

The Highland Licensing Board

Meeting – Tuesday 5th August 2025

Agenda Item	9.1
Report No	HLB/65/25

Application for personal licence – Michael Julian Towse

Report by the Clerk to the Licensing Board

Summary

This report invites the Board to hold a hearing to consider and determine an application for a personal licence under Section 72 of the Licensing (Scotland) Act 2005 (the Act).

1. Background

- 1.1 A personal licence is required to allow any individual to supervise or authorise the sale of alcohol.
- 1.2 On 27 June 2025, an application for a personal licence was received from Michael Towse.
- 1.3 Under section 73 of the Act, Police Scotland have timeously given notice confirming that the applicant has convictions for relevant or foreign offences. A copy of the notice received from Police Scotland dated 17 July 2025 is attached (**Appendix 1**).
- 1.4 Police Scotland have included in their notice a recommendation under section 73(4) that the personal licence application be refused.

They have included additional information under section 73(5) which they consider may be relevant to consideration by the Board of the application.
- 1.5 Under section 73A of the Act, the Licensing Standards Officer (“LSO”) has also been given notice of the application and has offered no further information which he considers relevant to the consideration by the Board of the application.
- 1.6 The applicant is entitled to be heard and has been invited to attend the hearing along with Police Scotland.

2. Legal position

- 2.1 Section 74(6) of the Act requires that at the hearing the Board must refuse the application if, after having had regard to the Police Scotland notice, any information provided by Police Scotland under section 73(5) and any information provided by the LSO under section 73A(2), the Board is satisfied that a ground of refusal applies. If not so satisfied, the Board must grant the application.

2.2 The grounds of 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.

2.3 For the purposes of the Act, the licensing objectives are-

- (a) preventing crime and disorder,
- (b) securing public safety,
- (c) preventing public nuisance,
- (d) protecting and improving public health, and
- (e) protecting children and young persons from harm.

Recommendation

The Board is invited to determine the application as follows:-

- (a) If, having had regard to the Police Scotland notice, any information provided under section 73(5) or 73A(2) and any submissions made by the applicant and/or the Police Scotland representative at the hearing, the Board is satisfied that a ground of refusal applies, the Board must refuse the application.
- (b) If the Board is not so satisfied, the Board must grant the application.

Ref.: HC/CSR/9661

Author: A Merchant

Date: 23/07/2025

Appendices: Appendix 1 - Letter from Police Scotland dated 17/07/2025

17/07/2025

Your Ref: FS726494642

Our Ref: 935662

Highland Council
Licensing Office
Council Headquarters
Glenurquhart Road
Inverness
IV3 5NX



Divisional Co-ordination Unit
Highland and Islands Division
Police HQ
Old Perth Road
INVERNESS
IV2 3SY

FOR THE ATTENTION OF Claire McArthur

Dear Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PERSONAL LICENCE. MICHAEL JULIAN TOWSE, [REDACTED]**

I refer to the above application.

In terms of Section 73(3)(b) of the Licensing (Scotland) Act 2005 (the 2005 Act) I give notice that, based upon the information provided and as far as the Chief Constable is aware, the applicant has been convicted of the following unspent relevant offences.

Date	Court	Crime/Offence	Disposal
13/09/2002	Manchester City Crown Court	Robbery	6 years imprisonment
01/05/2003	Manchester City Crown Court	Robbery	4 years imprisonment (concurrent to conviction on 13/09/2002)

I am unable to confirm the existence of any foreign offence in respect of the applicant.

OFFICIAL

In terms of Section 73(5) of the 2005 Act the Chief Constable provides the following information in relation to the applicant which is relevant to the Board's consideration of the application: -

Due to the historic nature of the offences and the owning authority being out with Scotland I am only able to obtain limited information noted below.

Robbery, conviction date 13/09/2002. Offence date noted as 21/12/2001 at 11am. Location: Greater Manchester.

"Attended home dwelling of 65-year-old female and purported to be delivering a parcel. Gained entry and put balaclava on, then produced knife and threatened her. Tied her up with scarves before demanding the pin numbers to her credit cards. Then stole cash, credit cards and car keys, to the total value of 200 pounds. Then used car keys to steal Toyota Yaris, valued at 8000 pounds".

Robbery, conviction date 01/05/2003. Offence dates noted as 12/12/2001 at 8.10pm. Location: Stockport.

"Approached 42-year-old male in a motor vehicle, threatened him with a Stanley knife, stole car keys and £25.01 in cash and made off"

Considering the above, the Chief Constable considers that it is necessary for the purposes of the preventing crime and disorder and securing public safety licensing objectives, that the application be refused. The Chief Constable accordingly makes a recommendation to that effect in terms of section 73(4) of the 2005 Act.

Yours faithfully



Chief Superintendent Rob Shepherd
Divisional Commander

For enquiries, please contact the Licensing Department on 03004247214.