**Policy for revoking or refusing a Casual Trading licence under the Casual Trading Bye-Laws xxx.**

 **Penalties for infringements of terms and conditions**

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

**1st Infringement – 1st written warning (warning valid for one year).**

**2nd Infringement – 2nd written warning (may include a suspended period of time trading, warning valid for one year).**

**3rd Infringement - total revocation and non renewal of licence**

**Revoking a licence**

1. Evidence must be received outlining the breach/breaches of the licence i.e reports from An Garda Síochána, Dublin City Council Inspectors, Revenue, Customs or any other appropriate agency.
2. When appropriate evidence is gathered the licensee will be notified by letter that Dublin City Council are aware that a breach/breaches of the licence has occurred and that Dublin City Council are considering revoking the Casual Trading licence.
3. The specific breach/breaches must be outlined in the correspondence.
4. The licensee will be given 14 days to respond in writing.
5. Dublin City Council will than consider all the evidence and respond to the licensee within 14 days outlining the decision to either revoke the licence or not and the reasons why.
6. If the decision is to revoke the licence the licensee must cease to trade and Dublin City Council may offer the pitch to the next person on the waiting list.

**Refusing a licence**

1. Dublin City Council may refuse a licence if the terms and conditions in Part II of the Casual Trading (Control and Designation) Bye Laws are not complied with.

**Appeals process for revoking or refusing a licence**

1. The licensee/applicant has the right to appeal the decision to Dublin City Council. The appeal must be made in writing within 14 days of revoking/refusing of the licence. The correspondence must outline the grounds for appeal. Any relevant documents or photographs should be included. The letter should be sent to “Casual Trading Appeals” Dublin City Council, Casual Trading Unit, Block 4, Ground Floor, Civic Offices, Dublin 8.
2. The decision on the appeal will be made by an official at Senior Executive Officer level or higher and a letter informing the licensee/applicant of the outcome of the appeal will be sent within 14 days of receipt of request.
3. If the licensee/applicant is not happy with the outcome of the first appeal a second appeal can be made to an Independent Casual Trading Appeals Assessor. There is a €50 fee to make a second appeal. The second appeal must be made within 14 days of the decision of the first appeal. The letter must include the reasons why the licensee/applicant feels the decision of the first appeal is wrong. The letter, any relevant documents or photographs and the fee must be sent to “Casual Trading Appeals Assessor (2nd appeal). C/O Dublin City Council at the above address.
4. The Independent Appeal Assessor will write to the licensee/applicant within 30 days of their receipt of request with their decision. If the appeal is successful Dublin City Council will re issue/ issue the licence and refund the €50 fee. If the appeal is unsuccessful the decision of Dublin City Council will stand and the licence will remain revoked/not issued. The €50 fee will not be refunded.
5. The decision of the Independent Appeals Assessor is the final line of appeal to Dublin City Council. A licensee/applicant has the right of appeal to the courts.