

**1 YEAR 2 YEAR OR 3 YEAR
(delete as appropriate)**

**Application for a
Second Hand Dealer's Licence
Civic Government (Scotland) Act 1982**

Please refer to the relevant guidance notes prior to completing this form. Applicants must display a **public notice** at the proposed premises as soon as this application has been lodged with the licensing office. This display notice must be displayed for a period of 21 days, together. For further information please refer to the guidance notes. At the end of the 21 day period you must sign and return a **certificate of compliance** to confirm that you have complied with this requirement. Payment is due at the time you submit your application at the licensing office. In the event of not being granted a licence, application fees are non-refundable.

Please answer every question in typescript or black ink and capital letters

1 Address of premises in respect of which the licence is applied		
To be completed if applicant is individual natural person		
2 Full Name:		
Address and postcode:		
Home Address (If your home address is outwith UK)		
Date moved to current address:		
All previous addresses if resident in the UK for less than 5 years immediately prior to application.		
Have you been resident in the UK for 5 years or more?		YES/NO (delete as appropriate)
If NO, please supply previous address		
Home phone number:		
Business phone number:		
Fax number/e-mail address:		
Date & place of birth	Date of Birth	Place of Birth
If you are not an EU National to you have the right to work in the UK?		YES/NO (delete as appropriate)

To be completed if applicant is not an individual natural person (eg a company/partnership)

3 Full company name:

Company address and postcode:

Company Registration No:

Company Tax No:

Address and postcode of principal office:

Company Registration No:

Company Tax No:

Telephone number:

Fax/e-mail address:

4 Are you applying for the grant of a licence or to renew an existing late second hand dealer's licence?

Grant

SHD/

Renewal

If renewal, please state current licence number:

5 FOR COMPANIES COMPLETE THIS SECTION

Details of all Directors and persons responsible for the management of the business
(please continue on a separate sheet if there are more than two directors)

(i) Name: _____ Title: _____

Home Address:

Tel No: _____ Date of Birth: _____ Place of Birth _____

Mobile No: _____ E-mail address: _____

If you are not an EU National do you have the right to work in the UK? YES/NO

(ii) Name: _____ Title: _____

Home Address:

Tel No: _____ Date of Birth: _____ Place of Birth _____

Mobile No: _____ E-mail address: _____

If you are not an EU National do you have the right to work in the UK? YES/NO

Details of the employee who is to carry out the day to day management of the business

(i) Name: _____ Title: _____

Home Address

Tel No: _____ Date of Birth: _____ Place of Birth _____

Mobile No: _____ E-mail address: _____

If you are not an EU National do you have the right to work in the UK? YES/NO

6 FOR PARTNERSHIPS COMPLETE THIS SECTION

(b) Partnership Name (Block Letters)

Address of Registered or Principal Office

Partnership Tax No: _____

Contact Telephone No:

E-Mail Address:

**Details of all Partners or persons responsible for the management of the business
(Please continue on a separate sheet if there are more than two partners)**

(i) Name: _____ **Title:** _____

Home Address

Tel No: _____ **Date of Birth:** _____ **Place of Birth** _____

Mobile No: _____ **E-mail address:** _____

If you are not an EU National do you have the right to work in the UK? YES/NO

(ii) Name: _____ **Title:** _____

Home Address

Tel No: _____ **Date of Birth:** _____ **Place of Birth** _____

Mobile No: _____ **E-mail address:** _____

If you are not an EU National do you have the right to work in the UK? YES/NO

7 Nature of business for which a second hand dealer's licence is required?

Please state:

- | | |
|---|-----|
| (a) Days of week when it is proposed the second hand business is proposed to take place. | (a) |
| (b) Hours each day during which you require this licence. | (b) |
| (c) State the nature of articles in which it is proposed to deal. | (c) |
| (d) Describe the premises in which the knife dealer's business is proposed to take place. | (d) |

8 Are you the owner of the premises? If no, please state the full name and address of the owner.	Yes <input type="checkbox"/> No <input type="checkbox"/>
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9 Are the premises situated within tenemental property?	Yes <input type="checkbox"/> No <input type="checkbox"/>
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10 Subject to the provisions of the Rehabilitation of Offenders Act 1974, state below particulars of any convictions you or any Directors, Partners or Manager have. This must also include any endorsable Road Traffic Offences or fixed penalties. Continue on a separate sheet if necessary. IF THERE ARE NONE YOU MUST WRITE "NONE". If you are unsure DO NOT PROCEED, obtain a disclosure certificate from Police Scotland or Disclosure (Scotland) to confirm your details.

Date	Court	Offence	Sentence

Note - All unspent crimes and offences must be declared

Previous address if resident in the UK for less than 5 years immediately prior to application (See notes)

If you are not resident in the UK you must provide (at your own expense, and officially translated if necessary) a Certificate of Good Conduct or similar document from the justice authority of the country where you are resident.

If you have been resident in the UK for less than 5 years prior to application your must provide (at your own expense, and officially translated if necessary) a Certificate of Good Conduct or similar document from the justice authority of the country where you previously resided

11 Has any party named in question 2 or 3 overleaf held or does he/she currently hold a second hand dealer's licence?	Yes <input type="checkbox"/> No <input type="checkbox"/>
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If Yes , which authority granted the licence?	
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When was it granted?	
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When does it expire?	
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12 Has any party named in question 2 or 3 overleaf ever applied for and been refused a second hand dealer's licence?	Yes <input type="checkbox"/> No <input type="checkbox"/>
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If Yes , which authority refused the licence?	
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When was it refused?	
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***(a)** I/we declare that I/we shall, for a period of 21 days commencing with the date hereof, display at or near the premises so that it can conveniently be read by the public, a notice complying with the requirements of Paragraph 2(3) of Schedule 1 of the Civic Government (Scotland) Act, 1982 or

***(b)** I/we declare that I am/we are unable to display a notice of this application at or near the premises because I/we have no rights of access or other rights enabling me/us to do so, but I/we have taken the following steps to acquire the necessary rights, namely:-

but have been unable to acquire those rights.

* Delete (a) or (b) as appropriate. Where a declaration (a) is made there must be produced in due course a certificate declaring compliance with paragraph 2(2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

Any person who in connection with the making of this application makes any statement which he knows to be false or recklessly makes any statement which is false in a material particular shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £500.

The information you supply on this form will be used by East Renfrewshire Council to process your application for a licence. We will also use your information to verify your identity where required, contact you by post, email or telephone to maintain our records and for certain research and statistical reasons. The Council will use this information because we need to do so in terms of the Civic Government (Scotland) Act 1982. The information will be shared with Police Scotland in full and a redacted version will be shared with other statutory consultees including community councils and the Fire Authority, if appropriate. This is necessary to provide this service and to fulfil the council's legal obligations in terms of the above Act and to perform a task carried out in the public interest. We also need to process more sensitive personal information about you for reasons of substantial public interest as set out in the Data Protection Act 2018. It is necessary for us to process it to carry out key functions as outlined by law.

If you do not provide us with the information we have asked for then we will not be able to provide this service to you. You can find out more about how we handle this information and your rights in respect of it by going to <http://www.eastrenfrewshire.gov.uk/taxis>

If you do not have access to a computer and wish a paper copy please let us know by contacting Business Support, Licensing, Chief Executives Department, Council HQ, Rouken Glen Road, Giffnock, G46 6UG

If you have provided anyone else's details on this form, please make sure that you have told them that you have given their information to East Renfrewshire Council. We will use the information in the same way as your personal information and may verify the information you have given with the person and may use it as if it is your information and to assist in determining your application. If the other person wants any more information on how we will use their information they can visit our web site at <http://www.eastrenfrewshire.gov.uk/taxis>

I declare that the particulars given by me on this form are true and I hereby make application to East Renfrewshire Council for the grant or renewal of the licence applied for. All Partners/Directors/Managers named on this form must sign below:-

Date: _____	Signature of Applicant: _____
Date: _____	Signature of Applicant: _____
Date: _____	Signature of Applicant: _____
Date: _____	Signature of Applicant: _____

(NB if your home address is outwith the UK, see Notes)

Please ensure you have read the attached guidance notes and have:

- completed every question in block capitals and black ink or typescript
- signed and dated the application
- deleted declaration (a) or (b) above, as applicable
- arranged for the public notice to be displayed at the proposed premises showing the exact 21 days date (if you are uncertain about this date please seek assistance from a member of the licensing staff).

Completed application should be returned to:-

East Renfrewshire Council
Legal Services
Council Headquarters
Eastwood Park
Rouken Glen Road
Giffnock
East Renfrewshire G46 6UG

Phone: 0141 577 3001

E-mail: customerservices@eastrenfrewshire.gov.uk

Display Notice

Civic Government (Scotland) Act 1982

Application for the

(insert grant or renewal)

of a

(insert type of licence applied for)

licence

I declare that an application as detailed above has been made to East Renfrewshire Council. A copy of the application form lodged with East Renfrewshire Council is displayed opposite.

Any objection or representation relating to the application should be made to the Chief Officer – Legal & Procurement, East Renfrewshire Council, Licensing Section, Council Headquarters, Eastwood Park, Rouken Glen Road, Giffnock, G46 6UG.

before

(insert 21 days from the date the application is lodged with East Renfrewshire Council)

Any objection or representation must be in writing and:

- must specify the ground of the objections or the nature of the presentation,
- must specify the name and address of the person making it.
- must be signed by him/her or on his behalf.

Such a representation shall be considered to have been made within the period referred to if it is delivered by hand within that period or posted (by registered or recorded delivery post) so that in the normal course of post it might be expected to be delivered within that period.

It should also be noted that where an objection or representation is made to the Council after the date referred to but before a final decision is taken on the application, it is competent for the Council to entertain if it is satisfied that there is sufficient reason why the objection or representation was not made within the period of time stated.

Signed (by application)

PLEASE PRINT NAME:

This site notice must be displayed for the whole of the period of 21 days at, or near, the premises so that it can be conveniently read by the public.

Certificate of Compliance

Civic Government (Scotland) Act 1982

I,

(insert name of applicant)

applicant for a

(insert type of licence applied for)

licence

hereby certify that the Notice (as per overleaf) has been posted at or near the premises at:

(insert address of premises)

from:

(insert date application lodged at licensing office)

to:

(insert 21 days date thereafter)

containing such information as is required by paragraph 2(3) of Schedule 1 to the above Act.

* Where the said Notice was removed, obscured or defaced during the above mentioned period, I took reasonable steps for its protection and replacement as follows:- (give details and circumstances)

Date:		Signature:	
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Please complete this side of the form **after** the 21 days date and return to this office:

East Renfrewshire Council
Licensing Section
Council Headquarters
Eastwood Park
Rouken Glen Road
Giffnock
East Renfrewshire G46 6UG

*Please delete if inapplicable

Assistance for completing display notice and certificate of compliance

The **DISPLAY NOTICE** and the **CERTIFICATE OF COMPLIANCE** should be printed back to back.

The **DISPLAY NOTICE** must be completed and displayed at the premises to which the licence relates. Please note that the date on the display notice must be exactly 21 days from the date the application is lodged with the licensing section. (If posting your application please remember the 21 days will not commence until the application has been received at this office).

After the 21 days date has passed the **CERTIFICATE OF COMPLIANCE** (on the reverse of the display notice) requires to be completed and returned to the Licensing office. The dates on this certificate must reflect the date the application is lodged and the 21 days thereafter.

Once the 21 days date has passed and both sides of this form have been completed correctly you must ensure that you submit the original to the licensing office.

If you are in any doubt about these dates, please contact the licensing office at the undernoted address for clarification.

Contact Details

Tel: 0141 577 3001

E-mail: customerservices@eastrenfrewshire.gov.uk

Or write to:

East Renfrewshire Council
Council Headquarters
Eastwood Park
Rouken Glen Road
Giffnock
East Renfrewshire G46 6UG

SECOND HAND DEALER'S GUIDANCE NOTES

SECOND HAND DEALER'S LICENCE

Why do I need a second hand dealer's licence?

A licence is required for anyone wishing to sell second hand goods. However, pawnbrokers, wholesale dealer's purchasing exclusively from licensed second-hand dealer's or charitable businesses for the purpose of Income Tax Acts, do not require to be licensed.

Applications

If a question on the application form is irrelevant please mark it "not applicable" unless otherwise stated.

Where the applicant is an individual person then the whole of question 2 should be completed, and question 3 should be ignored.

Where the applicant is a company or partnership not being a person, the whole of question 3 should be completed and question 2 should be ignored.

For renewal applications, applicants are solely responsible for ensuring their renewal application form is lodged timeously, ideally around 6 weeks prior to the expiry date of the licence. Failure to lodge the renewal before the expiry date of the current licence will result in the licence lapsing.

Documentation which must be produced on submission of application is as follows:-

1. Your current passport
2. Two items of correspondence showing your current name and address (e.g. DVLA licence, Council Tax Payment Book/Notice, Utility bill etc)
3. Applicants not resident in the UK must provide (at their own expense and officially translated if necessary) a Certificate of Good Conduct.
4. Applicants who have been resident in the UK for less than 5 years prior to application must provide (at their own expense, and officially translated if necessary) a Certificate of Good Conduct or similar document from the Justice Authority of the country where they previously resided.

Application Fees

PLEASE REFER TO COUNCIL WEBSITE FOR CURRENT PRICE LIST

<https://www.eastrenfrewshire.gov.uk/CHttpHandler.ashx?id=4798&p=0>

Payment is due at the time you submit your application at this office. Please note that applications cannot be emailed to us. You must print the form, complete it and post it, or hand-deliver it to the licensing office (at the undernoted address) with the appropriate fee. Please see the table of fees located on the Council website.

Application fees are non-refundable, even if your application is subsequently refused or withdrawn. However you will be entitled to a refund of the enforcement element of the

application fee (15% of total fee). You will require to submit the request for this refund in writing to the council. Thereafter you will be issued with a cheque in due course.

Duration of Licence

You can apply for a licence for a one, two or three year period if the application is for the renewal of a licence. However, if you are applying for this first time then you can only apply for a licence for a one year period.

Conditions of Licence

East Renfrewshire Council may attach additional conditions to the licence as it sees fit, with each application being dealt with on its own merits.

Processing your application

When your application is lodged and the appropriate fee has been paid, a copy of your application will be sent to Police Scotland who will carry out a full DVLA and criminal background check on each applicant. Please note any convictions not declared by you will be disclosed by the police and may affect your application and/or lead to prosecution. A copy will also be sent to the Counter Fraud Officer as you must be registered at home address for Council Tax purposes either as liable or non-liaible. Applications may also be sent to Fire Safety & Rescue, Planning Department, Roads & Transportation Department and the Environment Department. Your application may also be sent to the UK Borders Agency. They will carry out their own investigations and report back to the licensing office.

We will usually process your application within 6 to 8 weeks. The legislation allows for consideration of the application within three months and a decision within six months.

If objections/representations are received in relation to your application you will be sent a copy of the letter or letters of objection/representations. Your application, the letter(s) of objection/representation and your response will then be referred to a Licensing Committee meeting. You will be called to a hearing before the Committee and given the opportunity of addressing the Committee in relation to your application and the objections/representations.

Display of Public Notice

The enclosed **display notice** requires to be completed and displayed at the premises to which the licence relates, for a period of 21 days, starting on the day the application is lodged at the licensing office. (If posting your application please remember the 21 days will not commence until the application has been received at this office).

If you are in any doubt about these dates, please contact the licensing office by phone on 0141-577-4683/4684/3014 for clarification.

Compliance Certificate

The enclosed **Certificate of Compliance** required to be completed after the 21 days date and returned to the Licensing Office. The dates on this certificate must reflect the date the application is lodged and the 21 days thereafter.

Both the **display notice** and the **certificate of compliance** must be produced at the licensing office once the 21 days date is over.

Any Further Questions

Should you have a query that is not covered in these guidance notes please contact the Licensing Section for further information.

Contact Details

Tel 0141 577 3001

Email: customerservices@eastrenfrewshire.gov.uk

Or write to:

East Renfrewshire Council, Legal Services, Council Headquarters, Eastwood Park,
Rouken Glen Road, Giffnock, East Renfrewshire, G46 6UG