

## The Highland Licensing Committee

Meeting - 21 July 2015

Agenda Item	3.1
Report No	HLC/062/15

### Application for the grant of a temporary street trader's licence – Jonathan Ross (Ward 19 – Nairn)

#### Report by the Legal Manager

##### Summary

This Report relates to an application for the grant of a temporary street trader's licence.

#### 1.0 Background

1.1 The Highland Council has resolved that in terms of the Civic Government (Scotland) Act 1982 a licence will be required for carrying out the activity of street trading.

#### 2.0 Application

2.1 Mr Jonathan Ross has applied for a street trader's licence in respect of the sale of hot and cold food from the Links, Nairn He wishes to operate on Saturday 1 August 2015 only from 4.00pm until 7.00pm. This is in conjunction with the World Orienteering and 6 Scottish day event taking place in Nairn that day.

2.2 A plan of the proposed area of trade is detailed in Appendix 1.

#### 3.0 Conditions

3.1 In terms of the Council's street trader's licence policy the area requested i.e. the Links, Nairn falls within an exclusion zone, copy of plan attached in Appendix 2. Any application which relates to trading within this area requires to be submitted to the Highland Licensing Committee for consideration.

#### 4.0 Requirements

4.1 To enable a trader to operate from a fixed location, be it on a permanent or semi-permanent basis, they would require a number of permissions/consents to do so, these include:

- Consent from the landowner to occupy the area requested.
- Where the activity is to be operated from a location for more than 28 days in a year then planning permission may be required.
- Consent in terms of the street trader's licence to operate from the location.

## **5.0 Consultation**

Following receipt of the application a copy of the same was circulated to the following Agencies/Services for consultation:

- Police Scotland
- Environmental Health Service
- Community Services (Roads)

**5.1** At the time of writing the report responses were awaited from the above consultees. A verbal update will be provided to members at the meeting.

## **6.0 Landowners Consent**

**6.1** The Links is owned by the Nairn Common Good Fund and Mr Ross has been advised that he requires permission from the Common Good Trustees to operate from this location.

## **7.0 Policy**

**7.1** As indicated in above Paragraph 3.0 above in terms of the street traders licensing policy where an application is received where the applicant wishes to trade on the Links, Nairn then the application requires to be referred to the Highland Licensing Committee for determination.

<h2><b>8.0 Recommendation</b></h2>
<p><b>8.1</b> The Committee is invited to determine the application.</p>

Designation: Legal Manager

Officer Reference: Michael Elsey

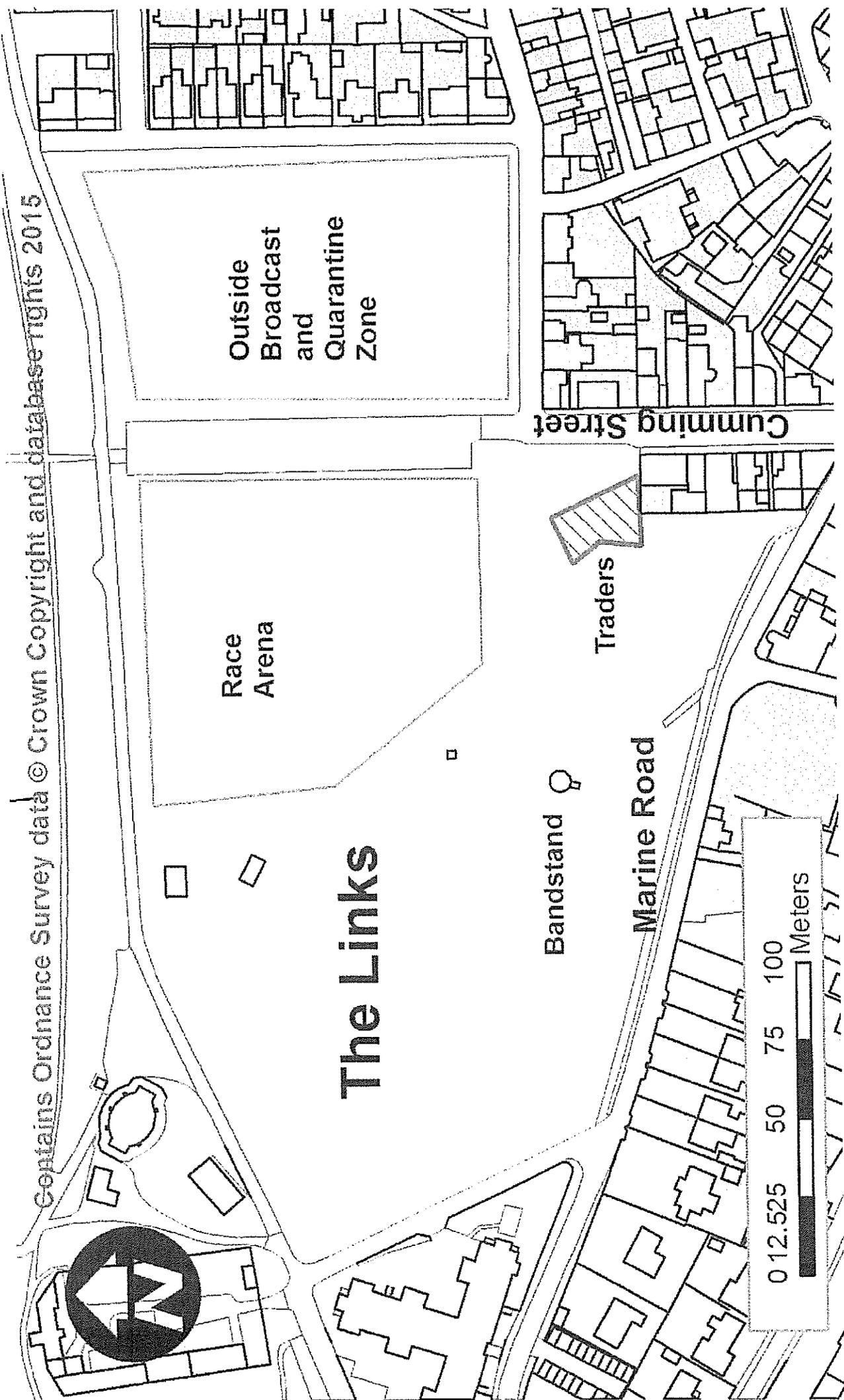
Date: 1 July 2015

Background Papers: Civic Government (Scotland) Act 1982

Appendix 1 – Location plan of proposed area of trade

Appendix 2 – Plan showing Nairn area street trader's exclusion zone

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Outside  
Broadcast  
and  
Quarantine  
Zone

Race  
Arena

# The Links

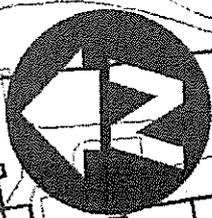
Bandstand

Traders

Marine Road

Cumming Street

0 12.5 25 50 75 100  
Meters



# NAIRN AREA STREET TRADER'S EXCLUSION ZONE



NAIRN