

**Shetland Islands Area Licensing Board
Council Chamber, Town Hall, Lerwick
Wednesday 10 December 2014 at 10.00am**

Present:

M Bell A Cooper
G Smith C Smith

Apologies:

P Campbell A Duncan
G Robinson A Westlake

In Attendance (Officers):

K Adam, Solicitor
D Manson, Lead Environmental Health Officer
Inspector L Tulloch
L Gair, Committee Officer

Chairperson

Mr G Smith, Convener to the Board, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

None

1. **Licensing (Scotland) Act 2005 – Revocation of Personal Licences**

The Board considered a report by the Depute Clerk to the Licensing Board (Appendix 1).

The Solicitor introduced the report and explained that under the Licensing (Scotland) Act 2005, where no evidence has been provided that training has been undertaken, the personal licence must be revoked. He also advised that an individual has the right to ask for a review to reverse the decision, if there is a good reason to do so. The Solicitor advised that one name listed, Sharn Anne Swan, should not have their licence revoked as evidence had now been provided that the refresher training was undertaken. The Solicitor also advised that the revocation of personal licences was an administrative role, but as it was not yet part of the scheme of delegation therefore it had been brought to the Board.

During consideration of the report, Members expressed concern that some of the persons listed may continue to work not knowing that their personal licence had been revoked. Members were advised that all individuals listed had been written to and reminded of the requirement for refresher training and the timescale that had to be carried out, in addition they had received phone calls and prompts from the Licensing Standards Officers as well as contact from the Training providers. Members were satisfied that every effort had been made to ensure that personal licence holders were aware of their responsibilities.

Mr G Smith moved that the Board approve the recommendations contained in the report, with the exception of the individual that the Solicitor advised had carried out the training. Mr C Smith seconded.

Decision:

The Board **RESOLVED** to:-

- Note the contents of the report and approve the revocation of personal licences held by those listed, with the exception of Sharn Anne Swan, in Appendix 1 to the report; and
- Delegate authority to the Clerk to revoke a personal licence where the holder has failed to comply with the Section 87 training requirements.

The meeting concluded at 10.10am.

Convener