

The Highland Licensing Committee

Meeting - 2 February 2015

Agenda Item	7.2
Report No	HLC/018/16

Application for the grant of a street trader's licence – Kirsty Scobie (Ward 6 – Wester Ross, Strathpeffer and Lochalsh)

Report by the Legal Manager

Summary

This Report relates to an application for the grant of a 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 On 23 September 2015 an application for the grant of a street trader's licence was received from Kirsty Scobie.

2.2 The application is in respect of a mobile catering trailer providing freshly cooked seafood.

2.3 In terms of the abovementioned Act the Licensing Authority have six months from receipt of the application to determine the same, therefore this application must be determined by 22 March 2016. Failure to determine the application by this time would result in the application being subject of a 'deemed grant' which means that a licence would require to be issued to Ms Scobie for a period of 1 year.

3.0 Process

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

- Police Scotland
- Highland Council Environmental Health Service
- Highland Council Community Services (Roads)
- Highland Council Planning Service

3.2 There have been no objections/representations received from Police Scotland or Community Services (Roads).

4.0 Planning Service

4.1 Planning responded that they had advised the applicant that planning permission will be required.

4.2 To date, no application has been submitted

5.0 Environmental Health Service

5.1 Ms Scobie has advised that there has been a delay in the purchase of her vehicle. Environmental Health will not comment on the vehicle until it has been purchased but has confirmed that the applicant has the necessary qualifications in terms of Food Safety to carry out the food handling requirement of the operation.

5.2 In view of the above the application therefore cannot be determined under delegated powers and, as indicated in paragraph 2.3 above the time period for determining the application is due to expire shortly.

5.0 Policies

5.1 The following policies are relevant to this case:

Standard Street Traders Licence conditions. A copy of these can accessed at http://www.highland.gov.uk/info/1125/licences_permits_and_permissions/300/trade_and_industry_licences/7

or a hard copy can be supplied where requested.

6.0 Recommendation

6.1 The Committee is invited to determine the application in accordance with the Council's Hearings Procedure.

Designation: Legal Manager

Officer Reference: Angela Mair

Date: 19 January 2016

Background Papers: Civic Government (Scotland) Act 1982