

Agenda item	8.1
Report no	HLC/010/18

THE HIGHLAND COUNCIL

Committee: THE HIGHLAND LICENSING COMMITTEE

Date: 6 February 2018

Report title: Application for the variation of a late hours catering licence – Zoom Takeaway, Baron Taylor Street, Inverness (Ward 14 – Inverness Central)

Report by: The Principal Solicitor – Regulatory Services

1. Purpose/Executive summary

- 1.1** This report relates to an application for variation of a late hours catering licence to increase the hours of trade.

This item is subject to a formal hearing procedure.

2. Recommendation

- 2.1** Members are asked to determine the variation application in accordance with the Council's Hearings Procedure.

3. Background

3.1 The Highland Council has resolved that in terms of the Civic Government (Scotland) Act 1982 a licence will be required for the operation of a premises for late hours catering. A licence for the same is required for any premises selling food between 11.00pm and 5.00am.

4. Current licence

4.1 Mr Mohammed Afif currently holds a late hours catering licence in respect of the premises at Zoom Takeaway, 23 Baron Taylor Street, Inverness which expires on 23 September 2019. The hours of trade, in respect of late hours catering, currently permitted for these premises are:

- Monday – until 12 midnight
- Tuesday - until 12 midnight
- Wednesday (Thursday morning) – until 3.00am
- Thursday (Friday morning) – until 3.00am
- Friday (Saturday morning) – until 4.00am
- Saturday (Sunday morning)– until 4.00am
- Sunday (Monday morning) – until 3.00am

5. Council's current late hours catering policy hours

5.1 The Council's current policy hours for Inverness City Centre Premises are:

- Mondays: 2300 hours to 2400 hours
- Tuesdays: 2300 hours to 2400 hours
- Wednesdays: 2300 hours to 0300 hours (Thursday morning)
- Thursdays: 2300 hours to 0330 hours (Friday morning)
- Fridays: 2300 hours to 0400 hours (Saturday morning)
- Saturdays: 2300 hours to 0400 hours (Sunday morning)
- Sundays: 2300 hours to 0300 hours (Monday morning)

6. Variation request

6.1 Mr Afif wishes to vary his licence to permit him to open until 3.00am on Mondays (Tuesday morning) and Tuesdays (Wednesday morning).

7.0 Consultation

7.1 Following receipt of the variation request the following Agencies/Services were consulted:

- Police Scotland
- Fire Service
- Environmental Health Service
- Building Standards Service

7.2 No objections or representations have been received from any of the Agencies/Services.

7.3 The application is before the Committee as the variation request is for extension of hours beyond the Council's policy hours for late hours catering for Inverness City Centre premises.

7.4 A copy of this report has been sent to the applicant who, pursuant to Paragraph 10(2) of the Civic Government (Scotland) Act 1982, has been invited to attend and will be provided with an opportunity to be heard by the Committee. He has also been advised of the procedure which will be followed at the meeting.

8. Policies

8.1 The following policies are relevant to this case:

Standard late hours catering licence conditions. A copy of these can be accessed at https://www.highland.gov.uk/directory_record/738740/late_hours_catering/category/499/shop_and_trader or a hard copy can be supplied where requested.

9. Implications

9.1 Not applicable.

Date: 18 January 2018

Author: Michael Elsey

Background Papers: Civic Government (Scotland) Act 1982