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**Report to the Licensing Board**

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**Date of Meeting: 23 January 2018 at 09.30am**

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**Subject: Revocation of Personal Licences**

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**Report by: Clerk of the Licensing Board**

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**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 June 2012 and October 2012 granted a licence from this date had until August 2017 and December 2017 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 first wrote to affected licence holders in April 2014 subsequent reminders have been sent to remind them of this 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*

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)**

<b>NAME</b>	<b>DESIGNATION</b>	<b>TEL NO / EXTENSION</b>
Richard Thompson	Depute Clerk to the Licensing Board	2083

##### **Approved by**

<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>
Lindsay Thomson	Clerk to the Licensing Board	Signed: L Thomon

## PERSONAL LICENCES ISSUED 2012

NAME	LICENCE NO	NAME	LICENCE NO	NAME	LICENCE NO
Adam Steedman	CC478	Amelia Johnstone	CC493	Beverley Halliday	CC505
Brian Morgan	CC487	Bryan Frew	CC475	Bryan Starkey	CC499
Christine Conroy	CC490	Christopher Hunter	CC470	Christopher McCluskie	CC469
David Beer	CC501	Derek McIntyre	CC468	Elaine McIntyre	CC467
Fay Betsy Singleton	CC497	George Rennie	CC485	Hannah Clark	CC496
Ian William Dixon	CC483	Janice Hunter	CC500	Karen Ferguson	CC473
Katrina Lennon	CC492	Laura Kelly	CC479	Laura Robertson	CC480
Leona Catherine Orr	CC488	Liam Peter Hunter	CC476	Regis Lemaitre	CC465
Scott Maxwell	CC498	Vincent Doyle	CC463		

