

## The Highland Licensing Committee

Meeting - 2 February 2015

Agenda Item	7.1
Report No	HLC/017/16

### Application for the renewal of a street trader's licence – Frank Ryan (Ward 15 – Inverness Central)

#### Report by the Legal Manager

#### Summary

This Report relates to an application for the renewal 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 24 September 2015 an application for the renewal of a street trader's licence was received from Frank Ryan.

2.2 The application is in respect of a mobile catering van providing hot food, snacks and soft drinks.

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 23rd 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 Mr Ryan 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
- Community Services (Roads)

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

#### **4.0 Environmental Health Service**

**4.1** The Environmental Health Service have advised that they have asked Mr Ryan for a copy of his gas safe certificate, his electrical certificate his food hygiene training certificates and also confirmation that his wash hand basin has a supply of hot and cold water. Until such time as he can provide these the Environmental Health Service would object to the issuing of the licence.

**4.2** At the time of writing Mr Ryan had not submitted these certificates or confirmations.

**4.3** 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](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: Michael Elsey

Date: 13 January 2016

Background Papers: Civic Government (Scotland) Act 1982