

**Civic Government (Scotland) Act 1982
Second Hand Dealer's Licence
Ramsdens International Finance, 1 High Street, Dalkeith**

Report by Director, Resources

1 Purpose of Report

The purpose of this report is to ask the Committee to consider a request from Ramsdens International Finance that two of the Council's standard conditions for second hand dealer's licence be waived in respect of their premises at 1 High Street, Dalkeith.

2 Background

- 2.1** The Council granted a Second Hand dealer's licence to Ramsdens International Finance in respect of the premises at 1 High Street, Dalkeith on 6 February 2017 under delegated powers. The licence was granted subject to the Council's standard terms and conditions. A copy of the licence is appended to this report.

Ramsdens International have now requested that the following two conditions be removed from their licence:

4 The licensee shall not receive or take any goods in pledge; or receive or take a pawn ticket issued by a pawnbroker of any article which has been pawned or negotiate in any manner with the holder of any such pawn ticket refers.

6 The licensee shall not carry on business as a second hand dealer in any premises in which the business of a pawnbroker is carried on or in any other premises having access to such premises.

Ramsdens International have made this request on the basis that "This service is offered in all our branches and other Councils with which we hold Second Hand Dealer's licences in Scotland have allowed the licence to be varied to remove the same."

Pawnbroking is not covered by the Civic Government (Scotland) Act 1982 and a second hand dealer's licence is not required to operate a pawnbroking business. Pawnbrokers instead require a Consumer Credit licence administered by the Financial Conduct Authority.

These conditions are perceived as being historic in nature and were introduced at the start of the Civic Government licensing regime when it was considered preferable not to have additional activities in licensed premises. West Lothian and South Lanarkshire Councils have advised that they have waived these conditions on request from Ramsdens International without adverse effect and East Lothian Council have removed them from their standard conditions altogether.

The request has been canvassed with the statutory consultees, Police Scotland and Trading Standards. Police Scotland have advised that they have no objection to the conditions being waived. The Trading Standards Manager also advises that he has no objections.

3 Report Implications

3.1 Resource

There are no resource implications arising from this report.

3.2 Risk

There are no perceived risk implications. Should there be any operational issues were the conditions to be removed the matter would be reported back to the Committee.

3.3 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- ☐ Community safety
- ☐ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- ☐ Improving opportunities in Midlothian
- ☐ Sustainable growth
- ☐ Business transformation and Best Value
- X None of the above

3.4 Key Priorities within the Single Midlothian Plan

Not applicable

3.5 Impact on Performance and Outcomes

Not applicable

3.6 Adopting a Preventative Approach

Not applicable

3.7 Involving Communities and Other Stakeholders

Not applicable

3.8 Ensuring Equalities

Not applicable

3.9 Supporting Sustainable Development

Not applicable

3.10 IT Issues

There are no IT issues arising from this report.

4 Recommendations

The Committee is asked to consider whether to agree to waive conditions 4 and 6 from Ramsdens Internationals' Second Hand Dealer's licence.

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Background Papers: Second Hand Dealer's Licence