

Shetland Islands Council



Executive Manager: Jan-Robert Riise
Director: Christine Ferguson

Governance and Law
Corporate Services Department
Montfield Offices
Burgh Road
Lerwick
Shetland
ZE1 0LA

Telephone: 01595 744550
Fax: 01595 744585
Committee.services@shetland.gov.uk
www.shetland.gov.uk

If calling please ask for
Leisel Malcolmson
Direct Dial: 01595 744599

Date: 17 June 2019

Dear Sir/Madam

You are invited to the following meeting:

Licensing Committee
Council Chamber, Town Hall, Lerwick
Monday 24 June 2019, at 10.30 a.m., or immediately following the
Shetland Islands Area Licensing Board

Apologies for absence should be notified to Leisel Malcolmson at the above number.

Yours faithfully

Executive Manager – Governance and Law

Chair: I Scott
Vice-Chair: G Smith

AGENDA

- (a) Hold circular calling the meeting as read.
- (b) Apologies
- (c) Declarations of Interest – Members are asked to consider whether they have an interest to declare in relation to any item on the agenda for this meeting. Any Member making a declaration of interest should indicate whether it is a financial or non-financial interest and include some information on the nature of the interest. Advice may be sought from Officers prior to the meeting taking place.

(d) Confirm the minutes of the meetings held on 20 May 2019 (attached)

Item

1. Street Traders Licences
TP-05



Meeting(s):	Licensing Committee	24 June 2019
Report Title:	Street Traders Licences	
Reference Number:	ES-05-19-F	
Author / Job Title:	Patti Dinsdale / Team Leader – Environmental Health	

1.0 Decisions / Action required:

1.1 That the Licensing Committee:

- 1.1.1 Determine to GRANT or REFUSE TO GRANT the application by Dr Mary Macgregor, trading as Bakka, for a licence to act as a street trader; and.
- 1.1.2 State the reason or reasons for the determination.

2.0 High Level Summary:

- 2.1 The application before the Licensing Committee is for grant of a licence to act as a street trader of knitwear goods from locations in Lerwick as specified on the map accompanying the application.
- 2.2 The Licensing Committee is authorised to discharge the powers and duties of the Council in accordance with the Licensing Scheme of Delegations. The authorised officer in terms of the Licensing Scheme of Delegations is authorised to determine applications under the Civic Government (Scotland) Act 1982 except where objections or adverse representations have been received that cannot address the issues raised or a recommendation for refusal is made for reasons other than clear technical failure to comply with legislative requirements.
- 2.3 Objections were received to the proposal and the Licensing Committee must therefore determine the application.

3.0 Corporate Priorities and Joint Working:

- 3.1 The licensing function helps to make Shetland a safe place to live with strong, resilient, supportive communities and helps maintain sustainable economic growth, which are objectives in the Single Outcome Agreement in the Community Plan.

4.0 Key Issues:

- 4.1 Dr Mary Macgregor, trading as Bakka, submitted an application to the Council for grant of a street traders licence together with the application fee on [18 March 2019]. See Appendix 1. Notice of the application was sent to Police Scotland, Scottish Fire and Rescue Service, Development Services, Trading Standards, Roads and Environmental Health on 1 May 2018.

4.2	Shetland Islands Council's Standard Licence Conditions for street traders licences state, at Condition 23, that unless otherwise directed by the Council the Trader shall not engage in street trading within 50 metres of any establishment of premises in which the same or similar class and description are sold or offered for sale. Other local authorities have adopted various and varying similar conditions.
4.3	The application, numbered by the Council as STL/19/04, is to trade knitwear from a van in 3 areas as outlined in Appendix 1. [Location A, Irvine Place, is her preferred location which is within 50 metres of several traders selling craft knitwear. Locations B and C are not near any such business].
4.4	The applicant's intention is to trade from the locations between 0830 and 2200hrs on any day of the week when there are suitable cruise ships visiting Lerwick and for peak sales periods such as Christmas and Up Helly A'. The suitability is determined by the applicant and the days would be irregular.
4.5	Four objections have been received with regards to the preferred location of the applicant from the following persons: i) Steven Cooper, Aurora, attached as Appendix 3; ii) Joanna Coe, Ninians attached as Appendix 4; iii) Emma Miller, Living Lerwick attached as Appendix 5 and iv) Evelyn Leask, Anderson and Co, attached as Appendix 6.
4.6	Copies of the objections/representations will be sent to the applicant when the report is published. Notice of the date of the meeting of the Licensing Committee to be held to determine the application was sent to the applicant on 10 May 2019 with an invitation to attend.
4.7	The applicant has liaised with Roads who have indicated that Location B was no longer allowed for occupation and have withdrawn their offer for this site. This information was confirmed by Roads by e-mail on 6 May 2018. (Appendix 7)
4.8	The applicant has applied for Planning Permission for Location A so that they can trade there for more than 28 days per year (Planning Application 2019/107/PPF)
4.9	A licensing authority may, at any time, whether or not upon an application made to them by the holder of a licence, vary the terms of a licence on any grounds they think fit.
4.10	The applicant currently has a street traders licence, number STL/17/07. The current licence, permitting the trader to sell knitwear from a stall at Harrison Square, was issued on 12 June 2017 and expires 11 June 2020.
4.11	The applicant has provided a statement and this is attached as Appendix 7.
5.0	Exempt and/or confidential information:
5.1	NONE.
6.0	Implications :
6.1	If the application was granted it would provide increased competition for local permanent businesses of similar products.

Service Users, Patients and Communities:	<p>If the application were refused it would affect the applicants business plan and negate the point of the application for Planning Permission for site A.</p> <p>The applicant has already purchased and fitted out a suitable vehicle so as to be able to trade.</p>	
6.2 Human Resources and Organisational Development:	None	
6.3 Equality, Diversity and Human Rights:	None	
6.4 Legal:	<p>Licensing of street traders is governed by the Civic Government (Scotland) Act 1982. Shetland Islands Council's Licensing Committee.</p> <p>Reasons for the decision must be noted.</p> <p>The decision of the Committee may be appealed to the Sheriff.</p>	
6.5 Finance:	The applicant has paid a fee of £59.55 for the application.	
6.6 Assets and Property:	None	
6.7 ICT and new technologies:	None	
6.8 Environmental:	None.	
6.9 Risk Management:	Any applicant can appeal a decision of the Licensing Committee to the Sheriff	
6.10 Policy and Delegated Authority:	<p>Appendix 2 of the Council's Scheme of Administration and Delegation states where the authorised officer receives an objection or adverse representation to a proposal under the above legislation and conditions cannot address the issue(s) raised; or the proposal is recommended for refusal for reasons other than a clear technical failure to comply with legislative requirements, the matter will be referred to the Licensing Committee for determination.</p>	
6.11 Previously considered by:	None	

Contact Details:

Patti Dinsdale, Team Leader – Environmental Health, 01595 744842
patti.dinsdale@shetland.gov.uk

Appendices:

Appendix 1 Licensing Conditions and application for licence STL/19/04 including

Appendix 2 Applicant's Plans of locations Sites A, B & C included in application for licence STL/19/04

Appendix 3 Letter of Objection Steven Cooper – Aurora

Appendix 4 Objection Joanna Coe – Ninians

Appendix 5 Letter of Objection Emma Miller – Living Lerwick

Appendix 6 Objection Evelyn Leask – Anderson & Co

Appendix 7 Statement from Dr Macgregor

Appendix 8 E-mail withdrawal of agreement for use of Location B in licence application by Roads Department.

Background Documents: None

END



Shetland Islands Council
Civic Government (Scotland) Act 1982
Section 39

APPENDIX 1 - Application
For Licence STL-19-04

FEE PAID	E
CERT. OF COMPLIANCE.	
RECEIPT NO.	
DATE RECEIVED	
RECEIVED BY	

PLEASE COMPLETE IN BLOCK CAPITALS

APPLICATION FOR GRANT/RENEWAL OF LICENCE TO ACT AS A STREET TRADER

APPLICANT DETAILS (IF SOLE TRADER)

Full Name (including title)	DR MARY MACGREGOR
Home Address	BAKKA, DALE OF WALLS
Postcode	ZE2 9PE
Telephone Number	
Mobile Number	
E-mail	
Date of Birth	
Place of Birth	
Do you plan to carry out the day to day management of the business?	YES/ NO

If NO, please provide the Full Name, Private Address & Postcode, Contact number and Date of Birth & Place of Birth of the person responsible for the day to day management *:

* This person must also complete an Individual Street Traders Application Form

APPLICATION DETAILS (IF A BUSINESS / COMPANY / PARTNERSHIP / GROUP)

Full Name of Business/Partnership, etc	BAKKA		
Address of Registered or Principal Office	AS ABOVE		
Postcode			
E-mail			
Telephone Number			
Nature of Business	Firm/Partnership	Organisation /Group	
SOLE TRADER	Limited Company	Company Number:	

Please Complete details of ALL Directors, Partners, Committee Office Bearers or other persons responsible for the management of the business. Continue on a separate sheet if necessary

Full Name	
Home Address	
Postcode	
Date of Birth	
Place of Birth	
Position Held	

Full Name	
Home Address	
Postcode	
Date of Birth	
Place of Birth	
Position Held	
*Note: All employees or agents acting as street traders require individual Street Traders Licences.	
Please provide the Full Name, Private Address & Postcode, Contact number and Date of Birth & Place of Birth of the person responsible for the day to day management :	
MARY MACAREGOR	

Have all applicants been UK Resident/s for 10 years or more? YES/NO
If No, provide name/s of applicant/s:
N.B If it appears to the licensing authority that the applicant may have been a UK resident for a continuous period of not less than 10 years then further enquiries will be made prior to processing the application

CRIMINAL CONVICTIONS				
Subject to the provisions of the Rehabilitation of Offenders Act 1974, has any party named in this form ever been convicted of any crime or offence? Please note that any foreign convictions should be declared. If no, please write NONE below.				
Name	Date	Court	Offence	Sentence

PREVIOUS LICENCE	
Have any persons named in this form held or does currently hold a Street Trader Licence?	YES/NO
If YES, which Authority issued it?	SIC
What was the reference number?	STL/17/07

LICENCE DETAILS																										
Type of Licence is being applied for:	Grant	X																								
	Renewal																									
Days of the week and the hours during each day when it is proposed to act as a street trader. IRREGULAR RECURRING CRUISE LINERS IN PORT PEAK SALES PERIODS ETC. E.G. CHRISTMAS & UP HELL YAA	<table border="1"> <thead> <tr> <th>DAY</th> <th colspan="2">HOURS BETWEEN</th> </tr> </thead> <tbody> <tr> <td>Monday</td> <td>8-30 Am</td> <td>10: PM</td> </tr> <tr> <td>Tuesday</td> <td>8-30 Am</td> <td>—</td> </tr> <tr> <td>Wednesday</td> <td>—</td> <td>—</td> </tr> <tr> <td>Thursday</td> <td>—</td> <td>—</td> </tr> <tr> <td>Friday</td> <td>—</td> <td>—</td> </tr> <tr> <td>Saturday</td> <td>—</td> <td>—</td> </tr> <tr> <td>Sunday</td> <td>—</td> <td>—</td> </tr> </tbody> </table>		DAY	HOURS BETWEEN		Monday	8-30 Am	10: PM	Tuesday	8-30 Am	—	Wednesday	—	—	Thursday	—	—	Friday	—	—	Saturday	—	—	Sunday	—	—
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Nature of goods/services in which it is proposed to trade.	KNITWEAR
Address of the premises where the goods will be stored when not being offered for sale.	BAKKA, DALE OF WALLS.
Type of vehicle	PEUGOT BOXER VAN [REDACTED]
Registration Number/Chassis Number, etc	[REDACTED]
Description and dimensions of the vehicle, kiosk, trailer or stall*	VEHICLE HAS ELECTRIC STEP w GRAB RAIL AT SIDE DOOR. STALL INSIDE
Trading name of vehicle, kiosk, trailer or stall*	BAKKA
<p>*Note: You must attach a photograph of the vehicle, showing all markings/identification, etc. If the unit is altered (i.e. new logo added) then updated photos must be provided. You may email these to ehadmin@shelland.gov.uk</p>	
<p>State trading locations by reference to specific locations or street names or a map if necessary of where you propose to trade.*</p> <p>*(Please attach written consent from the owner, either from private landowner or Council Roads section)</p>	SEE MAP
PROPOSED FOOD BUSINESS – CERTIFICATE OF COMPLIANCE DETAILS (additional fee)	
<p>Details of food hygiene training of person in day to day management of unit</p> <p>(enclose copy of certificate)</p>	
Details of handwashing facilities. (refer to Guidance)	
<p>Details of refrigerated facilities available for storage of perishable food:</p> <p>(a) In the vehicle/kiosk/trailer or stall</p> <p>(b) In other premises</p> <p>(c) Method to monitor temperatures</p>	
Address of the premises where utensils and equipment used in the food business is cleaned.	
Details of chemicals to be used for cleaning and disinfection	
<p>Do you have a food safety management system?</p> <p>If no, then you must complete a written system prior to operating.</p>	
If yes, give details & enclose copies of proposed temperature records.	

I declare that the particulars given by me on this form are correct to the best of my knowledge and belief. I hereby make application to Shetland Islands Council for the grant or renewal of a street trader's licence.

Date	18 March 2019
Signature of applicant or agent	[Redacted]
Agents Address	11

N.B. Any person who in or in connection with the making of this application makes any statement which he knows to be false or recklessly makes any statement which is false in a material particular shall be guilty of an offence and liable, on summary conviction, to a fine.

Data Protection:

Shetland Islands Council will use the information about you on this form to process your licensing application. In processing your application, the information you have provided may be shared between Council departments and with other agencies where necessary. By signing this form you consent to the Council sharing your information in this way. The Council has a duty to process your information fairly and in accordance with the provisions of the Data Protection Act 1998. We will ensure that the information we hold is accurate, up to date, is kept as long as necessary and is otherwise shared only where we are legally obliged to do so. You can request access to the personal information held about you by the Council by writing to the Head of Governance and Law, Legal Department, 8 North Ness Business Park, Lerwick, Shetland.

Checklist prior to submission of Application Form	
Fee (Non- Refundable)	59.55
2 Colour Passport Photos	
Photo/s of mobile vehicle (email to ehadmin@shetland.gov.uk)	Attached/Emailed ✓
Food Hygiene certificate of Applicant or Person in Day to Day Management (for Food Compliance Certificate)	N/A
Location plan	✓
Letter of Consent from Landowner	

PLD 1/5/19

This form is to be lodged with Environmental Health, Old Anderson High School, Lovers Loan, Lerwick, Shetland, ZE1 0BA. Please note the fee is an application fee; it will not be refunded in the event of the licence application being either withdrawn or refused.

STANDARD LICENCE CONDITIONS**LICENCE & BADGE**

- 1 The Trader shall be permitted to trade only on the specified days and at the specified times. All orders must be completed and the mobile food unit be closed by the specified time on the licence.
- 2 The Trader shall display their licence at all times in such a position that it can be clearly seen by members of the public.
- 3 The Trader shall keep their licence at all times clean and legible, and shall exhibit it on demand to any authorised officer of the Council or Police Officer.
- 4 The Trader while street trading shall wear the means of identification issued to them by the Council displayed conspicuously on their outer garment with the lettered side outermost so that the whole writing thereon shall be distinctly visible, and shall exhibit said means of identification to any authorised officer of the Council or Police Officer on request. The means of identification shall include the Trader's name, photograph and licence number and the date on which the licence expires.
- 5 The Trader shall not in any way alter, erase or deface their licence or means of identification and shall when reasonably required, produce them for examination by any authorised officer of the Council or Police Officer.
- 6 The Trader shall not lend or allow any other person to use their licence or means of identification.
- 7 If the Trader changes their address they shall, within fourteen days thereafter, give notice thereof to the Council and produce their licence to the Environmental Health Office, who shall endorse thereon the particulars of such change of address.
- 8 If the Trader ceases to act as a street trader or if their licence has expired the Trader shall, within seven days thereafter, give notice thereof to the Council and deliver their licence and means of identification to the Environmental Health Office at which time the licence shall be deemed to have been surrendered in terms of Paragraph 13(1) of Schedule 1 to the Civic Government (Scotland) Act 1982.

VEHICLE OR STALL

- 9 The Trader who uses a vehicle or stall for the purposes of street trading shall not trade from the vehicle or stall until it has received a Certificate of Compliance issued by the Council. For mobile food units, the National Standards are attached detailing the requirements (Annex 1).
- 10 The Trader shall store or keep all goods to be used in connection with their trading only in the premises, vehicle or stall approved by the Council for that purpose.
- 11 A vehicle or stall used by the Trader shall have displayed clearly on it the name and address of the owner of the vehicle or stall.
- 12 The Trader when using a vehicle or stall while engaged in street trading shall:
 - (a) not cause any obstruction on any road or footway;
 - (b) ensure that the vehicle or stall does not stand for trade within a distance of 20 metres from any pedestrian crossing or roundabout;
 - (c) at all times conduct their business and maintain and position their vehicle or stall in such a manner that no danger is likely to arise to any person;
 - (d) ensure at all times that the vehicle or stall can be easily removed; and
 - (e) ensure that the vehicle and its position causes no risk to Health & Safety of the public.
- 13 Where the licence has been granted in relation to a specific vehicle the licence holder shall not modify or replace the said vehicle without previously having notified the Environmental Health Office in writing and having received the appropriate Certificate of Compliance with Food Safety.
- 14 The Trader shall when reasonably required present their vehicle or stall for inspection by any authorised officer of the Council.

LITTER & NOISE

- 15 The Trader shall at all times keep themselves and their clothing clean and maintain any vehicle or stall used for the purpose of street trading in a clean and proper condition to the satisfaction of any authorised officer of the Council.
- 16 The Trader shall collect and remove any paper, garbage or other refuse which may be produced or may accumulate in the course of trading and shall not place or deposit the same or allow the same to be placed or deposited or to fall on any road, footpath or footway or an adjoining property within a fifty metre radius of their vehicle or stall, to the satisfaction of the Environmental Health Office.
- 17 The Trader shall provide, while engaged in street trading in one location for a period exceeding 30 minutes, a litter bin in a public place adjacent to their vehicle or stall for the deposit of paper, garbage, or other refuse by their customers, and empty and service their bin, to the satisfaction of the Environmental Health Office.
- 18 The Trader shall provide in their vehicle or stall a container for waste material of a type approved by the Council.
- 19 The Trader shall ensure that their trading is conducted in such a manner as it does not give rise to nuisance or disturbance from fumes, smell, noise or any other cause to local residents or members of the public.

SALE OF FOOD

- 20 The Trader, who uses their vehicle or stall to conduct a food business within the meaning of the Regulations made under the Food Safety Act 1990, shall:
 - (a) store goods to be used in connection with the food business only in premises or a vehicle approved by the Council; and
 - (b) provide and maintain in good working order equipment for the effective washing and rinsing of all equipment, utensils and vessels approved by the Council in accordance with the National Standards.
- 21 The Trader licensed to sell food shall comply at all times with the requirements of Regulations made under the Food Safety Act 1990 and the Mobile Traders Food Hygiene National Standard. The street trader shall not sell food unless specifically licensed to do so, and shall sell only those classes of foods as approved by the Council and as detailed in their licence.

GENERAL

- 22 The trader must not trade from this vehicle/stall on a site for more than 28 days in total in any calendar year without planning permission from the Planning Authority. Please contact the planning department on (01595) 744293.
- 23 Except as otherwise directed by the Council, the Trader shall not engage in street trading within 50 metres of any establishment or premises in which the same or similar class and description are sold or offered for sale. The Council may, direct that the terms shall not apply to the Trader in a particular road or locality or area, and such a direction shall not be effective until it is endorsed by the Executive Director of Infrastructure Services on the licence.
- 24 Any requirements of the Scottish Fire and Rescue Service shall be complied with and adhered to during the duration of their licence.
- 25 The Trader shall ensure that at their premises all means of escape remain clear and free from obstruction at all times. This includes fire exit doors inside and outside buildings and thoroughfares. Firefighting equipment in the premises should not be obstructed or covered over.
- 26 The Trader shall comply with any reasonable order or instruction given by a Police Officer or authorised officer of the Council:
 - (a) for the prevention of obstruction or annoyance to the public or to the occupiers of any premises;
 - (b) in connection with any emergency or disturbance; or
 - (c) on any occasion when such Officer in their discretion may consider it necessary in the public interest to give such order or instruction.



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06.05.2019

Dawn Manson Ch.EHO MREHIS
Lead Environmental Health Officer
Shetland Islands Council
Old Anderson High School
Lovers Loan
Lerwick
Shetland
ZE1 0BA

Dear Ms Manson

I am writing to lodge an objection to application ref: 2019/107/PPF

My objection is in relation to clause 23 on the Shetland Islands Council Civic Government (Scotland) Act 1982 Section 39 Street traders Licence.

"the Trader shall not engage in street trading within 50 metres of any establishment or premises in which the same or similar class and description are sold or offered for sale "

My premises at 82 Commercial St, Lerwick ZE1 0DL - where we sell a selection of knitwear - sits less than 50 meters away from the proposed siting of the van

If you require any further information, please contact me

Yours sincerely

A solid black rectangular box used to redact the signature of Steven Cooper.

Steven cooper
Director – Aurora Jewellery

www.aurora-jewellery.co.uk

Aurora Orkney Ltd, Company Number 306537 registered in Edinburgh. VAT REG 901 326 761 Registered Office: The Workshop, Old Finstown Rd, St Ola, Orkney Isles KW15 1TR

Tel | 01856 871 861 email | info@aurora-jewellery.co.uk



2nd May 2019

Development Management
Development Services
8 North Ness Business Park
Lerwick
ZE1 0NT

Dear Sir / Madam

We're writing regarding the planning application to site a mobile trading unit at Irvine Place, reference 2019/107/PDF.

We'd like to note that the proposed trading area is within a 50-meter radius of our premises at 80 commercial street, Lerwick, and this would be a facility trading the same or similar category of goods as we do. We are a business employing year round local staff, which trades in the loss making months to trade profitable in the summer months.

We feel it is objectionable for someone to trade from a mobile unit, only on high foot days in competition to existing businesses that incur trading cost year round.

Yours Sincerely

Joanna Coe

80 Commercial Street, Lerwick, Shetland, ZE1 0DL
Proprietor Joanna Hunter | VAT No: 842 4316 43
Joanna Hunter Knitwear is a trading name of NINIAN
T: +44 (0)1595 696655 | E: info@ninianshetland.co.uk | W: www.ninianshetland.co.uk



Shetland Islands Council
Environmental Health Service
Old Anderson High School
Lovers Loan
Lerwick
Shetland

02/05/19

Street Trader Application – Objection

To whom it may concern,

Living Lerwick project staff and Directors have been made aware of an application for a street trader licence by Dr Mary Macgregor to trade knitwear items from a van on Irvine Place.

We understand that a planning application has been submitted in relation to this to allow her to trade in this location for more than the standard 28 days per calendar year as normally set by the street trader licence. We will be in touch with the Planning Service regarding this.

In relation to the street trader licence, Living Lerwick, as the Business Improvement District management agency would like to enter a formal objection to the licence being granted.

The reason being, it is our responsibility to keep the town centre a viable and vibrant business area. There are three established businesses selling knitwear items within 50 metres of the area of the proposed trading site. Under section 23 of the guidance on street trader licences, this is not permitted, "except as otherwise directed by the Council." Her current trading location already breaches this guidance, however we were not aware of the application prior to the existing licence being granted as Council officers are not permitted to 'canvas' for input from anyone other than Police Scotland and the Roads Service.

In order to keep Lerwick town centre trading in these difficult times, the BID agency seeks to ensure the best possible trading conditions for our members. Having a temporary trader set up on busy days to sell similar goods to her neighbours, but without having to pay the high overheads faced all year round by the established businesses, is not a fair playing field and we do not feel the Council should condone this.

We would be grateful if this could be taken into consideration during the application process.

Yours sincerely

Emma Miller
Project Manager
On behalf of Living Lerwick Directors

Appendix 6

The objector has been informed about how to object to a street traders application and will confirm in writing next week. Patti Dinsdale

From: [REDACTED]
Sent: 02 May 2019 14:13
To: Environmental Health Administration Team
Subject: Street Trader Licence Application - Mary Macgregor

Good Afternoon,

In response to Street Trader Licence Application - Mary Macgregor

It has been brought to our attention that 'the trader must be at least 50 metres from any establishment or premises in which the same or similar class and description are sold or offered for sale'

I believe that the premises of Anderson & Co come within this distance and that we are offering for sale goods of a similar class and description.

I hope you will take this into consideration when you make your decision.

It is the case that should this have been an application for renting a premises on Commercial Street we would have had no objection.

Yours faithfully,

J Evelyn Leask.
Anderson & Co

This is the relevant part of the email which I sent to Living Lerwick.

First of all, before starting BAKKA I took a good look at the sector to see if there were any gaps at all where I could position myself so as not to compete with any existing business. A lack of Fair Isle products in the fine gauge sector had been identified in a report of the Shetland knitting industry a few years previously, so I decided that that would be what I would do.

My work only uses the oldest traditional patterns and colours, mostly found in garments in the archives of the National Museum of Scotland and the Shetland Museum and Archives.

I use a luxury modern yarn, the market leader, 100% superfine merino. And the Italian company has dyed the yarn to match the old natural dyes and I only use these five colours in all my work. All the other knitwear producers in Shetland use modern patterns and modern bright colours.

It is very important to me that I am treading on noone's toes. I wouldn't have got my start-up grant from the SIC through Business Gateway if I had been just another Fair Isle knitwear business producing in Shetland wool. You have to be proposing something that noone else is doing.

Furthermore, my 2019 Collection introduces a completely new fabric which I am calling reversible Fair Isle. Gone are the loops on the reverse side of the fabric, instead you have the same pattern as the right side but with the colours inverted. For me it is the way forward, the future. I am the only person I know certainly in Shetland and probably in the world producing work like this; the edges require a lot of hand-finishing which make it a true craft. It is totally contemporary 21C Fair Isle: where traditional heritage meets modern functionality.

I will bring samples of this Collection to the Committee Meeting.

Second, at the beginning of the season I go around the textile shops to see what their offering currently is. That way, when there is a visitor who comes to see what I've got but wants something completely different (which is often the case because I don't use Shetland wool and also I am expensive), I can send them to A or B or C etc or all of them depending on what they are looking for. I just want the visitor to have a good time ashore and give Lerwick a good rating when they fill out the questionnaire onboard after the ship leaves port.

Third, if you talk to the cruise visitors and engage, many of them live in very hot parts of the world and only wear wool when they go on their summer cruise. So they buy no knitwear at all. I believe that this is the main reason why sales are low for knitwear on certain days. I know engagement takes time and is tiring, but it's very rewarding from a market research point of view.

I am trying to bring more life to the street.

Finally, BAKKA is my livelihood. My business needs to survive and flourish and I am working hard to try to ensure this.

hello Neil

I'll call you in the morning.

Jan said he would ask the person on his team who deals with licences if they had heard anything about market operators. He said if anyone had received anything it would be that person.

And I'm going to go ahead and apply for the market operator's licence when I'm in town on Tuesday. Jan advised me not to delay, He isn't sure if there is a committee meeting in April although there is in May. But I would want it to be discussed in April if there is one. I had forgotten about the committee stage of the process. I'll need to know from you what to put in the proposed location box on the form. I wouldn't get approval for some time, so may be starting the season in Harrison Square with the stall. But I do have some days left on that so it's OK!

Please let me know what time I can reach you.

Many thanks

kind regards

Mary

Gardiner Kay@Environmental Health & Trading Standards

From: Robertson Neil@Roads Service
Sent: 06 May 2019 10:50
To: Licensing@Environmental Health
Subject: RE: Licence Consultation STL/19/04 Dr Mary MacGregor, Bakka

Licence Consultation STL/19/04 Dr Mary MacGregor, Bakka
 Roads Service Comment

We are no longer in a position to allow occupation of Site B and withdraw the offer of such as previously discussed with the applicant.

Regards

Neil

From: Licensing@Environmental Health <ehlicensing@shetland.gov.uk>
Sent: 06 May 2019 10:39
To: Robertson Neil@Roads Service <neil.robertson@shetland.gov.uk>
Subject: RE: Licence Consultation STL/19/04 Dr Mary MacGregor, Bakka

Hi Neil

We cannot remove it from the application, we will need a comment from roads stating that you do not give permission for that trading location. You will need to withdraw the offer of location B.

Regards

Kay

From: Robertson Neil@Roads Service
Sent: 06 May 2019 08:13
To: Licensing@Environmental Health
Subject: RE: Licence Consultation STL/19/04 Dr Mary MacGregor, Bakka

Kay

M&Co are not happy for us to use that spot as a trading location, so please remove it from the application.

Regards

Neil

From: Licensing@Environmental Health <ehlicensing@shetland.gov.uk>
Sent: 02 May 2019 16:12
To: Robertson Neil@Roads Service <neil.robertson@shetland.gov.uk>
Subject: RE: Licence Consultation STL/19/04 Dr Mary MacGregor, Bakka

Thanks Neil

From: Robertson Neil@Roads Service
Sent: 02 May 2019 15:51
To: Licensing@Environmental Health
Subject: RE: Licence Consultation STL/19/04 Dr Mary MacGregor, Bakka