
Report to the Licensing Board

Date of Meeting: 18 January 2023 at 09.30am

Subject: Revocation of Personal Licences

Report by: Licensing Administrator

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.
- 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 December 2020 and subsequent reminders were sent to remind them of that requirement. The Coronavirus (Scotland) Act 2020 amended the 2005 Act to allow for an extension of time where the failure to comply has been as a result of coronavirus. None of the licence holders in the appended list have indicated any reason for failure to comply and it is understood that training has been available virtually.
- 3.3 The licence holders in the appended list have failed to comply with the requirements under the 2005 Act. The Board must therefore revoke their 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 List of Personal Licences to be revoked

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
June Andison	Licensing Administrator	2091

Approved by

NAME	DESIGNATION	SIGNATURE
Richard Thompson	Clerk to the Licensing Board	

CLACKMANNANSHIRE LICENSING BOARD

MEETING 18 January 2023 at 09:30am

The Council Offices, Kilncraigs, Alloa, FK10 1EB

Licensing (Scotland) Act 2005

Personal Licence(s) - Revoke

Attached list of Personal Licence Holders who have failed to notify Clackmannanshire Licensing Board of the completion of the mandatory 5 year Refresher Training

PERSONAL LICENCES ISSUED 2016

NAME	LICENCE NO	NAME	LICENCE NO	NAME	LICENCE NO
Margaret Ann Neil	CC729	Nicola Marina Gibson	CC727	Alexandria McPhee	CC725
Donna Barr	CC728	Steven Howie	CC726	Nichola Yvonne Drysdale	CC730
Ailish Margaret Brunton	CC731	Amanda Thompson	CC732	Kieran Potter	CC733
Alexander Wallace	CC735	Claire McAdam	CC738	Donna Mair	CC736
Michelle McPake	CC737	Nicola Ferguson	CC739		