

Agenda item	<b>25</b>
Report no	<b>EDI 24/17</b>

## THE HIGHLAND COUNCIL

**Committee:** Environment, Development and Infrastructure Committee

**Date:** 8 November 2017

**Report title:** Standardisation of Procedures - Miscellaneous Licensing

**Report by:** Director of Community Services

### 1. Purpose/Executive Summary

- 1.1 This report seeks homologation of the decision of the Director of Community Services to authorise implementation, from 1 September 2017, of standardised procedures for the determination of miscellaneous licence applications currently administered by the Environmental Health Service.

### 2. Recommendation

- 2.2 Members are asked to homologate the decision of the Director of Community Services to authorise implementation, from 1 September 2017, of the standard procedures set out in **Appendix 2** to this report for the determination of licence applications made under the following legislation:

- Animal Boarding Establishments Act 1963
- Breeding of Dogs Acts 1973
- Caravan Sites and Control of Development Act 1960
- Cinemas Act 1985
- Dangerous Wild Animals Act 1976
- Deer (Scotland) Act 1996
- Guard Dogs Act 1975
- Performing Animals (Regulations) Act 1925
- Pet Animals Act 1951
- Riding Establishments Acts 1964 and 1970
- Theatres Act 1968
- Zoo Licensing Act 1981
- Licensing of Animal Dealers (Young Cats and Dogs) (Scotland) Regulations 2009

### 3. Background

3.1 Environmental Health has responsibility for carrying out the Council's functions in respect of the administration and enforcement of the miscellaneous types of licensing required under the following Acts:

- Animal Boarding Establishments Act 1963
- Breeding of Dogs Acts 1973 and 1991
- Caravan Sites and Control of Development Act 1960
- Cinemas Act 1985
- Dangerous Wild Animals Act 1976
- Deer (Scotland) Act 1996
- Guard Dogs Act 1975 (though these licensing provisions are not yet in force)
- Performing Animals (Regulations) Act 1925
- Pet Animals Act 1951
- Riding Establishments Acts 1964 and 1970
- Theatres Act 1968
- Zoo Licensing Act 1981

3.2 In respect of these Acts, the Council's Scheme of Delegation permits Senior Environmental Health Officers and above:

"To grant, but not refuse, applications, renewals or transfers of licences, registrations, approvals and other permissions sought (including variation thereof), where:-

- a) the application has attracted no relevant objection or relevant adverse representation;
- b) no member of the Council has requested that the application be decided by a Committee; and
- c) the application is one which the officer concerned considers should be granted, either without conditions or with conditions, which are of a straightforward nature."

3.3 With regard to applications to which objections are received, changes to the Scheme of Delegation were made in 2014 to allow these cases to be referred by Environmental Health to the Highland Licensing Committee (HLC) for determination. The powers of the HLC in relation to this area of Environmental Health's miscellaneous licensing functions became:

3.4 "To exercise full delegated powers, where not otherwise delegated to officers, in respect of the following:

- to consider and determine applications, renewals or transfers of licences, provisional licences, registrations, approvals and other permissions sought (including variation thereof); and
- to revoke licences, provisional licences, registrations, approvals and other permissions granted (including variation thereof)".

3.5 The HLC deals, more commonly, with determining licence applications under the Civic Government (Scotland) Act 1982. The 1982 Act fixes detailed procedures for the determination of these types of licence applications, which include requiring that public notice and statutory consultation with various agencies take place and that both applicants and objectors are always given the opportunity to be heard before the application is determined.

- 3.6 The miscellaneous licensing Acts, however, contain very few procedural requirements for the determination of licence applications.
- 3.7 In the absence of statutory procedural requirements, officers initially agreed that a process similar to the Civic Government Act process should be adopted for miscellaneous licence applications, giving both applicants and objectors the right to be heard before the HLC where applications were referred to that Committee for determination. This has now occurred on a number of occasions and has added to the Environmental Health service's workload as well as to the workload of the HLC.
- 3.8 In light of this, a full review of the different procedural requirements in each of the Acts concerned has now been carried out by the Clerk to the HLC with a view to rationalising this process while ensuring that the procedures followed are compatible with both the requirements of the Acts themselves and with Article 6 of Schedule 1 to the Human Rights Act 1998 (the right to a fair hearing). This review, set out at **Appendix 1** to this report, has highlighted the following:
- **Licence applicants:** None of these Acts confers on licence applicants a right to be heard before the licensing authority determines their licence application. However, these Acts all pre-date the Human Rights Act 1998. Article 6 of Schedule 1 to the 1998 Act includes provision that in the determination of a person's civil rights, everyone is entitled to a fair hearing. Case law has interpreted 'civil rights' in this context to include the right to seek or retain a licence. This means that an application for a licence should not be refused (or revoked) without the applicant first having been given the opportunity to be heard.
  - **Objectors:** Similarly, none of the Acts confers on a person, who has submitted objections to a licence application, the right to be heard before the application is granted or refused. In addition, there is no requirement that such persons be given the opportunity heard pursuant to the applicant's own right to a fair hearing under Article 6.
- 3.9 The review of the Acts also highlighted the need, if standardising procedures for determining these miscellaneous types of licence application, to include applications made under The Licensing of Animal Dealers (Young Cats and Dogs) (Scotland) Regulations 2009. These Regulations are not directly referred to in the Scheme of Delegation, but the licensing function created by them is indirectly conferred on the Environmental Health service as the service responsible for carrying out the Council's functions under the Animal Health and Welfare (Scotland) Act 2006 under which the 2009 Regulations were made.
- 3.10 Further to these findings, standard procedures for determining these miscellaneous licence applications were prepared by the Clerk to the HLC in consultation with Environmental Health officers. These procedures are attached to this report at **Appendix 2**. The procedures ensure that in all cases in which there may be grounds on which to refuse a licence application, the applicant will be given the opportunity to be heard by the Highland Licensing Committee before a final decision to refuse the application is taken.
- 3.11 The only slight departure from this is in the case of applications for animal dealers' licences under the 2009 Regulations. For these applications, the Regulations themselves give the applicant a right to request an internal review of a decision to refuse the application. The standard procedures accommodate this two-stage

process by providing that an initial decision to refuse the application may be made by the Environmental Health Manager (without a hearing) with any subsequent application for a review of that decision then being referred to the Highland Licensing Committee for determination. The applicant would be given the opportunity to be heard by the HLC before it determines the review application.

- 3.12 With regard to third party objectors, while the procedures confer on them the right to submit written representations or objections to an application and to have these considered before the application is determined, they do not provide for objectors to be given the opportunity to be heard before the application is granted or refused. For the reasons stated at paragraph 3.9 above, there is no legal requirement that objectors be given such an opportunity to be heard.
- 3.13 In the interest of achieving early implementation of these standard procedures (both to ensure uniform practice and to rationalise workload by restricting procedure, as far as possible, only to what statute requires) the Director of Community Services agreed to the implementation of the standard procedures with effect from 1 September 2017.
- 3.14 As the Environment, Development and Infrastructure Committee has overall responsibility for promoting and approving policies in relation to the administration and enforcement of this area of miscellaneous licensing, the Committee is now asked to homologate this decision.
- 3.15 In the event that the Committee homologates the decision to introduce these standard procedures, appropriate amendments to the Council's Scheme of Delegation (both to Environmental Health Officers and to the Highland Licensing Committee) will be put forward by Environmental Health and Legal services to full Council to ensure that the Scheme reflects these new procedures.

#### **4. Implications**

- 4.1 Resources: no implications
- 4.2 Legal: no implications
- 4.3 Community: no implications
- 4.4 Climate change/Carbon Clever: no implications
- 4.5 Risk: no implications
- 4.6 Gaelic: no implications

Designation: Director of Community Services

Date: 1 September 2017

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Appendix 1: Review of statutory procedural requirements – miscellaneous licensing

Appendix 2: Standard procedures for determining miscellaneous licence applications

Review of statutory procedural requirements – miscellaneous licensing

APPENDIX 1

Statutory notice, consultation and hearing requirements

Act	Public notice of application required?	Consultations required before determining application?	Opportunity to be heard required?	Time limit to determine application?	Right of appeal?
Animal Boarding Establishments Act 1963 <sup>i</sup>	No	No	<p>Applicant has no right to a hearing under this Act, but Article 6 of Schedule 1 of Human Rights Act 1998 would require that applicant be given opportunity to be heard before any decision to refuse a licence is taken.</p> <p>No requirement to allow objectors to be heard.</p>	None	Appeal to sheriff against refusal or conditions.
Breeding of Dogs Act 1973 <sup>i</sup>	No	<p>Council must arrange inspection by a vet<sup>ii</sup> and an officer of the Council (or, for a renewal application, inspection by either or both)</p> <p>Where a vet<sup>i</sup> and/or officer inspection has been arranged, Council must arrange for “the making of a report about the premises, the applicant and any other relevant matter” and consider the report before determining whether to grant the application</p> <p>No other consultation required</p>	<p>Applicant has no right to a hearing under this Act, but Article 6 of Schedule 1 of Human Rights Act 1998 would require that applicant be given opportunity to be heard before any decision to refuse a licence is taken.</p> <p>No requirement to allow objectors to be heard.</p>	3 months	Appeal to sheriff against refusal or conditions.

Act	Public notice of application required?	Consultations required before determining application?	Opportunity to be heard required?	Time limit to determine application?	Right of appeal?
Breeding of Dogs Act 1991 <sup>i</sup>	N/A	N/A	N/A	N/A	N/A
Caravan Sites and Control of Development Act 1960	<u>Part 1</u> Caravan site licences-  No	No	Applicant for a Part 1 licence has no right to a hearing under this Act, but Article 6 of Schedule 1 of Human Rights Act 1998 would require that applicant be given opportunity to be heard before any decision to refuse a licence is taken.  No requirement to allow objectors to be heard.	2 months (or longer if agreed with applicant)	Appeal to sheriff against conditions only
	<u>Part 1A</u> Relevant permanent site licences-  No	No – though in considering the fit and proper test, consultation with Police Scotland would be competent, to check previous convictions	Applicant for a Part 1A licence has no right to a hearing under this Act, but must be given 28 days in which to submit <u>written representations</u> if the Council has issued notice that it is considering refusing the application (applies to new licences, renewals and transfers). Same applies where authority is considering revoking a licence No requirement to allow objectors to be heard.	3 months (excluding 28 day period for written representations if notice of intention to refuse is issued)	Appeal to sheriff against refusals, transfers and revocations

Act	Public notice of application required?	Consultations required before determining application?	Opportunity to be heard required?	Time limit to determine application?	Right of appeal?
Cinemas Act 1985	No	Applicant must give 28 days' notice to Council, Police and SFRS of intention to make the application. Council must consult Police and SFRS before granting, renewing or transferring the licence. Council must have regard to Police and SFRS observations.	Applicant has no right to a hearing under this Act, but Article 6 of Schedule 1 of Human Rights Act 1998 would require that applicant be given opportunity to be heard before any decision to refuse a licence is taken.  No requirement to allow objectors to be heard.	None	Appeal to the sheriff against refusal, conditions, revocation or refusal to transfer.
Dangerous Wild Animals Act 1976	No	Council cannot grant a licence unless a vet <sup>1</sup> has inspected the premises where the animal will normally be held and the Council has considered the vet's report.	Applicant has no right to a hearing under this Act, but Article 6 of Schedule 1 of Human Rights Act 1998 would require that applicant be given opportunity to be heard before any decision to refuse a licence is taken.  No requirement to allow objectors to be heard.	None	Appeal to the sheriff against refusal, conditions or variation/revocation of conditions
Deer (Scotland) Act 1996 <sup>iii</sup>	No	No  (But a copy of any venison dealing licence granted must be sent to SNH)	Applicant has no right to a hearing under this Act, but Article 6 of Schedule 1 of Human Rights Act 1998 would require that applicant be given opportunity to be heard before any decision to refuse a licence is taken. No requirement to allow objectors to be heard.	None	None

<b>Act</b>	<b>Public notice of application required?</b>	<b>Consultations required before determining application?</b>	<b>Opportunity to be heard required?</b>	<b>Time limit to determine application?</b>	<b>Right of appeal?</b>
Game Licences Act 1860 <sup>iv</sup>	N/A	N/A	N/A	N/A	N/A
Guard Dogs Act 1975 <sup>v</sup>	N/A	N/A	N/A	N/A	N/A
Performing Animals (Regulations) Act 1925 <sup>i</sup>	No – but register kept by Council must be open to inspection by public	No	The Council has no power under the Act to refuse a registration application, so no hearing requirements apply.	N/A	N/A
Pet Animals Act 1951 <sup>i</sup>	No	No  (Though there is power to authorise a vet or officer to inspect any premises for which a pet shop licence is in force)	Applicant has no right to a hearing under this Act, but Article 6 of Schedule 1 of Human Rights Act 1998 would require that applicant be given opportunity to be heard before any decision to refuse a licence is taken.  No requirement to allow objectors to be heard.	None	Appeal to the sheriff against refusal or conditions



Act	Public notice of application required?	Consultations required before determining application?	Opportunity to be heard required?	Time limit to determine application?	Right of appeal?
Riding Establishments Act 1964 <sup>i</sup>	No	Council must consider by a vet <sup>vi</sup> before granting the licence.  Otherwise, no consultation required	Applicant has no right to a hearing under this Act, but Article 6 of Schedule 1 of Human Rights Act 1998 would require that applicant be given opportunity to be heard before any decision to refuse a licence is taken.  No requirement to allow objectors to be heard.	None	Appeal to sheriff against refusal or conditions
Riding Establishments Act 1970 <sup>i</sup>	No	As above (before a 3-month provisional licence is granted)	As above	None	None
Theatres Act 1968 <sup>vii</sup>	No	Applicant must give Council and Police 21 days' notice of intention to apply for the grant or transfer of a licence, and must give Council 28 days' notice of intention to apply for renewal of the licence.	Applicant has no right to a hearing under this Act, but Article 6 of Schedule 1 of Human Rights Act 1998 would require that applicant be given opportunity to be heard before any decision to refuse a licence is taken.  No requirement to allow objectors to be heard.	None	Appeal to the sheriff against refusal, conditions or revocation

Act	Public notice of application required?	Consultations required before determining application?	Opportunity to be heard required?	Time limit to determine application?	Right of appeal?
Zoo Licensing Act 1981	No	<p>Applicant must give Council 2 months' notice of intention to make the application, publish notice of that intention in a local and a national newspaper and post a copy at the site.</p> <p>Council must also arrange vet's report.<sup>viii</sup></p> <p>No consultation by Council required, but certain representations received must be taken into account (see next column)</p>	<p><u>New applications/renewals</u> Applicant has no right to a hearing under this Act, but Article 6 of Schedule 1 of Human Rights Act 1998 would require that applicant be given opportunity to be heard before any decision to refuse a licence is taken.</p> <p>No requirement to allow objectors to be heard.</p> <p>Council must take into account representations made by applicant, Police, SFRS, governing body of any national institution concerned with operation of zoos, any person alleging the zoo would affect health or safety of neighbours or whose representations might show grounds to refuse the licence.</p> <p>Must also consult applicant on conditions proposed if licence is to be granted</p>	None	Appeal to sheriff against refusals, conditions, variations, refusal to transfer, directions enforcing conditions, closure directions and directions made following closure.

<p>(Zoo Licensing Act 1981 cont.)</p>			<p><u>Alterations to licence:</u></p> <ul style="list-style-type: none"><li>• If proposing to alter an existing licence, Council must give licence holder an opportunity to make representations.</li></ul> <p><u>Enforcement and closure directions:</u></p> <ul style="list-style-type: none"><li>• Licence holder must be given opportunity to be heard before direction can be made</li></ul>		
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### Additional miscellaneous licensing not currently subject to HLC referral under Scheme of Delegation

Regulations	Public notice of application required?	Consultations required before determining application?	Opportunity to be heard required?	Time limit to determine application?	Right of appeal?
<p>The Licensing of Animal Dealers (Young Cats and Dogs) (Scotland) Regulations 2009<sup>ix</sup></p>	<p>No – but register of licences must be kept and be open for public inspection</p>	<p>Council must appoint an inspector and consider a report by him, following inspection carried out after the licence application is received (except for renewals, where the inspection only requires to have been carried out in the year preceding the renewal application.</p>	<p>No hearing required before Council refuses, revokes, suspends or varies or attaches conditions to the licence                      Applicant or licence holder has 21 days from date of receiving notice of the decision in which to <u>request a review of the decision</u>. The application may include any written explanation the applicant considers appropriate.                      Council must appoint a person to carry out the review. The appointed person must examine the merits of the decision, consider any written explanation given by the licence holder/applicant and report to the Council including such recommendation as he considers appropriate.                      Council must then consider the report and recommendation and determine the review.</p>	<p>3 months to determine a licence application                       No timescale fixed for determining a review application</p>	<p>Appeal to sheriff against a determination of a review.</p>

## NOTES

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<sup>i</sup> These Acts are to be repealed by the Animal Health and Welfare (Scotland) Act 2006 Sch 2 para 9 but a date for this is yet to be appointed.

<sup>ii</sup> For the purposes of this Act, the vet must be either a veterinary practitioner registered in the “Supplementary Veterinary Register” or a veterinary surgeon registered in the Register of Veterinary Surgeons.

<sup>iii</sup> Section 33(2) of this Act allows the Secretary of State to make regulations governing procedures for Councils dealing with applications for a venison dealer’s licence and section 33(3) allows that in making such regulations the Secretary of State may apply any provisions of Schedule 1 to the Civic (Government) (Scotland) Act 1982. No such regulations have been made.

<sup>iv</sup> Act repealed entirely by the Wildlife and Natural Environment (Scotland) Act 2011 and not re-enacted.

<sup>v</sup> Guard dog kennels licensing provisions contained in sections 2-6 the 1975 Act are not yet in force and no regulations as to procedures have been made.

<sup>vi</sup> For the purposes of this Act, the vet must be one chosen by them from the list of Royal College Veterinary Surgeons and the British Veterinary Association.

<sup>vii</sup> Theatres Act 1968 licensing provisions (premises used for the public performance of plays) are to be repealed by s74 of the Air Weapons and Licensing (Scotland) Act 2015 (date yet to be appointed). Premises used for public performance of plays will then require a public entertainment licence under s41 of the Civic Government (Scotland) Act 1982, which will involve the same notice, consultation and hearings processes as are required for other forms of Civic Government licensing.

<sup>viii</sup> The vet in this case must be one appointed to the Secretary of State’s list under section 8 of the Zoo Licensing Act 1881

<sup>ix</sup> These Regulations were made under s27 of the Animal Health and Welfare (Scotland) Act 2006 and are the only Regulations thus far made under the new/replacement licensing provisions which the 2006 Act allows for. They supplement the older animal-related licensing Acts to which footnote i (above) applies and which are to be repealed by the 2006 Act (on a date yet to be appointed)

## Standard procedures for determining miscellaneous licence applications

**Part 1** of these procedures applies to all applications for licences under the following Acts: Animal Boarding Establishments Act 1963, Breeding of Dogs Acts 1973, Caravan Sites and Control of Development Act 1960, Cinemas Act 1985, Dangerous Wild Animals Act 1976, Deer (Scotland) Act 1996, Guard Dogs Act 1975 (though these licensing provisions are not yet in force), Pet Animals Act 1951, Riding Establishments Acts 1964 and 1970, Theatres Act 1968, Zoo Licensing Act 1981

**Part 2** applies to applications for animal dealers' licences under the Licensing of Animal Dealers (Young Cats and Dogs) (Scotland) Regulations 2009, which involve additional statutory procedures.

### Part 1 applications

1.	Publish summary details of each application, on receipt, in register of pending miscellaneous licence applications on licensing webpage <sup>1</sup> . <b>Give notice for each application pending that :</b>
	<ul style="list-style-type: none"> <li>Anyone wishing to comment on the application may do so by submitting written representations or objections to <i>[insert a generic email/office address for submission of comments]</i>, addressed to <i>[insert appropriate officer]</i> and received within 28 days <i>[specify the date]</i></li> </ul>
	<ul style="list-style-type: none"> <li>Written representations or objections received by that date will be considered before the application is determined. Written representations or objections received after that date may be considered at the <i>(Environmental Health Manager's?)</i> discretion.</li> </ul>
	<ul style="list-style-type: none"> <li>Written representations or objections received may be copied to the applicant who will be given the opportunity to submit written comments on these within 14 days to the Environmental Health Service.</li> </ul>
	<ul style="list-style-type: none"> <li><b>However, no further opportunity will be given to members of the public to submit further comment before the application is determined</b>, so they are encouraged to set out in their written representations or objections all matters they wish taken into account in the determination of the application.</li> </ul>
2.	Undertake simultaneously any discretionary consultations with other services or agencies which Environmental Health consider necessary and appropriate (eg, Planning, Police Scotland, SFRS, etc., as appropriate).
3.	Undertake or commission simultaneously any officer or veterinary inspection either required under the relevant Act or considered nonetheless appropriate.

4.	Assess written representations or objections received from the public, and consultation responses from other services or agencies, for relevancy ( <i>Senior Environmental Health Officer or above?</i> ). <b>Only relevant comments should be taken into account.</b> Any relevant representations, objections or consultation responses should be copied to the applicant who should be given a further 14 days in which to submit written comments on these to the Environmental Health Service.
5.	<p>Determine whether any relevant representations or objections from members of the public are supported by any issues raised by professional consultees (eg by Planning or Building Standards) and/or professional inspection reports (eg by Environmental Health Officers, Animal Health and Welfare Officers or vets).</p> <ul style="list-style-type: none"> <li>• If they are so supported, and in the opinion of the officer the issues raised cannot be addressed by attaching any appropriate conditions to the licence, follow the processes set out at paragraphs 6(a) or 6(b) below, as appropriate. (<i>Senior Environmental Health Officer or above to make this assessment?</i>).</li> <li>• If they are not so supported, grant the application subject to any statutory conditions and additional conditions considered appropriate.</li> </ul>
6(a)	<p><u>Applications for relevant permanent site licences under Part 1A of the Caravan Sites and Control of Development Act 1960)</u></p> <ul style="list-style-type: none"> <li>• Issue notice to the applicant that the licensing authority is considering refusing the application and set out in the notice the proposed reasons for refusal</li> <li>• The notice must give the applicant 28 days in which to submit written representations in response</li> <li>• On receipt of the written representations, or if no written representations are submitted by the end of the 28 day period, proceed with the steps set out in paragraph 6(b) below, as for all other types of application</li> </ul>
6(b)	<p><u>All other types of application</u></p> <p>Refer the application to the Highland Licensing Committee (HLC) for determination by submitting a report to the HLC via the Principal Solicitor – Regulatory Services.</p> <p><b>Applicant to be given 14 days’ notice of the date, time and place of the meeting and must be given notice of the grounds/information on which Environmental Health are recommending refusal.</b></p> <p><b>Applicant to be invited to the Committee meeting and advised that he/she will be given the opportunity to be heard or have a representative speak on their behalf. They may also bring with them anyone they wish to address the Committee in support of their application.</b></p>

	Environmental Health may also invite other agencies/professional officers to attend the meeting if they consider that their input is necessary to support Environmental Health's case for refusal.
7.	<p><u>Procedure at the HLC meeting</u></p> <p>At the HLC meeting, Environmental Health will be invited to put their case first (including leading any evidence from other agencies they have invited to support their case). The applicant and members will then be entitled to ask questions of Environmental Health. The applicant will be given the opportunity to respond and will then be similarly open to questions. Environmental Health, followed by the applicant, will then be entitled to make closing submissions, summing up their case/response. Members will then go into debate and determine the application.</p>
8.	Decision of the Committee to be notified to the applicant in writing within 7 days of the meeting, with reasons for refusal (if applicable) and notification of right of appeal.

## Part 2 applications

1.	Follow steps 1. to 4. as for Part 1 applications.
2.	<p>Determine whether any relevant representations or objections from members of the public are supported by any issues raised by professional consultees (eg by Planning or Building Standards) and/or professional inspection reports (eg by Environmental Health Officers, Animal Health and Welfare Officers or vets).</p> <ul style="list-style-type: none"> <li>• If they are so supported, and in the opinion of the officer the issues raised cannot be addressed by attaching any appropriate conditions to the licence, refuse the application (<i>Senior Environmental Health Officer?</i>)</li> <li>• If they are not so supported, grant the application subject to statutory conditions and additional conditions considered appropriate</li> </ul> <p>In either case, give notice to the applicant that they may, within 21 days of receiving notice of decision, <b>request a review of the decision</b> (including a review of any non-statutory conditions attached to the licence if it has been granted) and that they may include any written explanation they consider appropriate in their review request.</p>
3.	If a review request is received, refer the case to [ <i>the Environmental Health Manager?</i> ], as the "appointed person" under Regulation 13, to conduct the review.



4.	The appointed person must examine the merits of the decision, consider any written explanation given by the applicant and then prepare a report to the Highland Licensing Committee setting out their recommendation for determination of the review application.
5.	<p><b>Applicant to be given 14 days' notice of the date, time and place of the meeting at which the review will be determined and must be given notice of the appointed person's report and recommendation.</b></p> <p><b>Applicant to be invited to the Committee meeting and advised that he/she will be given the opportunity to be heard or have a representative speak on their behalf. They may also bring with them anyone they wish to address the Committee in support of their review application.</b></p> <p>Environmental Health may also invite other agencies/professional officers to attend the meeting if they consider that their input is necessary to support Environmental Health's case for refusal.</p>
6.	Follow steps 7. and 8. as for Part 1 applications

## NOTES

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<sup>i</sup> This register to be created and added as an additional register on the website at [http://www.highland.gov.uk/info/1125/licences\\_permits\\_and\\_permissions/733/register\\_of\\_licences](http://www.highland.gov.uk/info/1125/licences_permits_and_permissions/733/register_of_licences) which already contains registers for liquor licensing (pending and granted applications) and civic government/HMO licences (the latter currently called "All Other Licences" – but this can be changed when a miscellaneous licence application register is added).