

Agenda item	9.1
Report no	HLC/034/23

THE HIGHLAND COUNCIL

Committee: THE HIGHLAND LICENSING COMMITTEE

Date: 9 May 2023

Report title: Application for the grant of a street trader's licence – Alan Young (Ward 14 – Inverness Central)

Report by: The Principal Solicitor – Regulatory Services

1. Purpose/Executive Summary

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

2. Recommendation

2.1 Members are asked to determine the application in accordance with the hearings procedure.

3. Background

3.1 The Highland Council has resolved that in terms of the Act a licence will be required for carrying on a business as a street trader. As the licence is issued to an individual each trader requires their own licence.

4. Application

4.1 Mr Alan Young applied for the grant of a street trader's licence on 15 February 2023 in relation to the sale of tickets for walking tours of Inverness City Centre, from outside the iCentre Tourist Information, 36 High Street, Inverness.

5.0 Consultation

5.1 The application was circulated to Police Scotland, Environmental Health Service and Community Services (Roads). There have been no objections received.

6.0 Policy

6.1 In terms of the street traders licensing policy, if an application is received where the applicant wishes to trade within the Inverness Centre (as defined by the attached plan contained in **Appendix 1**), then the application requires to be referred to the Highland Licensing Committee for determination.

7.0 Determining issues

7.1 Paragraph 5(3) of Schedule 1 of the Act states that a licensing authority may refuse an application to grant or renew a licence where:

- (a) the applicant or anyone else detailed on the application is not a fit and proper person;
- (b) the activity would be carried out by a person other than the applicant who, if he had made the application himself, would have been refused;
- (c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to
 - (i) the location, character or condition of premises or the character or condition of the vehicle or vessel,
 - (ii) the nature and extent of the proposed activity,
 - (iii) the kind of persons likely to be in the premises, vehicle or vessel,
 - (iv) the possibility of undue public nuisance, or
 - (v) public order or public safety; or
- (d) there is other good reason for refusing the application.

If required the Principal Solicitor – Regulatory Services will offer particular advice on the criteria relating to this particular application.

8.0 Implications

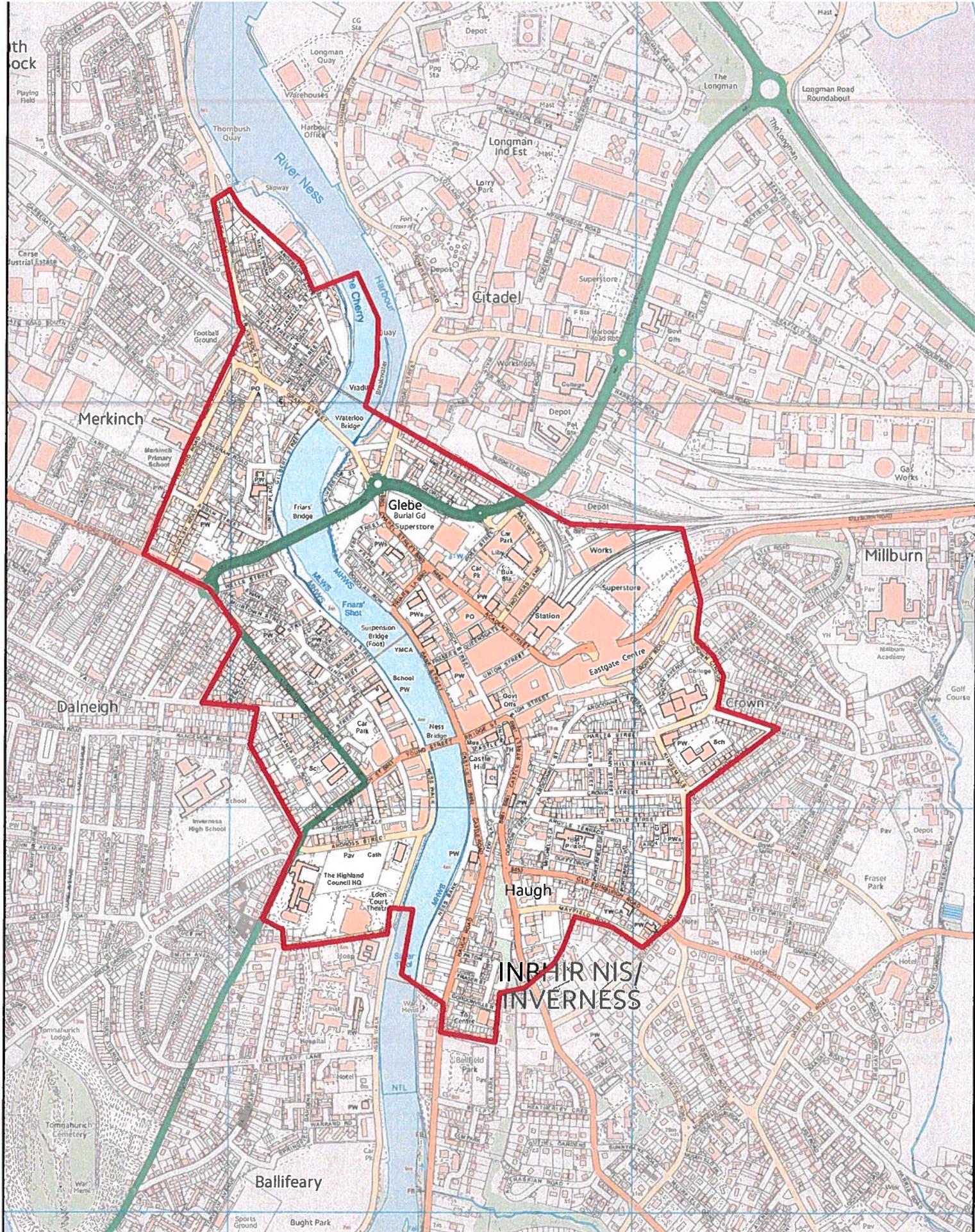
8.1 Not applicable.

Date: 25 April 2023

Author: Michael Elsey

Background Papers: Civic Government (Scotland)Act 1982

Appendix 1 – Map of Street Traders Inverness City Centre Zone



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Highland Council
Civic Government (Scotland) Act 1982
Street Traders Licence - Schedule of Conditions
Condition 1 - Inverness - Exempted Area

