



Comhairle Chontae Uíbh Fhailí
Offaly County Council

Adopted by resolution of Offaly County Council

Casual Trading Bye-Laws 2024

In accordance with
The Casual Trading Act, 1995 and
The European Union (Casual Trading Act 1995)
Regulations 2018



Tullamore Municipal District, Birr Municipal District and Edenderry Municipal District, in exercise of powers under Section 6 of the Casual Trading Act, 1995 and SI No 231/2014 Local Government (Performance of Reserved Functions in Respect of Municipal District Members) Regulations 2014, hereby make the following Bye-Laws in relation to the control, designation, regulation, supervision and administration of Casual Trading in the administrative areas of Tullamore Municipal District, Birr Municipal District and Edenderry Municipal District within the County of Offaly.

These Bye-Laws may be cited as the Offaly County Council Casual Trading Bye-Laws 2024.

These Bye-Laws come into effect on 01st May 2024 on which date all previous Bye-Laws made by Offaly County Council and former Town Councils shall stand revoked.

DEFINITIONS

In these Bye-Laws, the following definitions shall apply: -

- "The Act" means the Casual Trading Act, 1995.
- "The Council" means the Offaly County Council.
- "Authorised Officer" means any person appointed by Offaly County Council under Section 10 of the Casual Trading Act 1995.
- "Casual Trader" means any person or his nominated agent, authorised to carry out casual trading pursuant to the Casual Trading Act, 1995 and these Bye-Laws.
- "Casual Trading Licence" means licence granted under Section 4 of The Casual Trading Act, 1995 by the Council.
- "Casual Trading Area" means the land standing designated in these Bye-Laws made under Section 6 of the Act as an area where casual trading may be carried on.
- "Casual Trading" has the meaning assigned to it in Section 2 of the Casual Trading Act, 1995.

- "Designated Area" means such locations as may be designated for Casual Trading in these Bye-Laws.
- "Event" shall include festivals and street entertainment.
- "Sell, Selling or Sale" includes agreeing to offer, to sell or displaying for sale or inviting an offer to buy.
- "Stall" shall in addition to its ordinary meaning, include any wheeled or moveable stall or box, barrow, cart, caravan or other vehicle or booth or other stand or conveyance used for casual trading.
- "Trading Bay or Space" means each area designated and specified in a licence issued by Offaly County Council for the purpose of trading or event trading.
- "Vehicle" means and includes every means of conveyance, whether mechanically propelled or not, of persons, market produce or any goods or articles.

DESIGNATION OF LAND AS CASUAL TRADING AREA

1. Casual Trading shall only be carried out in the locations designated for that purpose in the First Schedule to these Bye-Laws OR at a specific event or events at such other locations as may be approved by Offaly County Council in a licence as detailed in the Fourth Schedule to these Bye-Laws and issued pursuant to Section 4 (1) (a) (iii) of the Act.
2. An existing licence for a trading place may be suspended by Executive Order to facilitate Public Realm developments, construction, maintenance of a roadway, footpath or other infrastructure or adjoining sites or for other operational reasons. As appropriate, alternative trading places may be assigned by the Council to existing licence holders following consultation, subject to availability for the duration of the works.

3. The locations set out in these Bye-Laws may be reviewed one year after the Bye-Law comes into operation and annually thereafter if required.

TRADING HOURS

4. Casual trading shall only take place at the times and days as detailed in the Second Schedule to these Bye-Laws.
5. Applications for variations will be requested at time of licence application or renewal and will be recorded on the license issued.
6. No person shall use the Casual Trading Area for the purpose of sale of any goods within half an hour of the time of the commencement of trading or allow any goods belonging to him or in his charge to be in the Casual Trading Area more than half an hour after the time fixed from the closing of trading.
7. The trading hours set out in these Bye-Laws may be reviewed one year after the Bye-Law comes into operation and annually thereafter if required.

LICENCE FEES

8. The appropriate annual fee as set out in the Third Schedule of these Bye-Laws shall be payable to the Council in advance of the issue of an annual Casual Trading Licence for each Casual Trading Bay to be allocated to a trader in a Casual Trading Area.
9. A fee as set out in the Third Schedule of these Bye-Laws shall be payable to the Council in advance with an application for the grant of a Casual Trading Licence in respect of Casual Trading at an event or events specified in a Casual Trading Licence to be issued pursuant to Section 4(l) (a) (iii) of the Act.
10. The fees and charges set out in these Bye-Laws may be reviewed one year after the Bye-Law comes into operation and annually thereafter. These fees shall be non-

refundable in the event of revocation of a licence.

11. If a casual trader wishes to cease trading at the designated area within the period of the licence, he/she shall notify the Council of the date of intended cesser not later than four weeks in advance and this licence shall cease immediately upon the expiration of the said date of intended cesser without any refund whatsoever to the Casual Trader.
12. Any fee or charge due and unpaid to the Council by a casual trader shall be recoverable as a simple contract debt in a Court of competent jurisdiction.

LICENCING REQUIREMENTS

13. A person shall not engage in Casual Trading unless he/she is or is a servant or agent acting for such a person who holds a Casual Trading Licence that is for the time being in force and the Casual Trading is in accordance with the licence.
14. Form A (Annual Licence) set out in the Fourth Schedule to these Bye-Laws shall be the prescribed form of the notice required to be displayed under this Bye-Law.
15. A person engaged in Casual Trading in the Casual Trading Area:
 - a. shall only engage in Casual Trading at the Casual Trading Bay specified in the Casual Trading Licence granted by the Council and numbered on map schedule, attached to these Bye-Laws.
 - b. shall only trade in the goods as specified in the Fifth Schedule and outlined in the Casual Trading Licence and the determination of the specified goods to be sold and the combination and diversity of goods sold in a Casual Trading Area will be made by the Chief Executive or his/her nominee at the time of the granting of the individual licences.
16. The sale of alcohol shall be prohibited.
17. The sale of counterfeit goods shall be prohibited.
18. The sale of political merchandise shall be prohibited.
19. The sale of goods/ products which are deemed by the Council to be already

- available from local ratepayers in the immediate vicinity will generally be prohibited.
20. A Casual Trading Licence is non-transferable and cannot be sold, let or sublet.
 21. The stall holder shall not permit any person other than his employees and assistants to use the said stall and the stallholder shall not employ any person who because of his age is prohibited from working.
 22. The allocation of any trading bay shall be at the discretion of the Council and shall not confer upon the stall trader any tenancy or right to occupy or transfer said allocation.
 23. The Council or its servants or agents may from day to day, permit any trading bays which had already been allocated to be temporarily used by any other casual trader when not in actual use by the casual trader to whom it was allocated or where it has not been occupied by 11.00 am.
 24. Casual Traders shall immediately vacate the designated area if so required, to enable the Council, its officers, servants, or agents to carry out any of its statutory functions.
 25. The issue of a Casual Trading Licence does not guarantee that the designated place shall be available at all times and no claim shall be made against Offaly County Council for compensation or otherwise for any period or periods for which it is not available.
 26. A person carrying on Casual Trading in the Casual Trading Area shall display by a notice in the prescribed form the number of the Casual Trading Licence at the Casual Trading Bay specified in the Casual Trading Licence.
 27. The notice displayed pursuant to these Bye-Laws shall be painted or inscribed or printed and affixed on a durable material, and shall be so displayed in a conspicuous position at the Casual Trading Bay specified in the Casual Trading Licence as to be clearly visible and easily legible to members of the public at such place.
 28. A register of Casual Trading Licences shall be retained by the Offaly County Council.
 29. A Casual Trading Licence may be revoked at any time by the Offaly County Council at its discretion, as provided for in the Casual Trading Act 1995.

30. The requirements set out in these Bye-Laws may be reviewed one year after the Bye-Law comes into operation and annually thereafter, if required.

APPLICATION PROCESS

31. A person applying to the Council for a Casual Trading Licence shall furnish to the Council, the information as requested in the forms set out in Appendices, together with such further information as the Council may request for the purposes of the exercise of its powers and functions under the Act and, if a person fails to comply with this Article, the Council may refuse to grant the person the licence.
32. Applications for Casual Trading Licences shall be made on the appropriate form addressed to the District Administrative Officer of the relevant Municipal District.
33. An individual application shall be made for each licence.
34. A tax clearance cert from Revenue Commissioners must be lodged with each completed application form.
35. Insurance details as outlined above must be lodged with each completed application form.
36. The Council reserve the right to grant or refuse a Casual Trading Licence.
37. The Council reserves the right to limit the number licences awarded.
38. Individual trading bays shall be allocated by the Council by such methods that it may, at its discretion decide.
39. The allocation of a licence will primarily be based on a supply and demand selection process, however, the allocation process shall not exclude allocation by lot when deemed necessary.
40. A Casual Trader who fails to trade, on one or more days, for four consecutive trading days is liable to have his/her licence revoked. The Council may, at its discretion, serve notice on the licence holder that his/her licence has been revoked for the remainder of the licence period, and arrange to reallocate the bay in question. The holder will be given the opportunity to explain their absence prior to any decision regarding revocation of the licence.

41. Trading Bays shall not be exchanged without the proper consent of the Council in writing.
42. The allocation of a trading space by a licence shall not confer upon the Trader any tenancy or right to occupy or transfer the said space.
43. The Council may revoke a Casual Trading Licence if it is satisfied that a condition of the licence is being or has been contravened or if the person to whom it was granted is convicted of an offence in relation to the importation, possession or sale of goods committed while he was the holder of a casual trading licence or an offence under the Act.
44. The Council, where possible, reserves the right to prohibit Casual Trading on any trading day, or part thereof, in the event that exceptional circumstances arise which necessitate such prohibition. The Council, where possible, will notify any affected licence holders in advance of any such prohibition taking effect.
45. Casual Trading Licences are issued annually and valid for a period of 12 months from January to December each year. Applicants must reapply for a licence on an annual basis no later than 1st December prior to proposed year of trading.
46. The application process set out in these Bye-Laws may be reviewed one year after the Bye-Law comes into operation and annually thereafter, if required.

EVENT TRADING

47. Where event trading has not already been regularised through other application processes, e.g. Use of Public Open Space Application, the following shall apply:
 - a. The Council reserves the right to award trading licences to traders for special events, festivals and fairs.
 - b. Applications for event licences shall be made not less than 15 working days in advance of the date on which trading is to take place.
 - c. A person applying to the Council for an Event Casual Trading Licence shall furnish to the Council, the information as requested in the forms set out in Appendix II, together with such further information as the Council may request

for the purposes of the exercise of its powers and functions under the Act and, if a person fails to comply with this Article, the Council may refuse to grant the person the licence.

- d. The Council reserves the right to allow trading to take place outside the hours specified in Second Schedule for certain events.
- e. The Council reserves the right to allow trading to take place outside the designated areas specified in First Schedule for certain events.
- f. Trading shall be carried out in accordance with specific conditions attached to the Event Licence and all conditions of such licence shall be strictly adhered to by the licensee.
- g. Only goods approved by the Council shall be sold by the licensee at these events as specified in the Fifth Schedule

48. Form B (Special Event) set out in Fourth Schedule to these Bye-Laws shall be the prescribed form of the notice required to be displayed under this Bye-Law for Casual Trading at an event.

49. Event Trading as set out in these Bye-Laws may be reviewed one year after the Bye-Law comes into operation and annually thereafter, if required.

EXEMPTIONS

50. Pursuant to Section 2(4) of the Act, casual trading does not include;

- a. the selling of printed matter or pious or religious objects at or in the immediate vicinity of a church or place of worship on days on which service or other religious ceremonies take place therein.
- 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 there from are used for charitable purposes or for other purposes from which no 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 1st May to 30th 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 sub-paragraph by those Regulations being satisfied, a servant or agent of the grower, of one or more of the following fruits and vegetables, namely - Strawberries, raspberries, blueberries, gooseberries, blackberries, loganberries, tay berries, currants and; Potatoes having loose skins and which have been harvested prior to maturity.

BAY OPERATION AND MAINTENANCE INCLUDING HEALTH & SAFETY

51. The type of stall used by a person engaged in Casual Trading must be approved by the relevant Municipal District of Offaly County Council, and the dimensions of same shall not exceed the defined size of the allotted bay. Provision of accessible spaces may be arranged on request and where same can be accommodated.
52. The type and presentation of stall used must be approved by Council.
53. A photograph of the proposed stall must be submitted with each application and each stall must be approved by the Council.
54. The orientation and positioning that trading will be allowed, within the casual trading space/bay shall be as indicated on maps attached in the Schedule, or as determined by an Authorised Officer appointed for the purpose of regulating casual trading.
55. Stalls used must be of safe, anchored and robust construction with a max height of 2.4 meters from ground level and suitably equipped for the particular service which it proposes to provide. Materials covering stalls must be clean, safe and tightly secured to the frame. The stall shall be maintained in a safe condition at all times and barriers shall be erected around all potential hazards. The casual trader can only display goods within the boundary of his/her stall therefore goods shall not obstruct

free passage through the market place.

56. Trading shall be confined to the Allotted Bay at the designated Casual Trading Area and no goods shall overhang a stall or be deposited on the ground except in the Allotted Bay.
57. The Council reserves the right to change and alter the internal layout of the Casual Trading Bays within the Casual Trading Areas at any time.
58. A person carrying on Casual Trading in the Casual Trading Area shall ensure that the Casual Trading Bay, specified in the Casual Trading Licence remains unaltered and undamaged as a consequence of their Casual Trading.
59. No broadcasting or speech from a mechanical 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.
60. Use of generators, used in conjunction with Casual Trading Stalls, are subject to the prior approval of the Council. They shall conform to acceptable noise levels and a manufacturer's certificate will be required to confirm specification.
61. A person carrying on Casual Trading in the Casual Trading Area shall keep the Casual Trading space, specified in the Casual Trading Licence, in a clean and tidy condition and for the purpose shall:
 - a. cause the stall to be properly cleansed immediately before and after the sale of goods for the day.
 - b. cause the Casual Trading Area and a radius of at least 50 metres to be kept free of litter arising from the Casual Trading business as approved by licence.
 - c. A suitable receptacle for refuse, agreed with the Council, must be provided by the licence holder and must be kept at all times of trading within the trading place. Casual Traders shall comply with any requirements of the Waste Management Acts and any Regulations or Bye-laws made there from.
 - d. Litter must not be allowed to accumulate in the vicinity of the trading place

during casual trading hours and at the end of trading the trading place must be cleaned up and all refuse removed and shown to be properly disposed of by the licence holder. Each trader shall also clean their trading pitch as often as is necessary or when directed by the relevant Municipal District, its employees or agent, during the day on which the stall is in use for the sale of goods.

- e. Traders must comply with the Litter Pollution Act 1997, as amended, in relation to the erection of signs in the vicinity of the trading site.

62. The Council shall not be held responsible for any property belonging to any person whatsoever deposited or left in any part of the Casual Trading Area, nor for any loss, damage or injury caused by the negligence of any trader, their agents, employees or customers.

63. The Council reserves the right to remove stalls found on the designated Casual Trading Area after trading hours and/or goods or other articles left outside the Allotted Bay at any time. The person leaving such goods, shall be liable to pay such charges as the Council may determine from time to time.

64. No person shall bring or convey, to or from, or stand in the Casual Trading Area any goods belonging to him or of which he is in charge in such a manner as to obstruct the free passage through the area or any of the immediate approaches thereto for any longer time than is reasonably necessary for the loading and unloading of goods or to cause danger to other persons.

65. All stalls must be of the highest quality, properly maintained and presented and must be approved by the Council in advance upon receipt of application for the licence.

66. If stalls are covered, the material covering the stalls must be clean, not torn and tightly secured to the frame.

67. Wheels or tow-bars shall not be exposed.

HYGIENE AND FOOD HYGIENE

68. Food, prepared or unprepared shall not be displayed stored or kept in any other manner except and in accordance with The Food Hygiene Regulations for the time being in force or any further regulations that may be made in that regard.

69. Smoking will be prohibited in casual trading stalls

70. A casual trader in charge of a stall shall not cause or suffer:

- a. Any fish to be trimmed, gutted or cleaned at or about his stall
- b. Any fowl or feathered game, to be plucked at or about his stall
- c. Any untrimmed vegetables or vegetables with clay, soil or dirt adhering to the roots thereof to be conveyed upon or exposed for sale on his stall.

71. Every occupier of a stall in the Casual Trading area shall:

- a. Cause the stall to be properly cleansed immediately before and after the sale of goods for the day and
- b. A licence holder shall provide and use, at the licence holders own expense, a suitable receptacle that meets the requirements of an Authorised Officer of the Council for the disposal of litter/waste and shall keep the trading place and surrounding area clean and tidy at all times. All goods and stock shall be removed from the trading place at the end of each day's trading.

PARKING RESTRICTIONS WITHIN THE CASUAL TRADING AREA

72. Without prior approval of the Council, a person shall not park a vehicle in the Casual Trading Area during allocated trading hours.

73. A licensed trader shall not park a vehicle in the Casual Trading Area during trading hours unless such vehicle is for the time being in use for the purpose of casual trading and is wholly parked within the area of the casual trading space specified in the Casual Trading Licence.

74. A licensed trader shall remove such vehicle from the Casual Trading space specified in the Casual Trading area on each day upon which casual trading is permitted by the Casual Trading Licence not later than 30 minutes after the expiration of trading hours.
75. A licensed trader shall not park a vehicle earlier than one hour from the commencement of trading hours in the Casual Trading Area for the purpose of unloading goods or produce thereon onto the Casual Trading Space specified in the Casual Trading Licence.
76. A licensed trader shall not park a vehicle earlier than the expiration of trading hours in the Casual Trading Area for the purpose of loading goods or produce thereon from the Casual Trading Space specified in the Casual Trading Licence.
77. Each stall trader shall ensure that no obstruction is caused or allowed to be caused to the owners of premises and their invitees in the area where stall trading may be carried on.

INSURANCES

78. A person carrying on Casual Trading in the Casual Trading Area shall indemnify the 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 Council to have in force at all times an appropriate Public Liability Insurance with an Insurance Company to be approved by the Council insuring against the aforesaid risks in a minimum sum of €6,500,000 for any one incident. The interest of the 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 Council shall be at liberty to revoke the Casual Trading Licence of such person forthwith.

AUTHORISED OFFICER

79. The Council may appoint an Authorised Officer or Officers for the purposes of managing and controlling the Casual Trading Area. A Casual Trader shall comply with all lawful requests and direction by an Authorised Officer or by a member of the Garda Síochána. An Authorised Officer appointed by the Council or a member of the Garda Síochána may: -

- a. enter, inspect and examine any place where he has reasonable cause to believe that Casual Trading is being engaged in.
- b. require any person whom he/she has reasonable cause to believe to be engaging in casual trading: -
 - i. to produce, if it is not being displayed, a casual trading licence authorising such trading and to permit the Officer or member of the Garda Síochána to examine the licence, and
 - ii. if he/she fails, neglect or refuses to produce such a licence or, in a case in which it is not being displayed, to furnish to the officer his/her name and address and, if he/she is the servant or agent of another person, the name and address of the other person.
- c. make such examination and inquiry as may be necessary to ascertain whether the provisions of the Act or of these Bye-Laws are being complied with
- d. require any person whom he/she has reasonable cause to believe to be engaging in casual trading in contravention of the 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.
- e. A person shall not obstruct or interfere with, or give false information to an Authorised Officer or member of the Garda Síochána in the performance of functions under these Bye-Laws.

SERVICE OF NOTICES

80. Where a notice in relation to any provision of these Bye-Laws is required to be served on or given to a person, it shall be addressed to him or her and shall be served on or given to him or her in one of the following ways: -

- a. where it is addressed to him or her by name, by delivering it to him or her;
- b. by leaving it at the address or sending it by post by registered letter at which he or she ordinarily resides or, to the address most recently received by the Council from the Casual Trader for correspondence purposes or, in a case in which an address for services has been furnished, at that address;
- c. where the address at which he or she ordinarily resides cannot be ascertained by reasonable inquiry and the notice or copy is so required or authorised to be given or served in respect of any Allotted Bay, by delivering it to some person over the ages of 16 years, employed, or otherwise engaged in connection with the carrying out of the Casual Trading to which the notice related, on the allotted bay or by affixing it in a conspicuous place on or near the allotted bay.

81. For the purposes of this section, a company registered under the Companies Acts, 1963 to 2006, shall be deemed to be ordinarily resident at its registered office, and every other body corporate and every incorporated body shall be deemed to be ordinarily resident at its principal office or place of business.

82. A person who contravenes any of the Bye-Laws shall be guilty of any offence under Sub Section (12) of Section 6 of the Act and shall be liable to such penalties as specified in Section 14 of the Act.

GENERAL

83. This schedule shall be as determined from time to time by resolution by the Council following a public consultation phase of at least one month incorporating public advertisement and submission of representations.

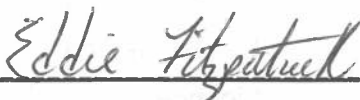
These Bye-Laws shall be known as the Offaly County Council Casual Trading Bye-Laws, 2024 and shall come into operation on the 01ST day of May 2024.

From this day, all previous Casual Trading Bye-Laws within the district of Offaly County Council, are hereby revoked.

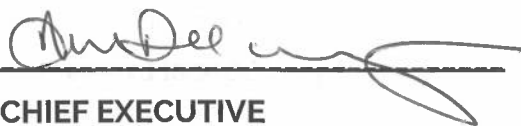
Made and adopted under the Common Seal of Offaly County Council on this day of March ,2024.



DIRECTOR OF SERVICES



CATHAOIRLEACH



CHIEF EXECUTIVE

28th March 2024

DATE

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FIRST SCHEDULE

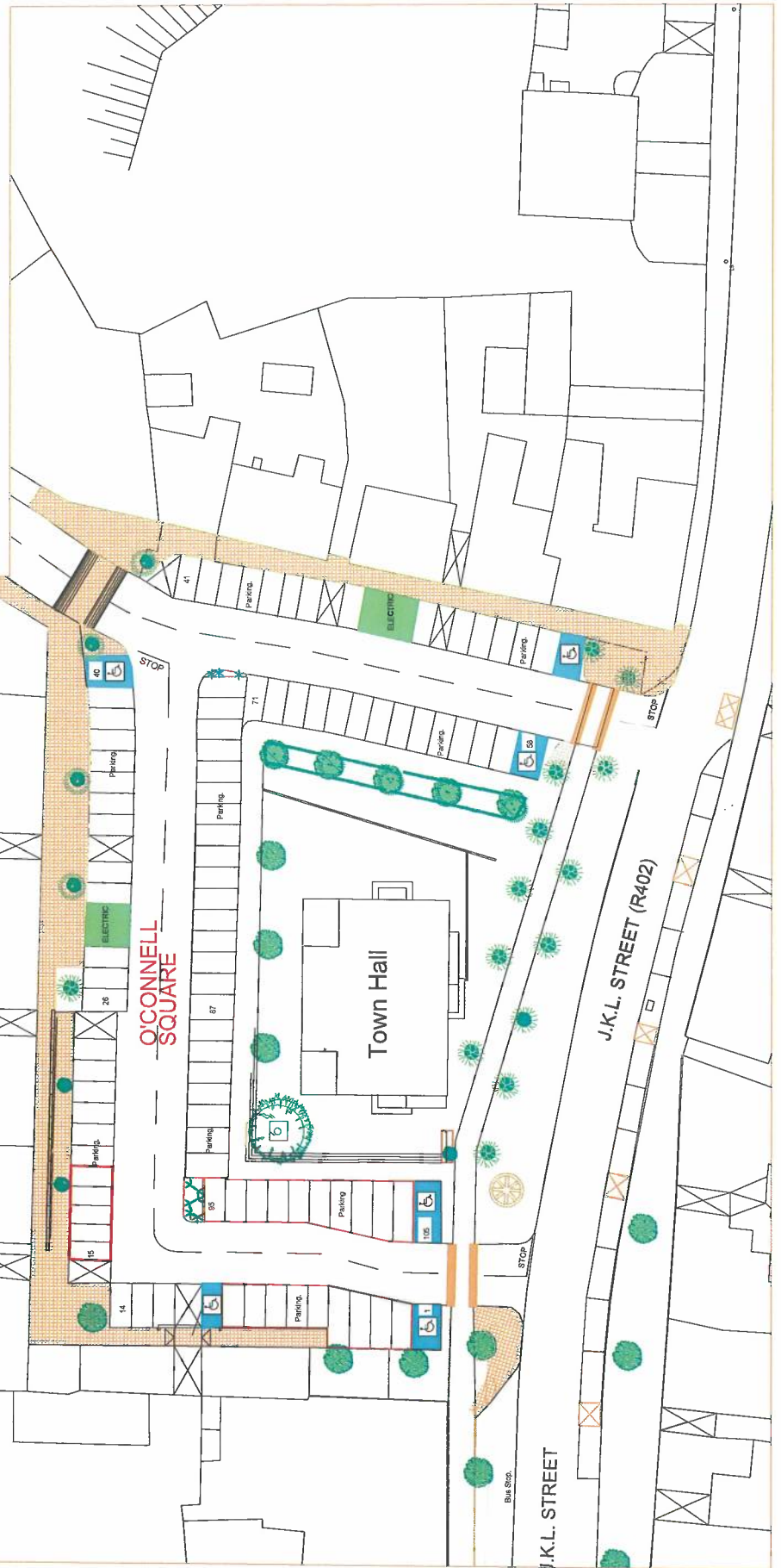
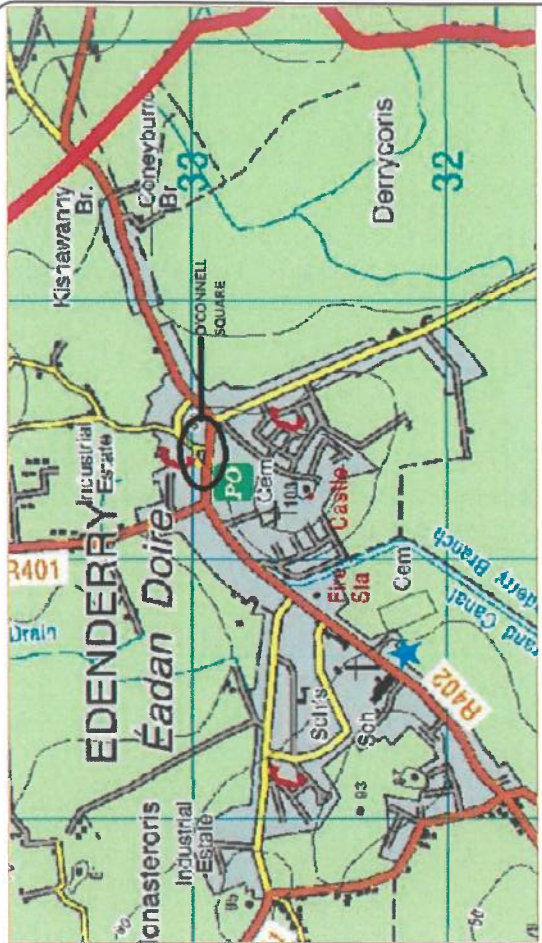
CASUAL TRADING LOCATIONS



Comhairle Chontae Uíbh Fhailí
Offaly County Council

Maps

<u>Town</u>	<u>Map Number</u>
Edenderry	No. 1
Birr	No. 2
Kilcormac	No. 3
Tullamore	No. 4
Clara	No. 5



LEGEND
 CASUAL TRADING LOCATIONS





DESCRIPTION	DATE	INT.	REV.



Tom Shanahan,
 Director of Services
 Aras an Chontae,
 Charleville Rd., Tullamore.

PROJECT		Casual Trading Locations	
TITLE			
Site Location Map			
SCALE	ROAD NO	PROJECT NO	FORMING NO
N.T.S.	R 402	CT	01
DATE	PROGRAM	DESIGNED	D.MCG
			E.D.

Legend

-  Existing Paved areas
-  Existing road surface
-  Existing verge areas
-  Existing boundary walls

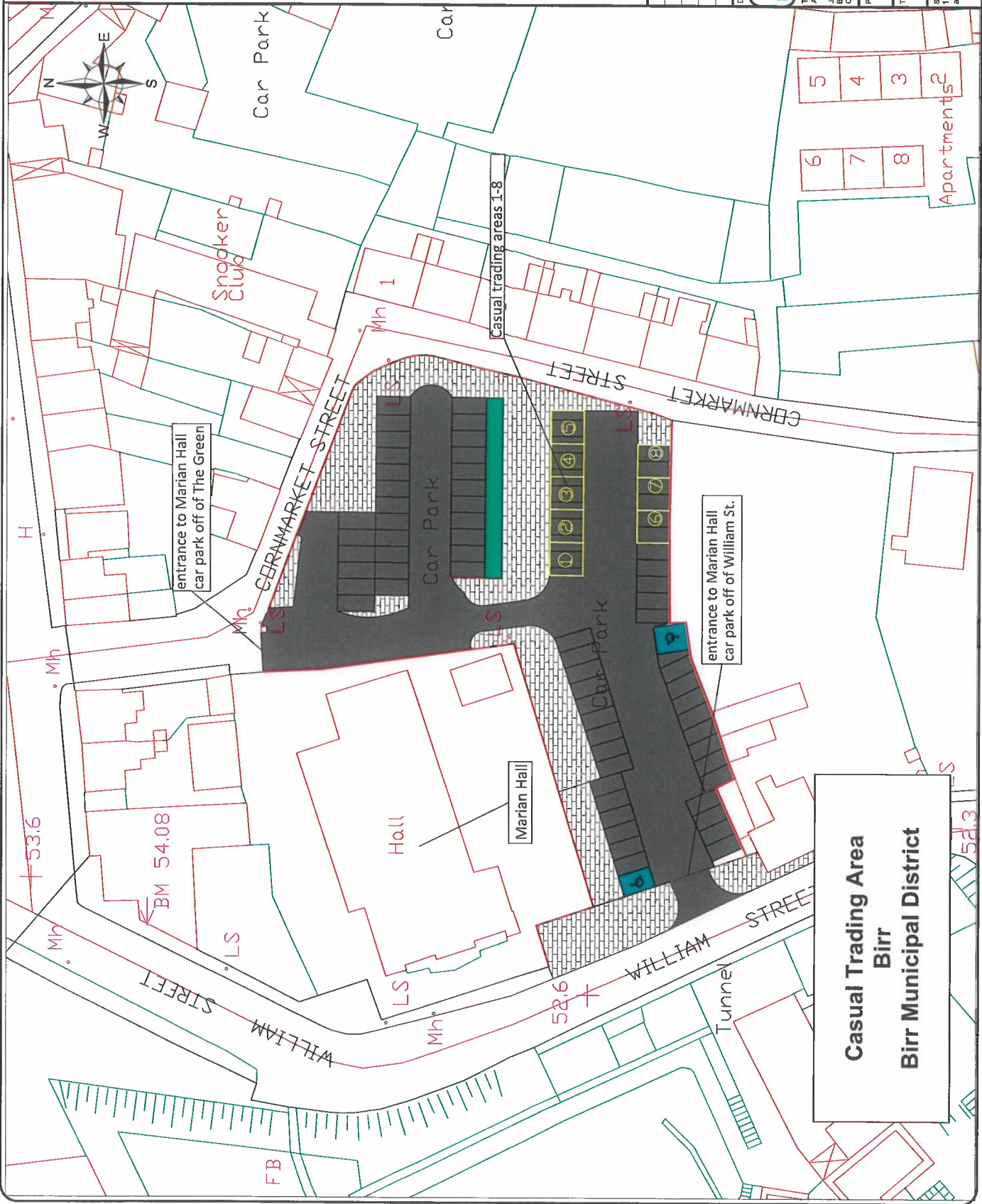
Details	Date	Int.	Rev.

Comhairle Chontae Uíbh Fhailí
Onlay County Council

T. Shanahan (Director of Services)
 Area an Chontae, Charleville Rd., Tullamore
 J. Mitchell (Senior Executive Engineer)
 Birr Municipal District
 Civic Offices, Villiner Rd., Birr

Project: Casual Trading Bye Law Map Birr MD
 Title: Marian Hall Casual Trading area

Scale: 1:500 at A3	Project No.: TBC	Drawing No.: CT-SBRR, MD 001	Drawn by: B. M.	Checked by: J.M.
Date: 11/10/2023				



Casual Trading Area
Birr
Birr Municipal District

OFFALY COUNTY COUNCIL

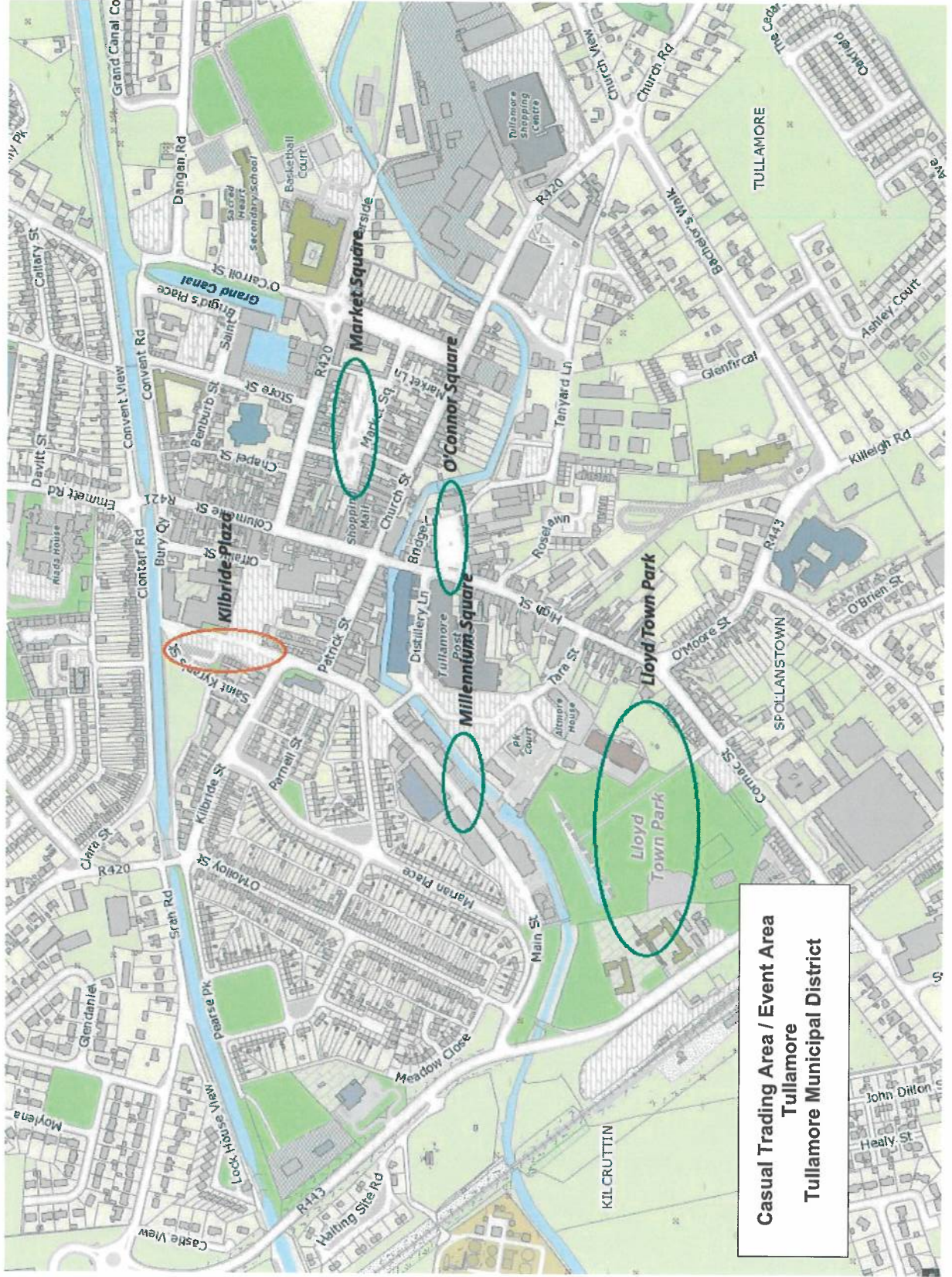
CASUAL TRADING BYELAWS 2023

FIRST SCHEDULE CASUAL TRADING LOCATIONS

Legend

Casual Trading Locations

Event Locations



Casual Trading Area / Event Area
Tullamore
Tullamore Municipal District

DESCRIPTION	DATE	INT.	REV.



Tom Shanahan,
Director of Services
Araas an Chontae,
Charleville Rd., Tullamore.

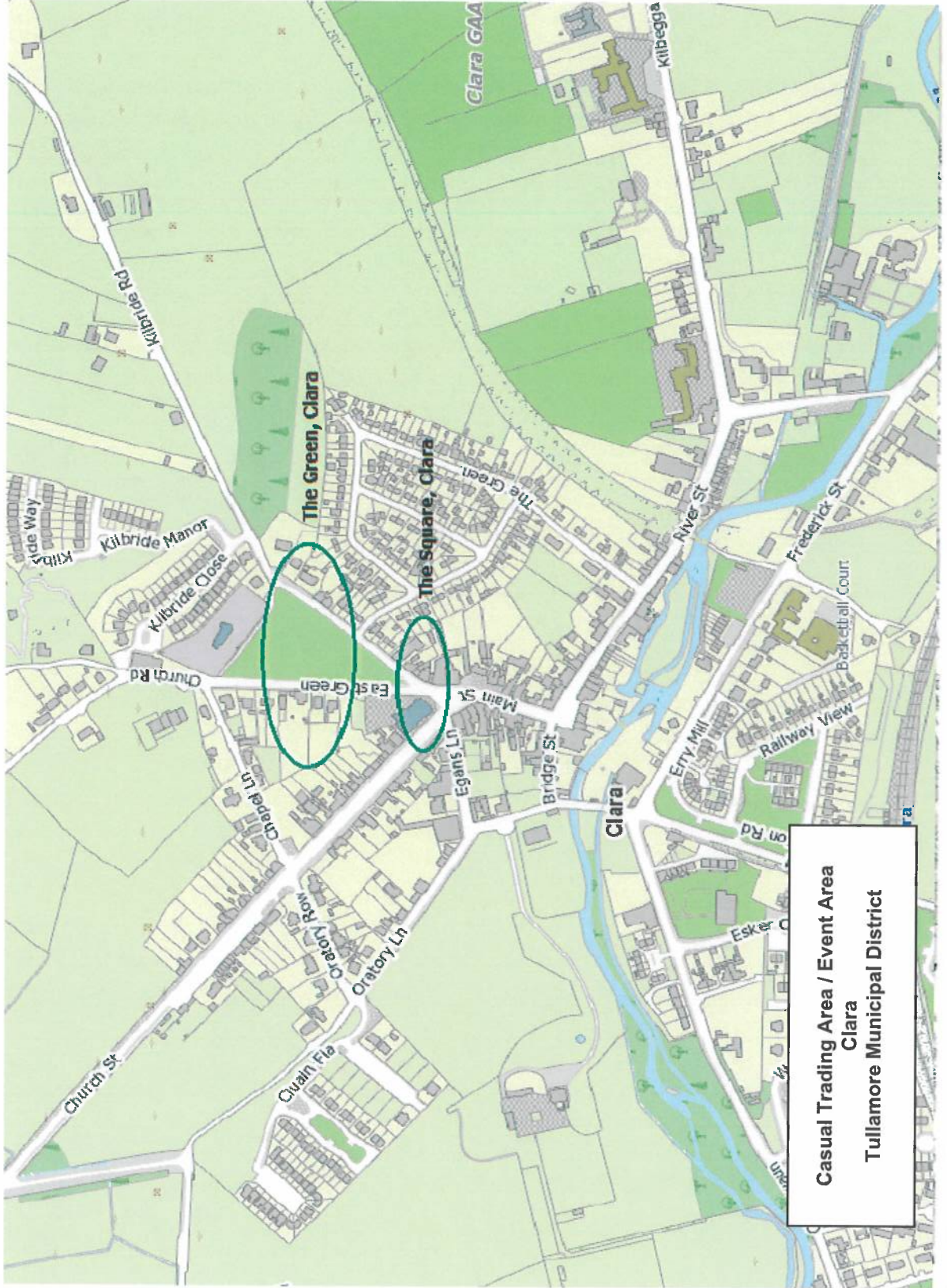
PROJECT
Casual Trading Byelaws 2023

TITLE
First Schedule Casual Trading Locations
SCALE
NTS
ROAD NO
DATE
PROJECT NO
DRAWN BY
CHECKED
DATE
25/7/2023

OFFALY COUNTY COUNCIL

CASUAL TRADING BYELAWS 2023

FIRST SCHEDULE CASUAL TRADING LOCATIONS



Legend

- Casual Trading Locations
- Event Locations

DESCRIPTION	DATE	INT.	REV.



Tom Shanahan,
Director of Services
Areas an Chontae,
Charleville Rd., Tullamore.

PROJECT	Offaly County Council Trading Byelaws 2023
TITLE	First Schedule Casual Trading Locations
SCALE	1:1000
DATE	12/11/2023
BY	
CHECKED BY	
DATE	

SECOND SCHEDULE

CASUAL TRADING HOURS



Comhairle Chontae Uíbh Fhailí
Offaly County Council

Casual Trading shall only take place on the days and times outlined below. The exact day and time that a casual trader will be allowed to trade is specified in the Licence granted.

Designated Area	Trading Times
Tullamore Municipal District	9:00 to 18:00 on Monday to Sunday inclusive
Birr Municipal District	9:00 to 18:00 on Monday to Sunday inclusive
Edenderry Municipal District	9:00 to 18:00 on Monday to Sunday inclusive
Event Trading	9:00am to 18:00 on the day of the Event as specified in the Licence

THIRD SCHEDULE

CASUAL TRADING FEES



Comhairle Chontae Uíbh Fhailí
Offaly County Council

The fees for a Casual Trading Licence shall be as follows:

In areas designated as Casual Trading Areas and described in the First Schedule to these Bye-Laws, a fee shall be payable for each Casual Trading bay as follows:

Type of Casual Trading Licence	Cost per Bay
Annual Casual Trading Licence	€200 per bay Bay size - no more than 12 meters squared (equivalent to one car parking space). A multiple of bays can be purchased subject to availability
Event Trading Licence	€50 per bay Bay size - no more than 12 meters squared (equivalent to one car parking space). A multiple of bays can be purchased subject to availability.

FOURTH SCHEDULE

FORM A – ANNUAL LICENCE



Comhairle Chontae Uíbh Fhailí
Offaly County Council

Casual Trading Act, 1995 and Offaly County Council Casual Trading Bye-Laws 2024

Offaly County Council has granted a Casual Trading Licence under Section 4 of the Casual Trading Act 1995, authorizing casual trading at this Casual Trading Space;

Form A: Form of Notice to be displayed at Casual Trading Bay within Casual Trading Area

Casual Trading Licence No:	
Offaly County Council hereby grants to:	
A licence to engage in Casual Trading for the purpose of selling the following goods:	
Trading hours are:	
Casual Trading Area of:	
Day on which Casual Trading is permitted:	
Special Conditions:	
This licence comes into force on the:	
And unless otherwise withdrawn will expire on the:	

This Casual Trading Licence is subject to full compliance with the Offaly County Council Casual Trading Bye-Laws 2024.

Signed: _____

Authorised Officer, Offaly County Council

FORTH SCHEDULE

FORM B – SPECIAL EVENT



Comhairle Chontae Uíbh Fhailí
Offaly County Council

Casual Trading Act, 1995 and Offaly County Council Casual Trading Bye-Laws 2024

Form B Form of Notice required to be displayed at an event or events specified in a Casual Trading Licence to which the public are admitted whether subject to or free of charge, or at or in the immediate vicinity of the place where and on the day on which the event takes place.

Casual Trading Licence No:	
Offaly County Council hereby grants to:	
A licence to engage in Casual Trading for the purpose of selling the following goods:	
Trading hours are:	
Casual Trading Area of:	
Day on which Casual Trading is permitted:	
Special Conditions:	
This licence comes into force on the:	
And unless otherwise withdrawn will expire on the:	

This Casual Trading Licence is subject to full compliance with the Offaly County Council Casual Trading Bye-Laws 2024.

Signed: _____

Authorised Officer, Offaly County Council

FIFTH SCHEDULE

PERMITTED GOODS



Casual Trading Act, 1995 and Offaly County Council Casual Trading Bye-Laws 2024

Locally or regionally produced food products that are grown, produced, caught, brewed, pickled, baked, smoked or processed by the home producer, and are of good quality

Locally or regionally produced arts and craft goods, manufactured by the licence holder and are of exceptional quality

Other products or goods, which by their nature/ novelty/ uniqueness/ high quality, are considered to have the potential to add to the overall attractiveness and diversity of the market

Other items as approved by Offaly County Council

APPENDIX I



Comhairle Chontae Uíbh Fhailí
Offaly County Council

Casual Trading Act, 1995 and Offaly County Council Casual Trading Bye-Laws 2024 Application Form for an Annual Casual Trading Licence

Name of Applicant:	
Full Postal Address:	
Telephone Number:	
Email Address:	
Occupation:	
Designated area you wish to trade in:	
Please state type of goods you wish to sell:	
Please outline arrangements for dealing with litter:	
PPS Number:	
Tax Reference Number:	
Have you previously traded in Offaly county Council	
If yes, please provide location and type of goods sold:	
Please give details of the type of stall use for your activity, to include the following; height, depth, width, power supply and staff numbers	
Please specify how many Casual Trading bays you required. (Bays are sold in multiples of 12sq metres	

I wish to apply to Offaly County Council District for a Casual Trading Licence for the purpose described in this application and in accordance with the provisions of the Casual Trading Act, 1995 and Offaly County Council Trading Bye-Laws 2024.

I DECLARE 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.

The particulars given by me above and any additional information supplied with my application are correct and I enclose payment of €_____, being the fee fixed under Bye-Law by the Local Authority under Section 6 of the Casual Trading Act, 1995.

In the event that I am granted a Casual Trading Licence, I agree to abide by the rules governing Casual Trading as set out in Offaly County Council Trading Bye-Laws 2024.

I will notify Offaly County Council if there is any change from the postal address as given on this application form.

I confirm that I have attached all necessary documentation as per attached checklist.

Applicant's Signature: _____

Date: _____

[N.B. Please note that incomplete applications will be returned]

FOR OFFICE USE ONLY

Date of receipt of application _____

Application Fee _____

Receipt No. _____

Date _____

Casual Trading Licence Granted/Refused _____

Date _____

APPENDIX II



Comhairle Chontae Uíbh Fhailí
Offaly County Council

Casual Trading Act, 1995 and Offaly County Council Casual Trading Bye-Laws 2024 Application Form for an Event Casual Trading Licence

Name of Applicant:	
Full Postal Address:	
Telephone Number:	
Email Address:	
Occupation:	
Event that you wish to trade at:	
Commencement date of event:	
End date of event:	
Designated area you wish to trade in:	
Please state type of goods you wish to sell:	
Please outline arrangements for dealing with litter:	
PPS Number:	
Tax Reference Number:	
Have you previously traded in Offaly county Council	
If yes, please provide location and type of goods sold:	
Please give details of the type of stall use for your activity, to include the following; height, depth, width, power supply and staff numbers	
Please specify how many Casual Trading bays you required. (Bays are sold in multiples of 12sq metres	

I wish to apply to Offaly County Council District for a Casual Trading Licence for the purpose described in this application and in accordance with the provisions of the Casual Trading Act, 1995 and Offaly County Council Casual Trading Bye-Laws 2024.

I DECLARE 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.

The particulars given by me above and any additional information supplied with my application are correct and I enclose payment of € , being the fee fixed under bye-law by the Local Authority under Section 6 of the Casual Trading Act, 1995.

In the event that I am granted a Casual Trading Licence, I agree to abide by the rules governing Casual Trading as set out in Offaly County Council Trading Bye-Laws 2024.

I will notify Offaly County Council if there is any change from the postal address as given on this application form.

I confirm that I have attached all necessary documentation as per attached checklist.

Applicant's Signature: _____

Date: _____

[N.B. Please note that incomplete applications will be returned]

FOR OFFICE USE ONLY

Date of receipt of application _____

Application Fee _____

Receipt No. _____

Date _____

Casual Trading Licence Granted/Refused _____

Date _____

APPENDIX III



Comhairle Chontae Uíbh Fhailí
Offaly County Council

Casual Trading Act, 1995 and Offaly County Council Casual Trading Bye-Laws 2024

Checklist for Applicants

1. Please note that for your application to be accepted as valid, you must submit all of the following: -
2. Application Form fully completed and signed.
3. Evidence of appropriate current Public Liability Insurance cover to the value of €6.35m, indemnifying Offaly County Council.
4. Tax Reference Number from the Revenue Commissioners.
5. Details of Stall to be used by the person engaged in Casual Trading, type, height, dimensions, etc.
6. Details of Method of Operation and Maintenance of Pitch.
7. Confirm if you intend using any equipment in connection with your Casual Trading activity e.g. cooking facilities, etc? Yes/No.
8. If yes, please submit details.
9. Appropriate application fee.
10. Indicate if you propose to have an assistant who will act as an Agent for Casual Trading Purposes and if so, supply full details i.e. name, address, telephone no. and email address (if any) and ID.
11. If Application is for the sale of food, a copy of Certificate from the Health Services Executive under the Food Hygiene Regulations.
12. 2 Forms of Photo ID – Passport/Driving Licence and proof of address e.g. Utility Bill.
13. Statement from a competent person that the structure is safe.
14. GDPR information – Offaly County Council may request personal information from you. This information is required in order to process your application for a Casual Trading/Event Trading licence. Please be advised that:
 - a. Your information is collected to process requests for a Casual Trading/Event Licence.
 - b. The legal basis is provided for under the Casual Trading Act 1995.
15. If your application is successful, it may be necessary to share your information with the statutory bodies i.e. Revenue Commissioners and the Minister for Social Welfare.

16. If the Casual Trading/Event Licence is granted, the information supplied by you will be kept securely for a period of up to seven years.
17. If you do not provide the personal data required under the Casual Trading Act 1995 and the Casual Trading Bye-Laws 2024, Offaly County Council will not be in a position to process your application.

