

ANGUS LICENSING BOARD – 4 JANUARY 2018

PERSONAL LICENCE – NOTICE OF CONVICTION
REPORT BY THE CLERK

ABSTRACT

The purpose of this report is to advise the Board of correspondence received giving notice of a conviction in terms of section 83(4)(b) of the Licensing (Scotland) Act 2005 in respect of a Personal Licence Holder.

1. RECOMMENDATIONS

It is recommended that the Board considers the correspondence received from the Chief Constable giving notice of the conviction and determine whether, in terms of section 83(7A), to:-

(a) hold a hearing; or;

(b) decide to take no further action in relation to the conviction.

2. BACKGROUND

The Clerk has received correspondence from the Chief Constable giving notice of a conviction in terms of section 83(4)(b) of the Licensing (Scotland) Act 2005 in respect of a Personal Licence Holder. **A copy of that correspondence shall be circulated to members prior to the meeting.**

In terms of section 83(7A) of the Licensing (Scotland) Act 2005, the Board requires to determine whether to hold a hearing or take no further action in relation to the conviction.

3. FINANCIAL IMPLICATIONS.

There are no financial implications arising from this report.

4. HUMAN RIGHTS IMPLICATIONS

In dealing with the application as set out in this report, the Board will have regard to any human rights issues in relation to the Personal Licence Holder.

5. NOTIFICATION

The Personal Licence Holder has been written to advising that a notice of conviction has been received. Should the Board decide to hold a hearing at a future date, the Personal Licence Holder will be advised of their entitlement to attend the Board should they wish.

APPENDIX TO REPORT NO LB 6/18

ANGUS LICENSING BOARD – 4 JANUARY 2018

(a) PERSONAL LICENCE HOLDER AN/1164 – PAUL GRAHAM JAMES

The Clerk received notification of a conviction of a relevant offence from the Chief Constable on 4 December 2017 by letter dated 3 December 2017, regarding Paul Graham James, who is the holder of a Personal Licence.

Correspondence was sent by recorded delivery to Mr James on 5 December 2017 requesting confirmation of the notice and for the Personal Licence to be returned to the Clerk to the Licensing Board.

The Chief Constable's letter shall be circulated to Members prior to the meeting.