

Licensing Committee
20 March 2017

IRVINE, 20 March 2017 - At a Special Meeting of the Licensing Committee of North Ayrshire Council at 10.15 a.m

Present

Ronnie McNicol, Robert Barr, Tom Marshall and Catherine McMillan

In Attendance

W. O'Brien, Solicitor (Licensing); S. McKenzie, Senior Manager (Protective Services) (Economy and Communities); E. Anderson, Team Manager (Private Sector Housing) (Place), and M. Anderson, Committee Services Team Leader (Chief Executive's Service).

Chair

Councillor McNicol in the Chair.

Apologies for Absence

John Bruce, John Easdale, Grace McLean, Donald Reid and Robert Steel.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. Exclusion of the Public

The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting, the press and the public for the following item of business, on the grounds that they involved the likely disclosure of exempt information as defined in Section 50J of and Schedule 7A to the Local Government Act 1983.

The 'Exempt Information' concerned is that described in Section 7A, Paragraph 14 ("Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime") and Paragraph 15 ("The identity of a Protected Informant").

3. Landlord Registration under the Antisocial Behaviour etc. (Scotland) Act 2004, Part 8

Submitted report by the Chief Executive on Landlord Registration matters.

3.1 D.H. and H.H.

The Relevant Persons Landlords, having been cited to attend, were not present or represented, but the Committee considered written submissions and supporting document submitted by them.

The Senior Manager (Protective Services) and Team Manager (Private Sector Housing) provided information on the circumstances surrounding the service of a Dangerous Building Notice under Sections 29 and 30 of the Building (Scotland) Act 2003 requiring the owner to reduce or remove the danger constituted by a building . Members were advised of the content of a letter submitted by the Registered Persons in response to the matters raised.

Members asked questions, and received clarification, from the Solicitor (Licensing), Senior Manager (Protective Services) and Team Manager (Private Sector Housing)

Decision

The Committee unanimously agreed (a) that the information concerning the 'Dangerous Building Notice' was relevant to the 'Fit and Proper Person' question, in terms of Section 85(4) of the Antisocial Behaviour etc. (Scotland) Act 2004; and (b) to continue consideration of the two questions (namely (i) whether or not to remove the Relevant Persons' Landlord Registration and (ii) whether or not to make a 'Rent Penalty Notice') until a future meeting of the Committee.

The Meeting ended at 10.40 a.m.