

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory & Regeneration

Licensing Committee – 14 June 2023

Subject: Application for grant of a Window Cleaner's Licence

1. Purpose

- 1.1** To consider an application for grant of a Window Cleaner's Licence submitted by Mr. Ross McGowan, 9 Cherry Crescent, Clydebank G81 3JA.

2. Recommendations

- 2.1** It is recommended that the application be considered and determined by the Committee.

3. Background

- 3.1** Mr. McGowan submitted an application for grant of a Window Cleaner's Licence to the Council on 1 February 2023.
- 3.2** Letters were received from the Chief Constable of the Police authority on 16 February 2023, the first of which submitted an objection in connection with the application. The second letter details a number of alternatives to prosecution which are considered spent under the Rehabilitation of Offenders Act 1974 as additional information in connection with the objection.
- 3.3** Further letters were received from the Chief Constable of the Police authority on 30 March 2023 which provides additional information in connection with the objection to the application.

4. Main Issues

- 4.1** In view of the submission received from the Police, the applicant and a representative of the Police authority have been invited to attend the meeting of the Committee to be held on 14 June 2023.
- 4.2** It will be a matter for the Committee to decide whether the applicant's spent alternatives to prosecution should be disclosed and taken into consideration. It should be noted that spent alternatives to prosecution cannot be considered unless there is no other way of doing justice.
- 4.3** In relation to the letters received from the Chief Constable of the Police authority on 30 March 2023, in terms of the relevant

legislation, an objection with respect to an application should be submitted within 28 days of receipt of the application. As Mr. McGowan's application was received on 1 February 2023, any objection should have been submitted by 1 March 2023. There is, however, provision in the legislation for the Licensing Authority to entertain a late objection which has been received before a final decision has been made if the Licensing Authority is satisfied that there is sufficient reason why the objection had not been submitted in the time required.

- 4.4 The terms of the letters containing the alternatives to prosecutions and late information received from the Police will be made known to the Committee at the meeting as appropriate.

5. People Implications

- 5.1 There are no personnel issues.

6. Financial Implications

- 6.1 There are no financial implications

7. Risk Analysis

- 7.1 There is no increased risk to the Council associated with the contents of this report.

8. Equalities Impact Assessment (EIA)

- 8.1 No impact assessment is required because this report does not involve any change to policies or services or financial decisions.

9. Consultation

- 9.1 Police Scotland were consulted in relation to the application.

10. Strategic Assessment

- 10.1 In terms of the Council's Strategic Priorities, the purpose of licensing is to ensure our Communities are Resilient and Thriving.

Chief Officer – Regulatory & Regeneration

Date 15 May 2023

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Appendices: N/A.

**Background
Papers:**

1. Application for grant of a Window Cleaner's Licence submitted by Mr. Ross McGowan, 9 Cherry Crescent, Clydebank G81 3JA.
2. Letters dated 16 March 2023 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
3. Letters dated 30 March 2023 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
3. Letter to Mr. McGowan dated 25 May 2023.

Wards Affected: N/A.