
Report To:	General Purposes Board	Date:	11 March 2020
Report By:	Head of Legal & Property Services	Report No:	LP/031/20
Contact Officer:	Lindsay Carrick	Contact No:	01475 712114
Subject:	Application for a licence to carry on business of skin piercing and/or tattooing – Debrah Grierson Premises – Amber Beauty, 54 Kelly Street, Greenock		

1.0 PURPOSE

1.1 The purpose of this report is to ask the Board to consider an application for the grant of a licence to carry on the business of skin piercing and/or tattooing submitted by Ms. Debrah Grierson for premises known as Amber Beauty, 54 Kelly Street, Greenock.

2.0 SUMMARY

2.1 The Civic Government (Scotland) Act 1982 requires that a licence to carry on the business of skin piercing and tattooing be obtained if any of the following activities are being carried out:

- acupuncture
- electrolysis
- cosmetic body piercing
- tattooing

2.2 The application is in relation to tattooing only.

2.3 At the time of writing the report the council's Building Standards Officers have advised that they cannot approve the application as there is no record of a building warrant application for works to the property at 54 Kelly Street, Greenock. In the absence of the approval of Building Standards, the Managing Solicitor, Litigation, Licensing & Committee Services is not in a position to issue the licence under delegated authority.

2.4 In terms of the 1982 Act, the licensing authority has twelve months from receipt of the application to determine the same. Failure to determine the application by this time would result in the application being subject of a 'deemed' grant, which means the licence would be issued for a period of one year. The application requires to be determined by 24 March 2020.

3.0 RECOMMENDATIONS

3.1 The Board is asked to grant the licence subject to a building warrant being granted and a completion certificate accepted.

4.0 BACKGROUND

- 4.1 A skin piercing and/or tattooing licence issued under the Civic Government (Scotland) Act 1982 is required for the carrying on of a business which provides skin piercing and/or tattooing.
- 4.2 An application for the grant of a skin piercing and/or tattooing licence was submitted by Ms Debrah Grierson in respect of premises known as Amber Beauty, 54 Kelly Street, Greenock. The application is in relation to tattooing only.

5.0 IMPLICATIONS

Finance

- 5.1 There are no financial implications.

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

Legal

- 5.2 The Board will recall that the provisions in the Act regarding the refusal of an application stipulate that a Licensing Authority shall refuse an application where, in their opinion certain grounds apply including:-
- (a) the applicant or, where the applicant is not a natural person, any director of it or partner in it or any person responsible for its management , is either –
 - (i) for the time being disqualified under section 7(6) of the Act, or
 - (ii) not a fit and proper person to be the holder of the licence;
 - (b) the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;
 - (c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to -
 - (i) the location, character or condition of the premises/or the character or condition of of the vehicle or vessel;
 - (ii) the nature and extent of the proposed activity;
 - (iii) the kind of persons likely to be in the premises, vehicle or vessel;
 - (iv) the possibility of undue public nuisance; or

(v) public order or public safety; or

(d) There is other good reason for refusing the application.

Ms Grierson has recourse to the Sheriff Court in the event she wishes to appeal any decision of the Board.

Human Resources

5.3 There are no Human Resources implications

Equalities

5.4 Equalities

(a) Has an Equality Impact Assessment been carried out?

	YES (see attached appendix)
x	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
x	NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
x	NO

Repopulation

5.5 There are no repopulation implications.

6.0 CONSULTATIONS

6.1 Consultation has been undertaken with Police Scotland, the Head of Environmental & Public Protection, the Head of Regeneration & Planning and Building Standards none of whom have made any objection to the application with the exception of Building Standards. Building Standards have advised that they cannot approve the application as there is no record of a building warrant application for works at the property. The applicant advertised the making

of the application by a notice displayed at the site of the premises at Kelly Street, Greenock.
No objections from members of the public have been received.

7.0 BACKGROUND PAPERS

7.1 None.