

LICENSING COMMITTEE INFORMATION SHEET

28 JUNE 2023

TYPE OF APPLICATION: Grant of Street Trader Licence

APPLICANT: Pavel Plasek

INFORMATION NOTE

Application must be determined by 16/10/2023

DESCRIPTION

Grant of Street Trader Licence

Location: Beach Esplanade East Side, 100m South of Links Road (South).

The application was deferred at the Committee meeting held on 15 March 2023 pending the review of the Street Trader Policy for the Beach Area.

CONSULTEES

- Police Scotland
- Environmental Health

OBJECTIONS/REPRESENTATIONS

- Legal

Committee policy states that all applications for the South end of the beach area must be referred to Committee for determination.

GROUND FOR REFUSAL

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i) for the time being disqualified from holding a licence, or

(ii) not a fit and proper person to be the holder of the licence;

(b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i) the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii) the nature and extent of the proposed activity;

(iii) the kind of persons likely to be in the premises, vehicle or vessel;

(iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

(d) there is other good reason for refusing the application;

and otherwise shall grant the application.