
Report to the Licensing Board

Date of Meeting: 15 September 2015 at 10.00am

Subject: Revocation of Personal Licences

Report by: Depute Clerk of the Licensing Board

1.0 Purpose

- 1.1 The Licensing (Scotland) Act 2005 prescribes that all personal licence holders must undergo mandatory training in a form prescribed by the Scottish Ministers no later than 3 months following the period beginning 5 years from the date that the personal licence was issued. Personal Licences that were issued between 01 May and 30 June 2015 granted a licence from this date had until 31 July and 31 August 2015 to complete the mandatory refresher training, failing which the Board must revoke the licence.
- 1.2 The Board is therefore asked to take the following procedural steps to deal with the matters contained in this report.

2.0 Recommendation

- 2.1 That the Board makes a formal decision to revoke the personal licences set out in the table appended to this report in terms of section 87(3) of the Licensing (Scotland) Act 2005.

3.0 Considerations

- 3.1 The 2005 Act prescribes that all personal licence holders must undertake refresher training and thereafter provide the Board with confirmation of the completed training within a period of 5 years and 3 months following the date of the issue of the licence. Where the licence holder fails to do so, the Board must revoke the licence.
- 3.2 The Board is required to notify all licence holders not less than 3 months before the expiry of the requirement to undertake and provide evidence of refresher training. The Board wrote to affected licence holders in April 2014 to remind them of the requirement.
- 3.3 The licence holders identified in the table at appendix 1 have failed to comply with the requirements under the 2005 Act. The Board must therefore revoke the licences.

4.0 Sustainability Implications

4.1. None

5.0 Resource Implications

5.1. *Financial Details*

5.2. None

5.3. *Staffing*

As the 5 year period commences from 1 September 2009, it is likely that a number of these licences will require to be revoked by the Board, The impact of this procedural step will be absorbed into existing resources.

6.0 Equalities Impact

6.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations? Yes
No

7.0 Legality

7.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

8.0 Appendices

8.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

8.2 Appendix 1 - Table of Personal Licences to be revoked

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Stuart McQueen	Solicitor, Legal Services	2087

Approved by

NAME	DESIGNATION	SIGNATURE
Andrew Wyse	Team Leader, Legal Services	Signed: A Wyse