

6.0 Casual Trading Applications

6.1 Applying for a Casual Trading Licence

- A. An application for a Casual Trading Licence shall be made in the prescribed application form online, together with the appropriate fee as set out in these Bye-laws, with the Environment Section of Galway City Council.
- B. An application may be made for more than one (1m) trading bay in the designated casual trading areas outlined in map no 2.
- C. In dealing with applications for new first licences, preference as far as possible will be given to traders who have no other trade, employment or business, who are directly involved in the production process, and whose intention it is to attend to the stall personally.

Preferred applications will include:

- (i) Locally or regionally produced food products that are grown, produced, caught, brewed, pickled, baked, smoked or processed by the licence holder, and are of exceptional quality; or
- (ii) Locally or regionally produced arts and craft goods, manufactured by the licence holder, and are of exceptional quality; and

Considered applications will include:

- (iii) Other products or goods, which by their nature/ novelty / uniqueness/ attractiveness / high quality, are considered to have the potential to add to the overall attractiveness and diversity of the market.
- D. Applications that will not be considered include goods, which contradict the existing character of the market or adversely affect the diversity and variety that exists within the market.
- E. Applications for the St. Nicholas Christmas market & St. Nicholas Summer market will be dealt with in accordance with the criteria outlined in the Second Schedule of these byelaws, annexed hereto.

6.2 Allocation of vacant space in the Market Area

- A. The allocation of vacant space in the St. Nicholas Market shall be made in accordance with the following procedure which is not arbitrary, in consultation with the St. Nicholas Market Committee, and in the following sequence:

Traders seeking Additional Space

- 1. A waiting list for existing licensed traders, who consistently trade, seeking additional space, where congestion is making working conditions particularly difficult or where their pitches are of an uneconomic size, if such space becomes available in their section;

Traders Requesting a Move

- 2. A waiting list for existing licensed traders, who consistently trade, requesting to move to new pitches if suitable pitches become available

New Applicants

3. A waiting list for new applicants to be established, based on the attractiveness and quality of the proposed product and as determined by the City Council, in consultation with the St. Nicholas Market Committee. It is desirable that there be a mix of good quality goods on offer, and an over-concentration of similar items shall be avoided.
- B. Due recognition will be given to traditional traders in the allocation of casual trading bays, and in particular to persons who can satisfactorily support their claim to be established traders.
- C. The maximum pitch size at the St. Nicholas Market shall be 7m in length.
- D. The allocation of a particular trading bay(s) to a Licence holder, shall not confer any tenancy or any other rights, other than the rights conferred by the licence.
- E. Licences will be issued annually and the final decision with regard to the granting of a licence, the allocation of additional space, or the movement within the casual trading area shall rest with the City Council. The allocation process shall not exclude allocation by lot when deemed necessary due to over subscription of qualifying applicants.

6.3 Insurances

- A. A person carrying on Casual Trading in the Casual Trading Area shall indemnify Galway City Council against all action, claims or demands whatsoever by any person claiming damages for personal injuries, loss or damage caused by any act, neglect or default of such Casual Trader, his servants, or employees in and about the carrying on of such Casual Trading in the Casual Trading Area and every such Casual Trader shall be required by the City Council to have in force at all times an appropriate Public Liability insurance with an insurance Company to be approved by the City Council insuring against the aforesaid risks in a minimum sum of €6,500,000 for any one incident.
- B. The interest of Galway City Council is to be noted on the face of such policy of insurance and if at any time the said policy is allowed to lapse or is rendered void the City Council shall be at liberty to revoke the Casual Trading Licence of such person forthwith.