

The Highland Licensing Committee

Meeting - 7 February 2017

Agenda Item	8.1
Report No	HLC/009/17

Application for the renewal of a street trader's licence – Gaius Bowie (Ward 19 – Nairn)

Report by the Principal Solicitor – Regulatory Services

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 7 September 2016 an application for the renewal of a street trader's licence was received from Gaius Bowie.

2.2 The application is in respect of a mobile catering van selling fresh fish and eggs.

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 6 March 2017. 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 Bowie 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 e-mailed Mr Bowie twice to try and arrange an appointment for him to bring his vehicle in to get it inspected to ensure it continues to meet the relevant standards but no response has been received to date.

4.2 Until such time as it has been inspected Environmental Health are unable to confirm that the standards are being met.

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

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.

Officer Reference: Michael Elsey

Date: 18 January 2017

Background Papers: Civic Government (Scotland) Act 1982