

## **WEST DUNBARTONSHIRE COUNCIL**

### **Report by the Head of Legal, Democratic and Regulatory Services**

#### **Licensing Committee – 28 August 2013**

---

**Subject: Application for grant of Employee Street Trader's Licence**

#### **1. Purpose**

- 1.1** To consider an application for grant of an Employee Street Trader's Licence submitted by Mr. Scott Ryan McDonald, 40 Carvale Avenue, Salsburgh, ML7 4NF.

#### **2. Recommendations**

- 2.1** It is recommended that the application be considered and determined by the Committee.

#### **3. Background**

- 3.1** Mr. McDonald submitted an application for grant of an Employee Street Trader's Licence to the Council on 12 March 2013.
- 3.2** A letter was received from the Chief Superintendent of the Police authority on 4 April 2013 advising that a matter had arisen requiring further investigation which would result in the response from the Chief Constable falling out with the statutory 28 day period.
- 3.3** A further letter was received from the Chief Superintendent of the Police authority on 2 May 2013 advising that the Chief Constable has a representation to make in relation to the application.

#### **4. Main Issues**

- 4.1** In view of the representation that has been received from the Police, the applicant and a representative of the Police authority have been invited to attend the meeting of the Committee to be held on 28 August 2013.
- 4.2** The terms of the letter from the Police will be made known to the Committee at the meeting as appropriate.
- 4.3** In terms of the relevant legislation, a representation with respect to an application should be submitted within 28 days of receipt of the application. As Mr. McDonalds application was received on 12 March 2013, any representation should have been submitted by 9 April 2013. There is, however, provision in the legislation for the Licensing Authority to entertain a late representation which has been received before a final decision has been made on an application if the Licensing Authority is satisfied that there is

sufficient reason why the representation had not been made in the time required.

**5. People Implications**

5.1 There are no personnel issues.

**6. Financial Implications**

6.1 There are no financial implications

**7. Risk Analysis**

7.1 There is no increased risk to the Council associated with the contents of this report.

**8. Equalities, Health & Humans Rights Impact Assessment**

8.1 No impact assessment is required because this report does not involve any change to policies or services or financial decisions.

**9. Consultation**

9.1 No consultation exercise was required in relation to this application.

**10. Strategic Assessment**

10.1 In terms of the Council's Strategic Priorities, the purpose of licensing is to protect the welfare of the community, including vulnerable people.



Head of Legal, Democratic and Regulatory Services

Date: 7/6/13

---

**Person to Contact:** Robert Mackie,  
Senior Officer (Licensing Services),  
Licensing Team,  
Rosebery Place,  
Clydebank,  
G81 1TG.

Tel. No. (Direct line) 01389 738742.  
robert.mackie@west-dunbarton.gov.uk

**Appendices:** N/A.

**Background Papers:**

1. Application for grant of an Employee Street Trader's Licence from Mr. Scott Ryan McDonald, 40 Carvale Avenue, Salsburgh, ML7 4NF.
2. Letter dated 3 April 2013 from the Chief Superintendent, Police Scotland , 'L' Divisional Headquarters, Stirling Road, Dumbarton.
3. Letter dated 24 April 2013 from the Chief Superintendent, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
4. Letter to Mr. McDonald dated 31 July 2013. (New address 100 Woodside Tower, Motherwell, ML1 2HX)
5. Letter to Chief Constable dated 31 July 2013.

**Wards Affected:** N/A.