

ANGUS LICENSING BOARD – 1 NOVEMBER 2018

PERSONAL LICENCE – NOTICE OF CONVICTION

REPORT BY THE CLERK TO THE BOARD

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. RECOMMENDATION

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 the 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. EQUALITIES IMPLICATIONS

The issues contained in this Report fall within an approved category that has been confirmed as exempt from an equalities perspective

6. 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.

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(a) PERSONAL LICENCE HOLDER AN/327– AFZAL ALI REHMAT

The Clerk received notification of a conviction of a relevant offence from the Chief Constable on 11 October 2018, regarding Afzal Ali Rehmat, who is the holder of a Personal Licence.

Section 82(2) of the Licensing (Scotland) Act 2005 requires that the licence holder must, no later than one month after the date of the conviction, give notice of the conviction to the Licensing Board. The conviction must be accompanied by the personal licence held by the personal licence holder.

Mr Afzal Ali Rehmat confirmed the conviction by way of a letter dated 18 October 2018 and submitted his personal licence.

The letter from the Chief Constable dated 11 October 2018 regarding the notice of conviction shall be circulated to members prior to the meeting.