

ANGUS LICENSING BOARD – 5 NOVEMBER 2015

PERSONAL LICENCE – NOTIFICATION OF CONVICTION

REPORT BY THE CLERK

ABSTRACT

The purpose of this report is to advise the Board of the notification of conviction received in respect of a Personal Licence holder, the confirmation of the conviction from the Divisional Commander, Tayside Division of Police Scotland and the recommendation in respect of that conviction, and consider and determine what Order, if any, requires to be made in respect of a Personal Licence.

1. RECOMMENDATION

It is recommended that the Board considers the notification of conviction received from a Personal Licence holder, the confirmation of the conviction from the Divisional Commander, Tayside Division of Police Scotland and the recommendation in respect of that conviction, and consider and determine what Order, if any, requires to be made in respect of a Personal Licence in terms of one of the following options:-

- (a) revoke the Personal Licence held by the licence holder concerned;
- (b) suspend for such period, not exceeding 6 months, as the Board considers appropriate, or
- (c) endorse the Personal Licence held by the licence holder concerned.

2. BACKGROUND

The Clerk received a notification of conviction from **Simon Walters** who is the holder of a Personal Licence. Notice of the conviction was given to the Divisional Commander, Tayside Division of Police Scotland on 2 October 2015.

The Divisional Commander's response to the notice of conviction shall be circulated at the meeting.

The Divisional Commander has confirmed the existence of the conviction, and recommended that, having regard to the conviction, it is necessary for the licensing objective of preventing crime and disorder that the holder's personal licence should be endorsed.

Therefore, and in accordance with Section 83 of the Licensing (Scotland) Act 2005, the Board is required to hold a hearing. The Board may, having regard to the conviction and the recommendation of the Divisional Commander, after giving the Personal Licence holder concerned and such other persons as they consider appropriate, an opportunity to be heard, and if satisfied that it is necessary to do so for the purposes of any of the licensing objectives, make one of the following Orders:-

- (a) revoke the Personal Licence held by the licence holder concerned;
- (b) suspend for such period, not exceeding 6 months, as the Board considers appropriate, or
- (c) endorse the Personal Licence held by the licence holder concerned.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

REPORT AUTHOR: Dawn Smeaton, Licensing and Litigation Assistant

E-MAIL: LEGDEM@angus.gov.uk