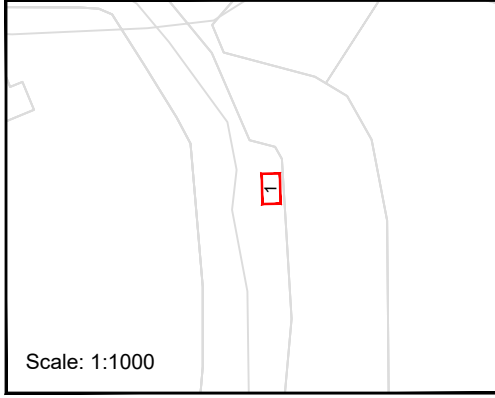
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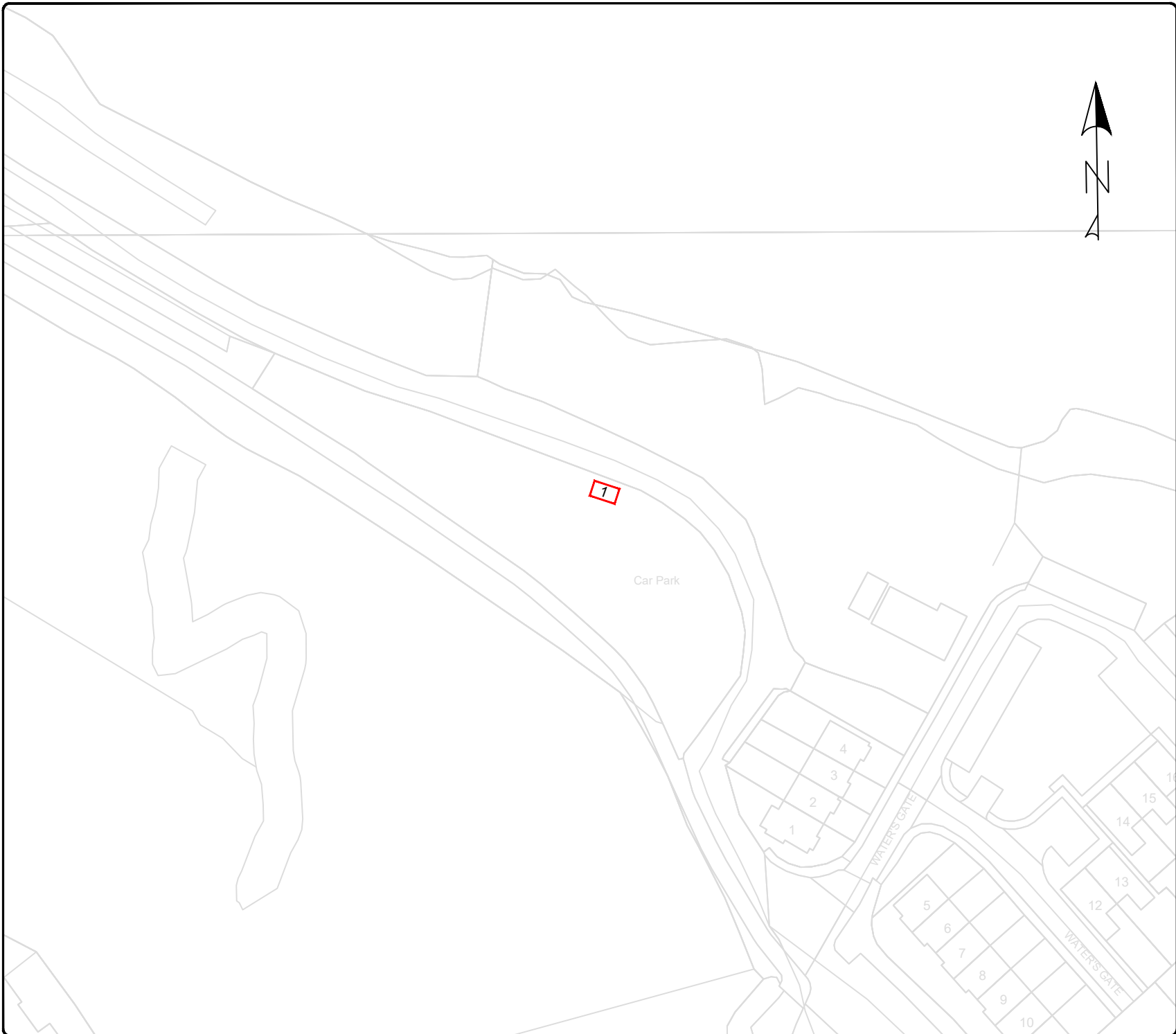
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Title
 Part III – Designated Areas
 Woodstown Strand (Lower)

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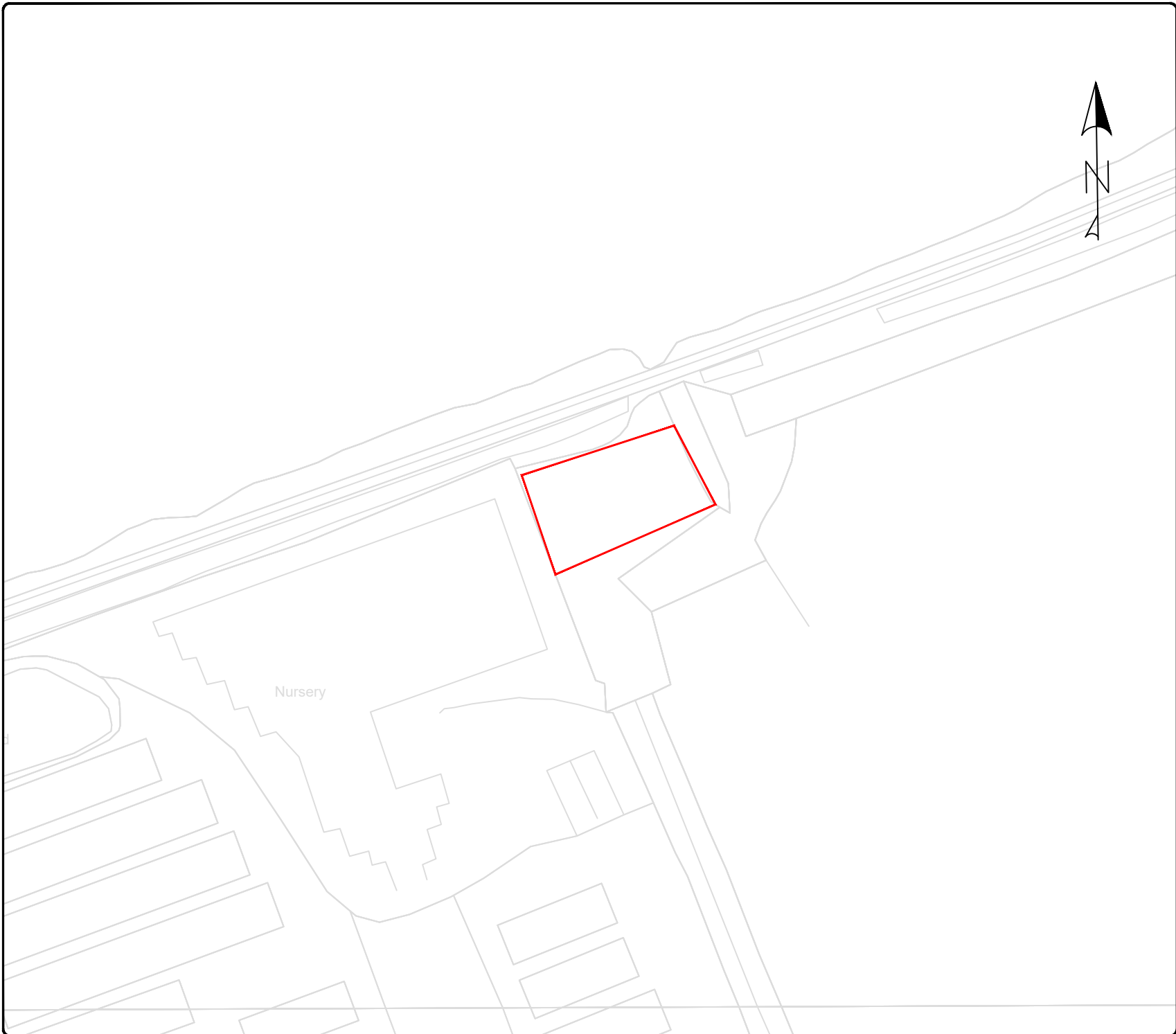
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Title
 Part III – Designated Areas
 Waterford Greenway Bilberry Car Park

Scales 1:1000	Date 01/12/2020
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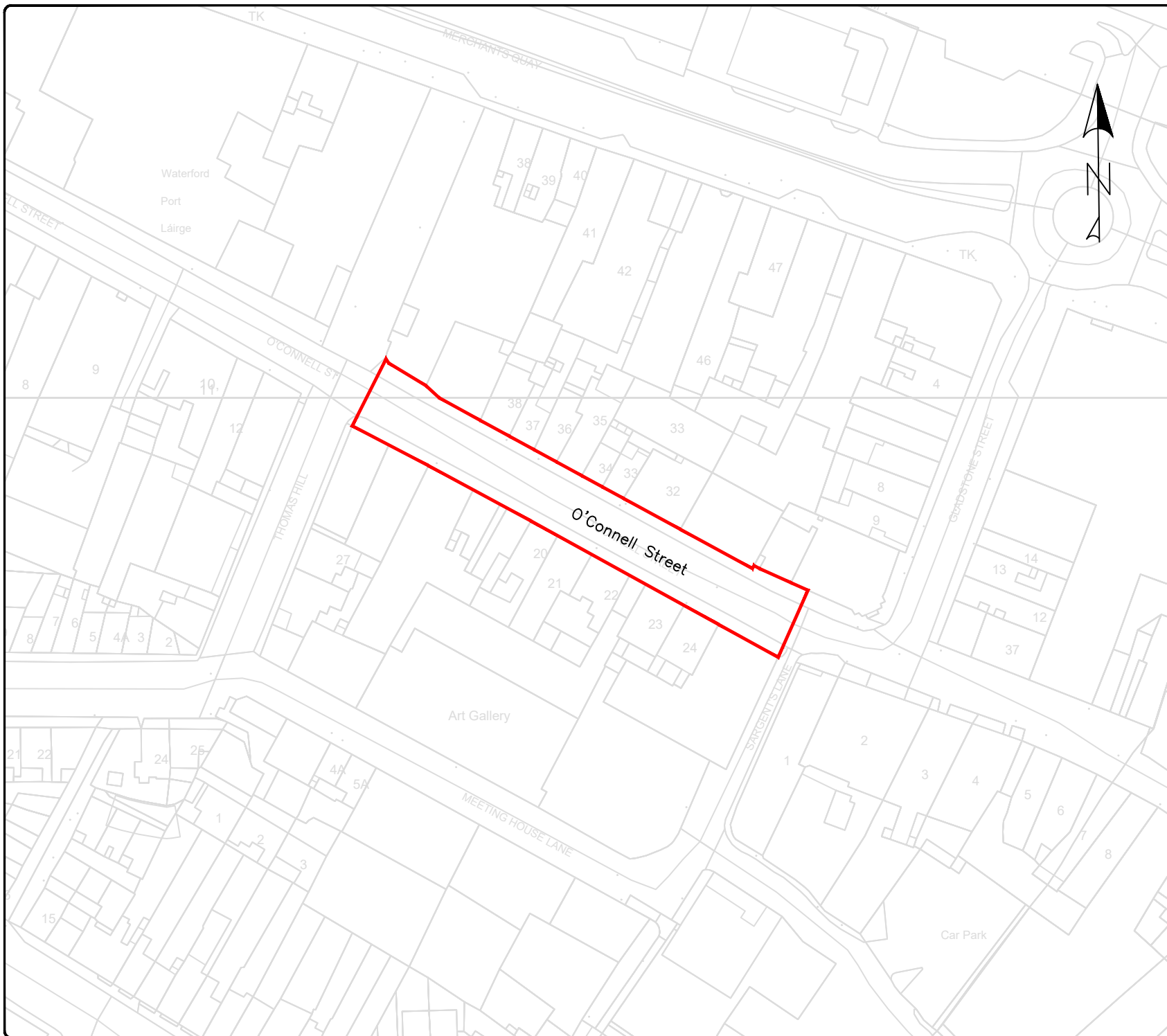
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 Waterford City & County Council
 Casual Trading Bylaws

Title
 Part III – Designated Areas
 Waterford Greenway Kiloeran Car Park

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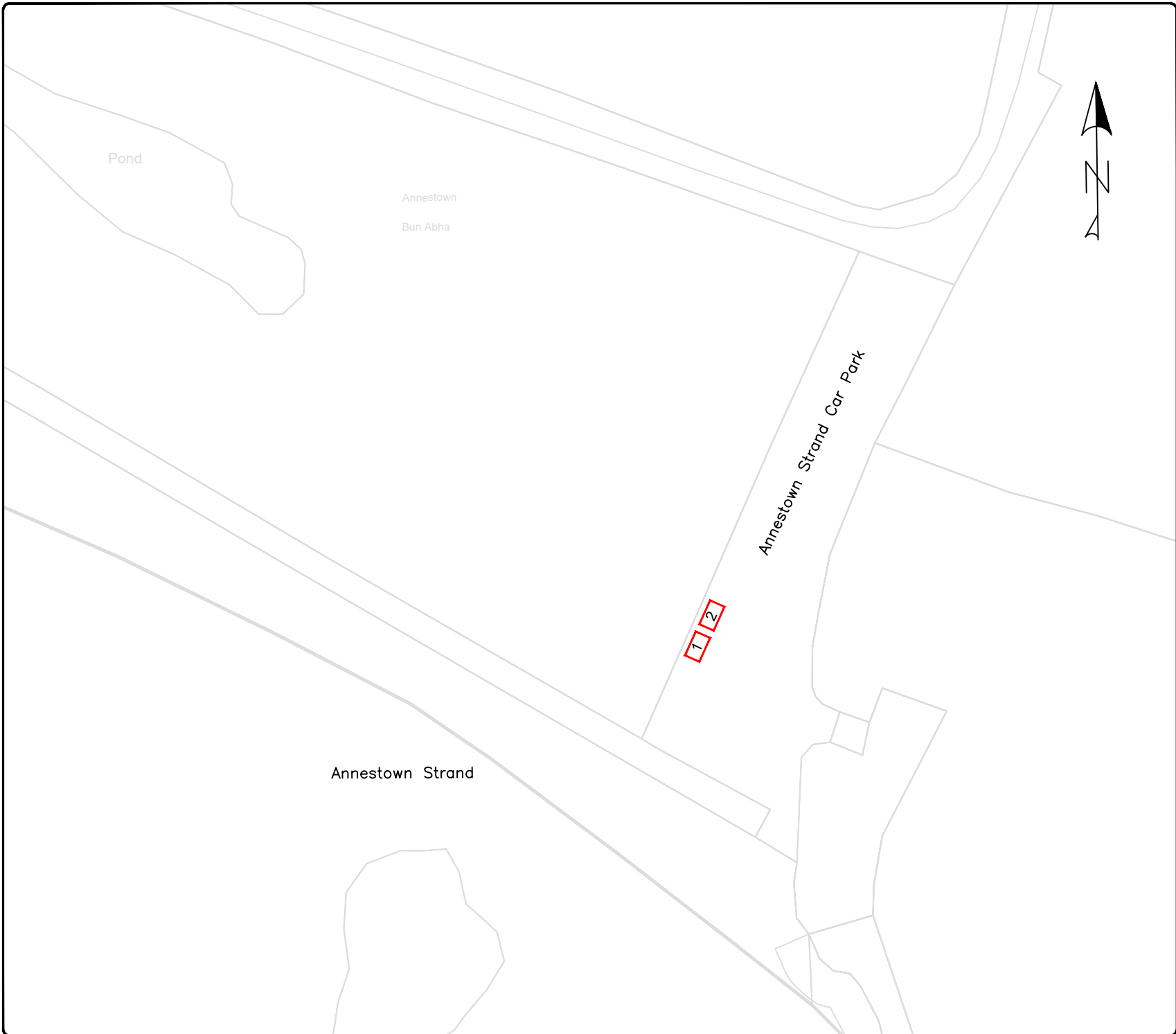
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Title
 Part III – Designated Areas
 Waterford Cultural Quarter


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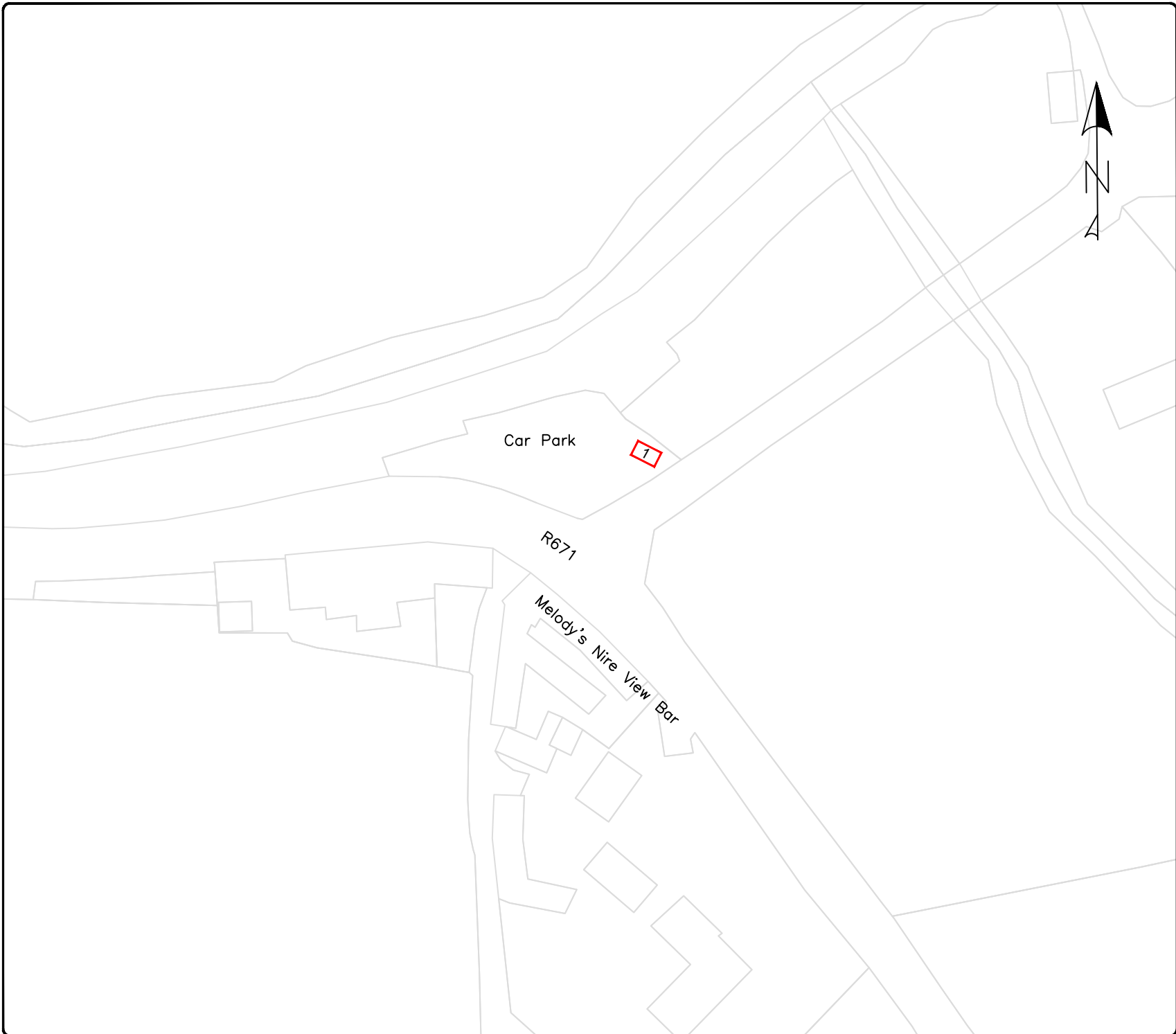
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Title
 Part III – Designated Areas
 Annestown Strand Car Park

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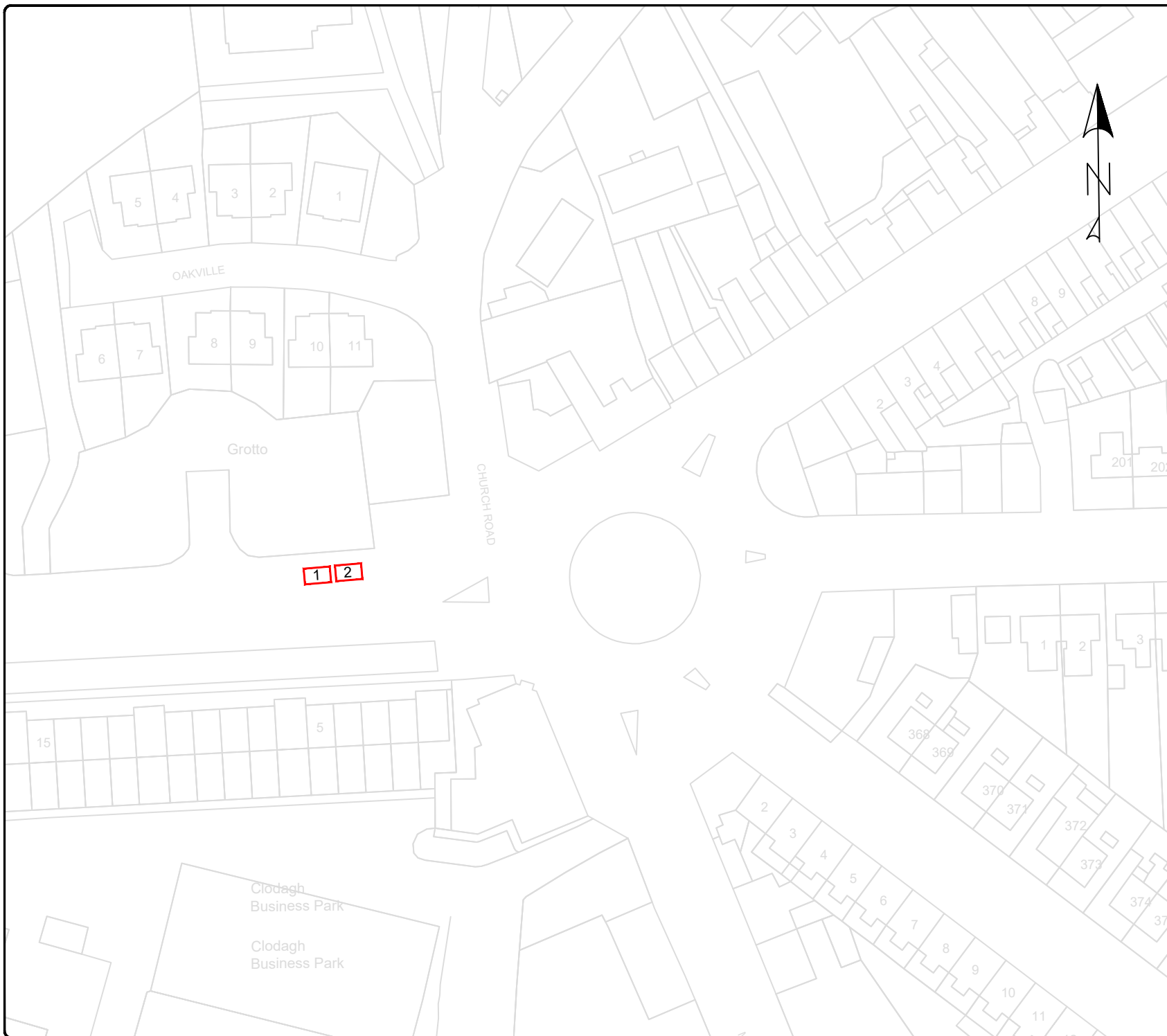
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Title
 Part III – Designated Areas
 Ballymacarbery – Melody's Car Park

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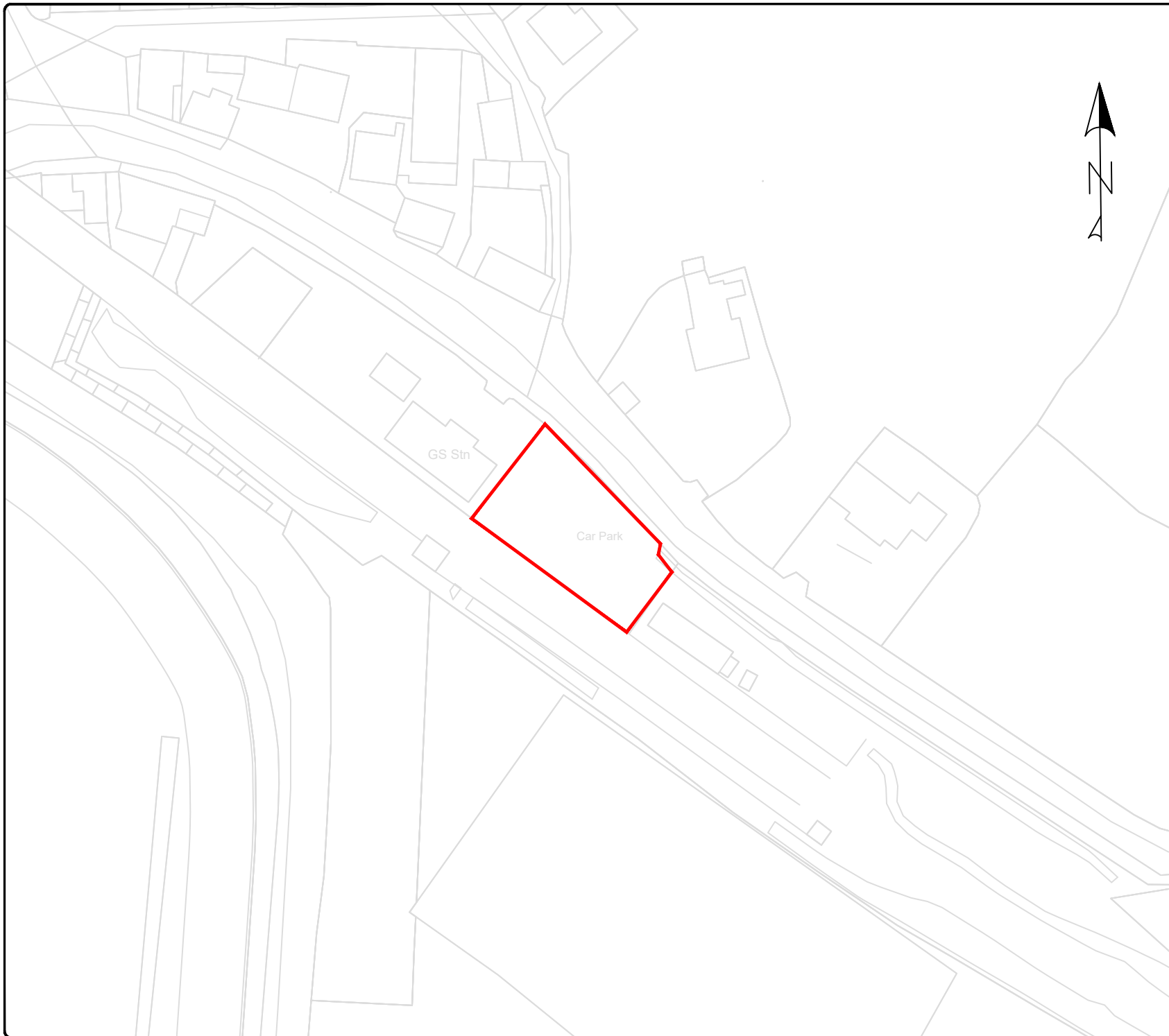
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Title
 Part III – Designated Areas
 Portlaw

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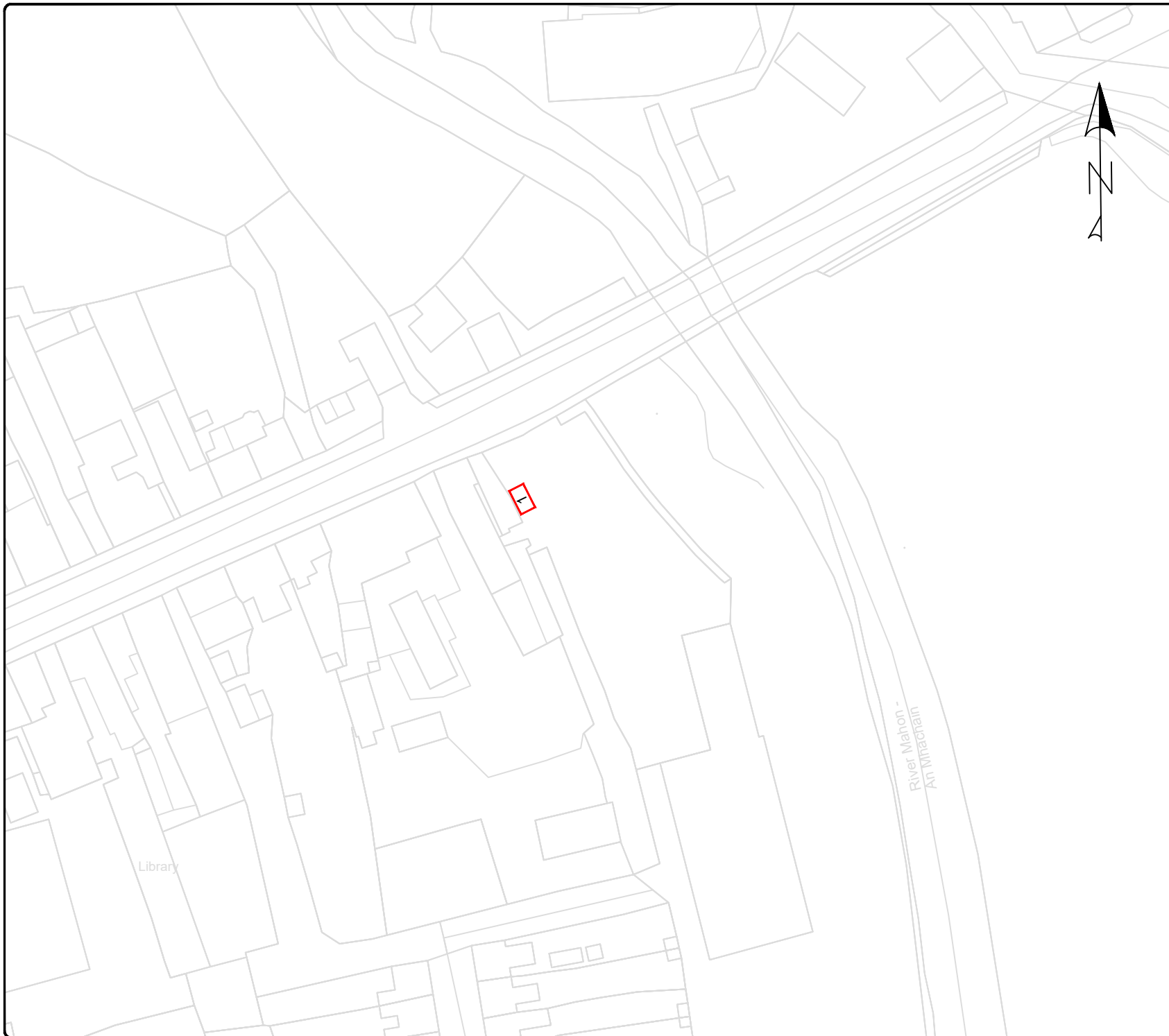
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Title
 Part III – Designated Areas
 Kilmacthomas Train Station

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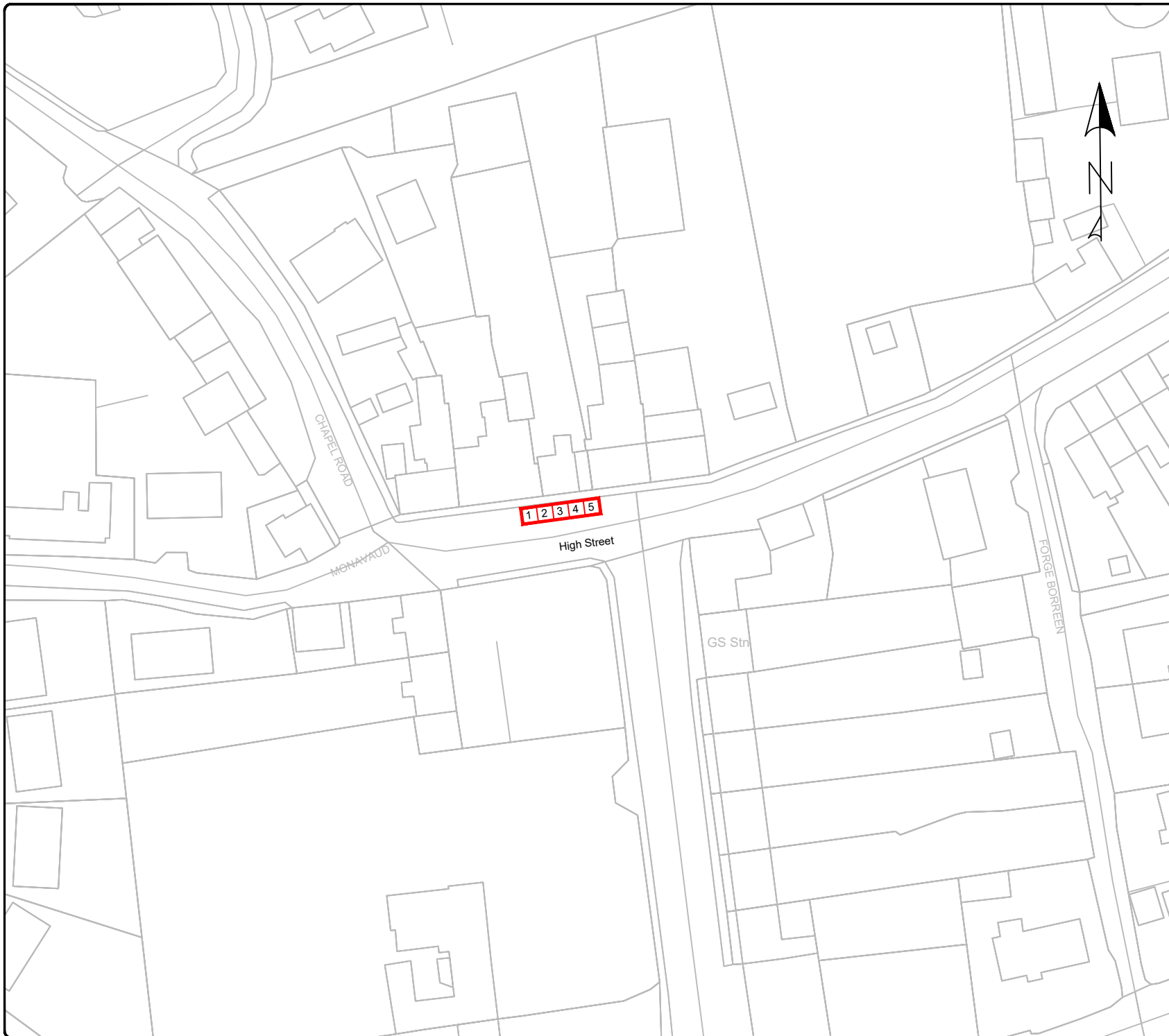
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Title
 Part III – Designated Areas
 Kilmacthomas Main Street

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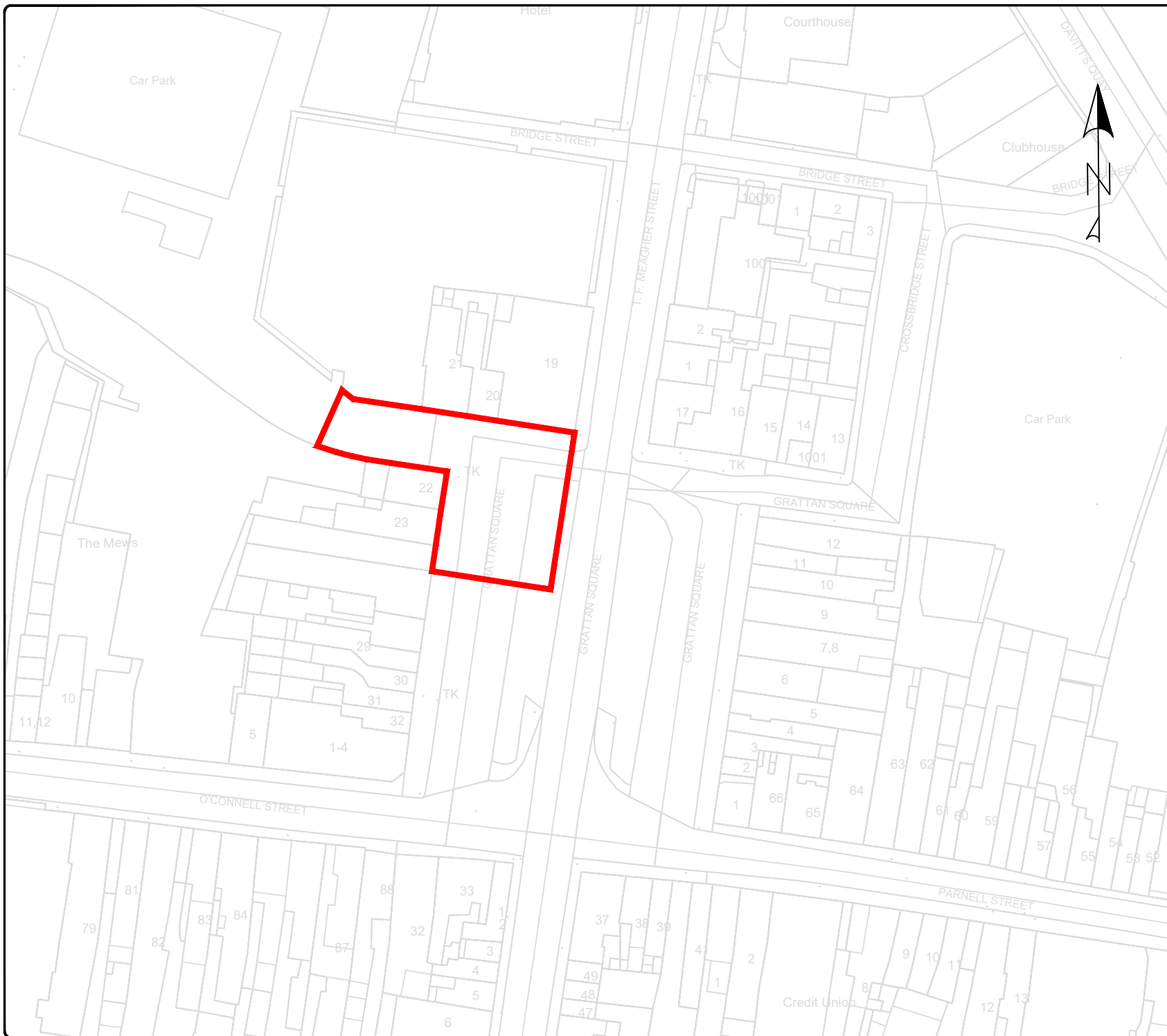
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Title
 Part III – Designated Areas
 Stradbally

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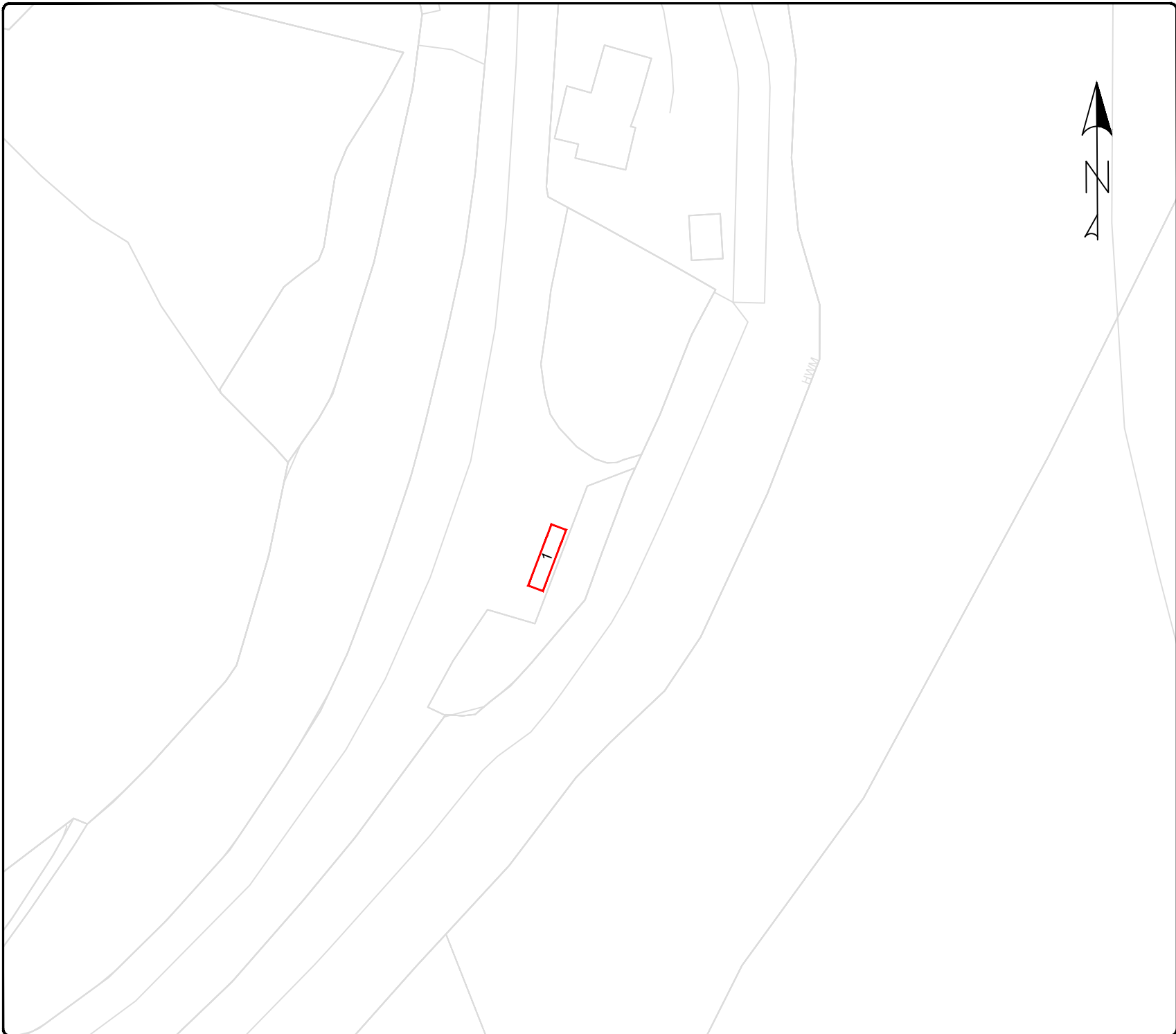
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Title
 Part III – Designated Areas
 Dungarvan Grattan Square

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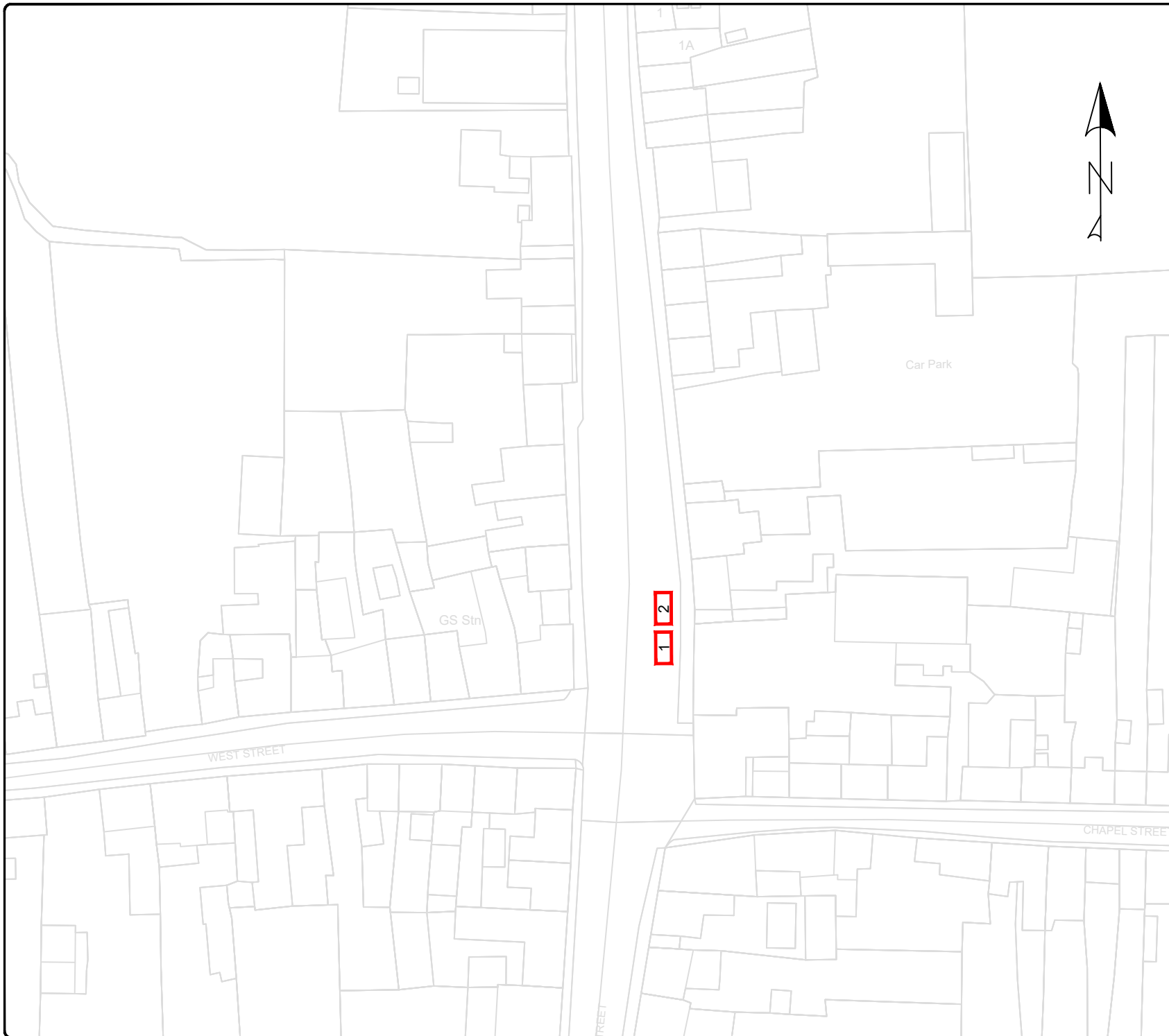
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Title
 Part III – Designated Areas
 Youghal Bridge

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Title
 Part III – Designated Areas
 Tallow – Convent Street

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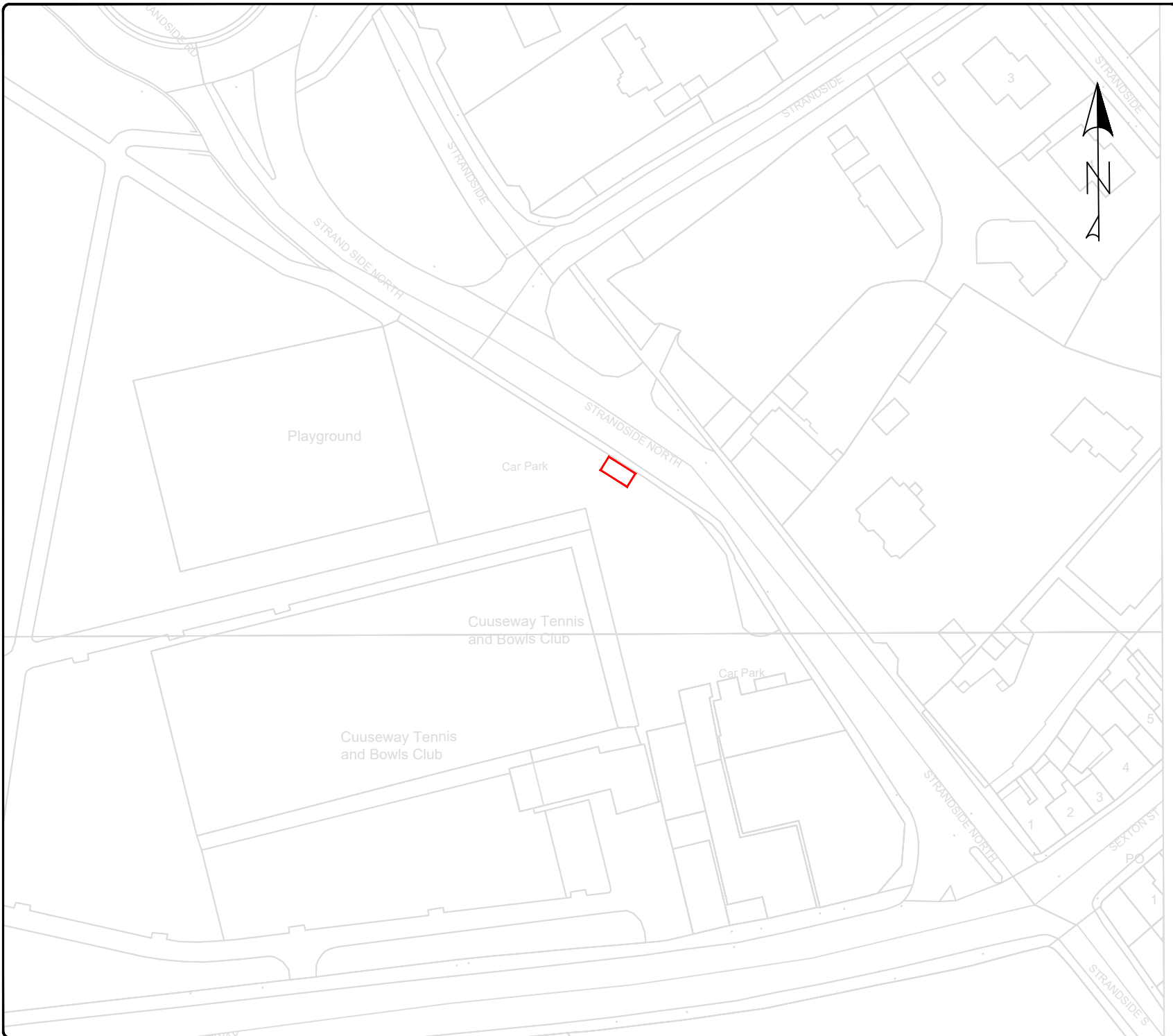
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Title
 Part III – Designated Areas
 Tallow – Convent Street

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Title
 Part III – Designated Areas
 Strand Side Car Park

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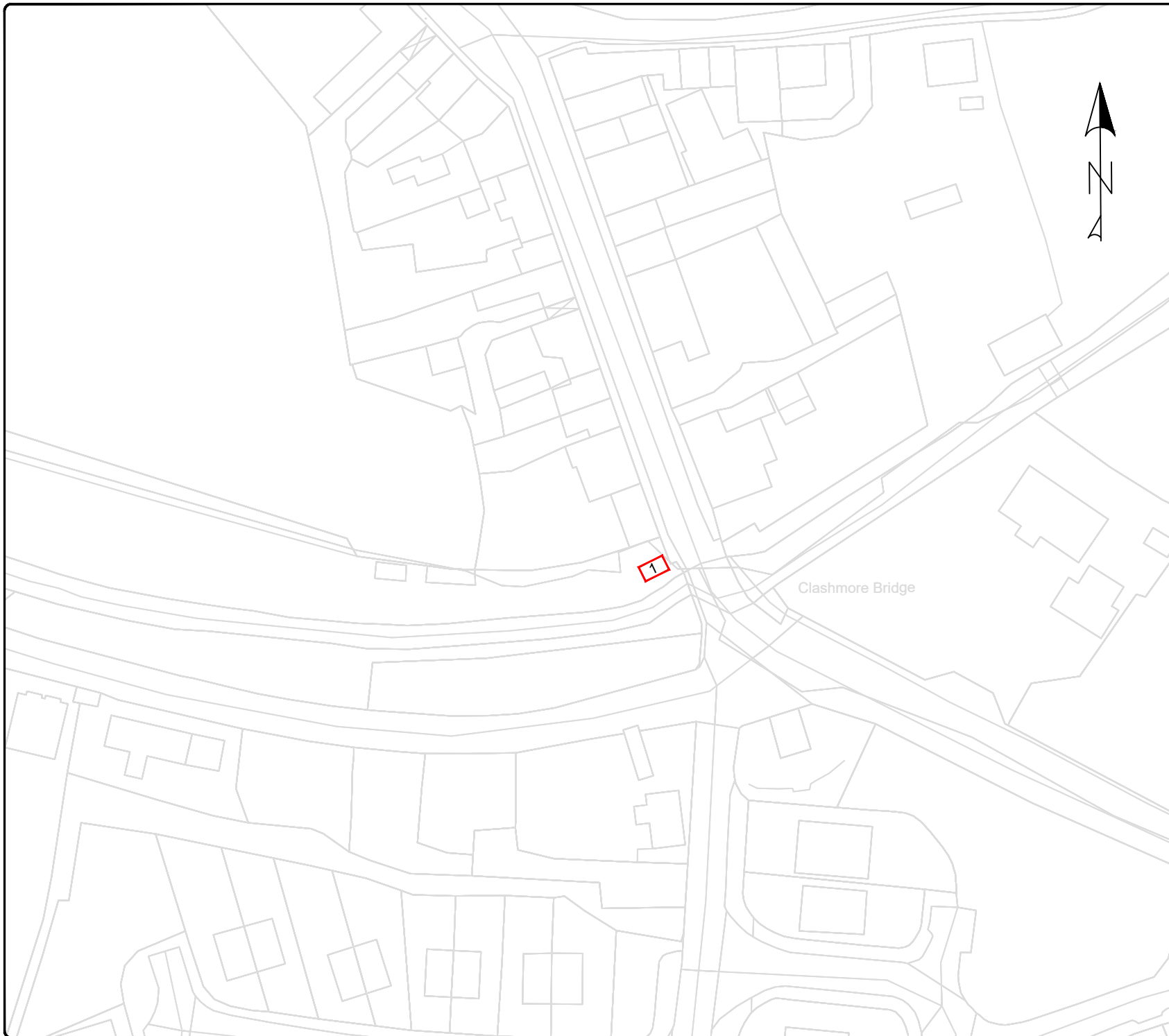
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Title
 Part III – Designated Areas
 Old Stradbally Train Station (Shancool)

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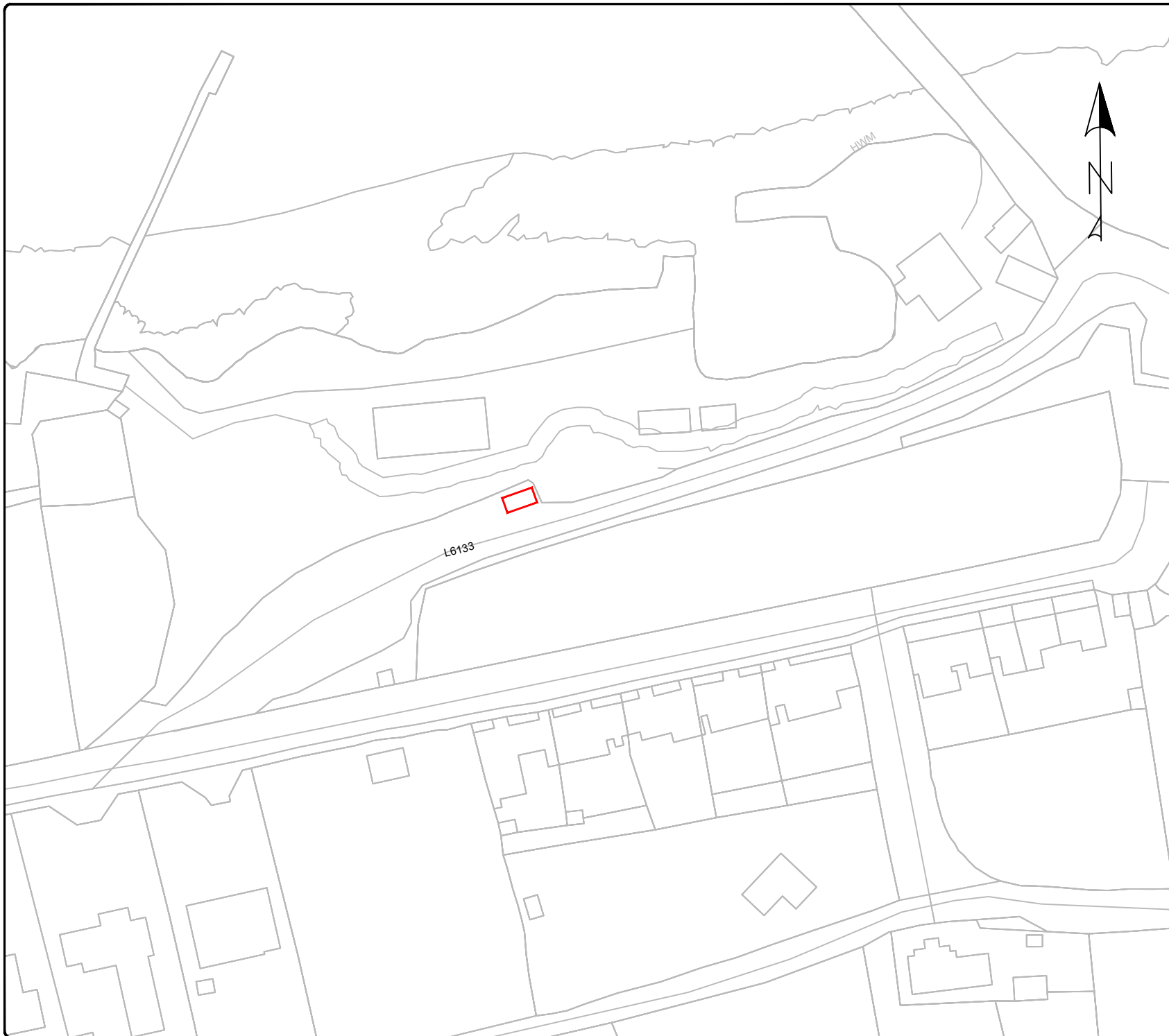
Department of Economic Development
 Director of Economic Development
 Mr. Lar Power

Project
 Waterford City & County Council
 Casual Trading Bylaws

Title
 Part III – Designated Areas
 Clashmore Raheen Quay Walk

Scales 1:1000	Date 01/12/2020
Drawn By Finn Brophy	Checked Billy Duggan

Drawing No. 2020/CS–SL022	Revision A
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Department of Economic Development
 Director of Economic Development
 Mr. Lar Power

Project
 Waterford City & County Council
 Casual Trading Bylaws

Title
 Part III – Designated Areas
 Ceann Heilbhic (Helvic Head)

Scales 1:1000	Date 01/12/2020
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Drawing No. 2020/CS–SL023	Revision A
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