

The Highland Licensing Committee

Meeting - 29 March 2016

Agenda Item	7.3
Report No	HLC/032/16

Application for the grant of a street trader's employee licence – Fenella Macrae (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 employee 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 October 2015 an application for the grant of a street trader's employee licence was received from Fenella Macrae.

2.2 The application is in respect of the sale of freshly cooked seafood from a mobile catering trailer.

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 April 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 Macrae for a period of 1 year.

2.4 Ms MacRae will be working for Kirsty Scobie. Members will recall that the Committee granted Ms Scobie's application for a street trader's licence at the last meeting provided Environmental Health confirm that the mobile catering trailer is satisfactory and has all the required certification.

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

There have been no objections/representations received from Police Scotland.

4.0 Environmental Health Service

- 4.1** There has been a delay in the purchase and fitting out of Ms Scobie's mobile catering trailer and Environmental Health will not comment on the vehicle until it has been inspected. At the time of writing this Report it was anticipated that this inspection would take place shortly thereafter. If the mobile catering trailer passes inspection Ms MacRae's licence will be issued under delegated powers and this Report withdrawn from the agenda.
- 4.2** 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: 14 March 2016

Background Papers: Civic Government (Scotland) Act 1982