

From: Andrew Jones
Sent: 17 October 2017 12:53
To: Lynn Jess May
Cc: Andy Campbell
Subject: RE: Report to Licensing Committee - Variation of Street Trader Licence Conditions

Hi Lynn,

Andy and I have discussed this and I can confirm I am in agreement with the comments that Andy has set out below. I have no further comments to add but would certainly welcome the opportunity to comment on any future individual applications for street trader licenses where these involve the sale of food close to schools.

Regards,

Andrew

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From: Andy Campbell
Sent: 17 October 2017 12:39
To: Lynn Jess May
Cc: Andrew Jones
Subject: RE: Report to Licensing Committee - Variation of Street Trader Licence Conditions
Importance: High

Hi Lynn,

Thank you for giving me the opportunity to comment on the proposed variation to the conditions for Street Trader licenses. I appreciate the legal position and how this has come about from the case law you shared. I appreciate that this would make it very difficult for our Licensing Committee not to amend our conditions in line with the case law, but from a health and wellbeing perspective, I feel that recognition has to be taken on the negative impact that allowing street traders to site their businesses within proximity to our schools may have on the intended improved health outcomes for our young people.

The following are the pieces of legislation which are in place for food in schools:

- *Schools (Health Promotion and Nutrition) (Scotland) Act 2007*
- *The Nutritional Requirements for Food and Drink in Schools (Scotland) Regulations 2008*

The following are supplementary pieces of guidance which govern how we have approached health and wellbeing in schools since the early 2000's and further guidance which helped local authorities implement the above referenced legislation:

- *Hungry for Success – A whole school approach to school meals in Scotland (2003)*
 - *The vision was for a partnership between children/young people, school, family and the community in offering access to attractively presented food of an appropriate nutrient composition within schools and in developing a wider understanding of food, nutrition and healthy lifestyles which can inform children's choices and eating habits within and outwith school and throughout life. The belief was that children/young people should not feel stigmatised at school meal times for any reason.*
- *Healthy Eating in Schools – A guide to implementing the Nutritional Requirements for Food and Drink in Schools (Scotland) Regulations 2008*
- *Better Eating, Better Learning – A new context for school food (2014)*
 - *This guidance is the work of an expert working group. The working group's remit was to refresh the guidance on school food and food education to build on the progress made since Hungry for Success in 2003.*

All of the above legislation and guidance is in place not only to ensure the quality and nutritional content of the food we give our young people whilst at school is of the quality they need to grow and learn, but to equip them with the knowledge to make good food and wider health choices as they move toward adulthood, with the knock on effects being felt by the wider public sector in terms of long term health outcomes.

I'd be happy if you are able to include some of the above commentary in your report and I will try and make it along to committee for this agenda item, in case any members wish to ask any questions specifically around the impact I've highlighted.

Going forward, I would appreciate if both Andrew Jones and I could be consulted on any specific applications for siting food businesses near our schools, assuming that the changes to conditions are approved on the 7th November.

Many thanks,

Andy

From: Lynn Jess May
Sent: 27 September 2017 15:39
To: Andy Campbell
Subject: Report to Licensing Committee - Variation of Street Trader Licence Conditions

Hi Andy

I now attach for consultation the draft report due to be considered by the Licensing Committee at their meeting on 7 November 2017. The Committee has agreed to consult on varying some of the standard conditions attached to Street Trader Licences.

As these proposed variations to the conditions could have implications for your service and the street traders involved I would be obliged to receive your comments on this report by 17 October 2017.

I also attach a memo inviting you to attend the Committee on 7 November as a consultee to this variation procedure, in terms of paragraph 10 of schedule 1 to the Civic Government (Scotland) Act 1982. As a consultee in this process you require to be given an opportunity to be heard at the Committee meeting in order to express your views on the proposed variation. As stated in the memo you are also welcome to submit representations in writing if you wish before the meeting. Written responses can be received at any time up to the date of the meeting but if possible, in order to attach them to the report prior to the agenda being published, I would be grateful if I could have your response/representation by 17 October at the latest.

I look forward to hearing from you.

Thanks

Lynn

Kind Regards

Lynn May | Solicitor | Licensing | Legal and Democratic Services | Corporate Governance | Aberdeen City Council | Business Hub 6 | Level 1 South | Marischal College | Broad Street | Aberdeen | AB10 1AB |

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