

Application for the Grant of a Personal Licence

Application Number	Name of Applicant
SA/21/00111/LAPRS	Sean Dempsey
Police Letter Clerk Report	

**REPORT BY THE CLERK TO THE
LICENSING BOARD: 13 JANUARY 2022**

PERSONAL LICENCE APPLICANT	SEAN DEMPSEY, 12A MURRAY STREET AYR
APPLICATION NUMBER	SA/21/00111/LAPRS
PREVIOUS LICENCE	SA/14/00059/LAPRS

APPLICATION REPORT

1. Background:

Sean Dempsey, then residing at 107 Russell Drive, Ayr was granted a personal licence on 22nd April 2014. This licence was revoked on 5th August 2019 as Mr Dempsey had failed to complete refresher training and exhibit evidence to the Board as required by the Licensing (Scotland) Act 2005. He has now lodged an application for a new personal licence.

2. Reports:

A representation has been received from Police Scotland regarding a relevant offence – appendix 1. The applicant did not disclose this offence in his application. Further, in connection with his previous licence, in terms of The Licensing (Scotland) Act 2005 section 82, the licence holder was under a duty to give the Board notice of that conviction within one month of the date of conviction and he failed to do so. Had notice of the conviction been given at the appropriate time then the Board would have been required to hold a hearing to discuss the conviction and take any action it thought necessary.

3. Board Options

The Board must, after having regard to the Chief Constable's notice and any other information provided, if satisfied that a ground for refusal applies, refuse the application, or, if not so satisfied, grant the application.

The grounds for refusal are:—

(a)that, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a personal licence,

(b)that it is otherwise necessary to refuse the application for the purposes of any of the licensing objectives.

Person to Contact:

Morag Douglas, Depute Clerk
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Date: 23rd December 2021.