

## NORTH LANARKSHIRE COUNCIL

## REPORT

To: ENVIRONMENTAL SERVICES COMMITTEE	Subject: Court Case against Mr. George White c/o The West End Bar, 6 Glasgow Road, Wishaw
From: DIRECTOR OF ENVIRONMENTAL SERVICES	
Date: 19th December, 1997 Ref: JT/EF	

**PROPOSED DECISION**

To note the report.

**REPORT**

1. On 12th November, 1997 at Hamilton Sheriff Court, Mr. George White, Licensee of the West End Bar, Wishaw pled guilty to the charge that on the 31st January, 1997 he failed to take such steps as may have been necessary to ensure that the noise emitted from the premises known as the West End Bar, 6 Glasgow Road, Wishaw did not at any time cause a noise nuisance and also comply with the abatement notice served upon him on the 24th December, 1996 under Section 80 of The Environment Protection Act, 1990.

On that charge Mr. George White was fined £75.

2. At the same court sitting Mr. George White pled not guilty to again breaching the notice on 14th March, 1997.

On that charge a plea of not guilty was accepted.

3. In view of the low level of fine imposed (£75) and the fact that a previous fine in similar circumstances was £1,250 the Procurator Fiscal was requested to approach the Crown Office with a view to appealing the sentence.

The Crown Office having considered all the circumstances decided an appeal against sentence was inappropriate in this case.

*M'Kenzie L. Hutton*