

ANGUS LICENSING BOARD – 2 NOVEMBER 2017

NEW PERSONAL LICENCE APPLICATION – NOTICE OF CONVICTION

REPORT BY THE CLERK

ABSTRACT

Having decided to hold a hearing in terms of section 74(5A) of the Licensing (Scotland) Act 2005 at the meeting of the Board on 14 September 2017, the purpose of this report is to consider the notice received from the Chief Constable of a relevant offence in terms of section 73(3)(b) of the 2005 Act and determine the application.

1. RECOMMENDATION

It is recommended that the Board considers the correspondence received from the Chief Constable giving notice of the conviction and determine whether:

- (a) having had regard to the Chief Constable's notice;
- (b) if satisfied that a ground for refusal applies, refuse the application, or
- (c) if not so satisfied, grant the application.

2. BACKGROUND

The Clerk has received correspondence from the Chief Constable giving notice of conviction in terms of section 73(3)(b) of the Act in respect of a new application for a personal licence. A copy of that correspondence shall be circulated in advance of the meeting.

3. LEGAL

The grounds for refusal are:

- (a) that, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a personal licence,
- (b) that it is otherwise necessary to refuse the application for the purposes of any of the licensing objectives.

4. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

5. HUMAN RIGHTS IMPLICATIONS

In dealing with this report, the Board will have regard to any human rights issues in relation to the applicant.

6. NOTIFICATION

The applicant has been written to and advised of their entitlement to attend the Board should they wish.

(a) APPLICATION FOR A PERSONAL LICENCE – Chloe McGregor

Having received an application dated 14 June 2017 for a Personal Licence from the Applicant, the application was sent for consultation. The Clerk received notice of a conviction of a relevant offence from the Chief Constable on 7 July 2017. No comments were received from the Licensing Standards Officer.

The Chief Constable's response shall be circulated to members prior to the meeting.

No convictions were declared by the Applicant on her application form.