

MORAY COUNCIL

Minute of Meeting of the Licensing Committee

Wednesday, 21 June 2023

Council Chambers, Council Office, High Street, Elgin, IV30 1BX

PRESENT

Councillor James Allan, Councillor Peter Bloomfield, Councillor Neil Cameron, Councillor Tracy Colyer, Councillor Theresa Coull, Councillor John Divers, Councillor Jérémie Fernandes, Councillor Donald Gatt, Councillor Juli Harris, Councillor Graham Leadbitter, Councillor Paul McBain, Councillor Kathleen Robertson, Councillor Ben Williams

IN ATTENDANCE

Also in attendance at the above meeting were Sean Hoath, Senior Solicitor, Jennifer Smith, Legal Advisor, Lindsey Robinson, Committee Services Officer as clerk to the meeting, all Moray Council, and Sergeant Neil Grant, Police Scotland.

1. Chair

Councillor Paul McBain, as Chair of the Licensing Committee, chaired the meeting.

2. Declaration of Group Decisions and Members Interests *

In terms of Standing Order 21 and the Councillors' Code of Conduct, there were no declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Member's interests in respect of any item on the agenda.

3. Resolution

The Meeting resolved that under Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for Item 8 of business on the grounds that they involve the likely disclosure of exempt information of the class described in the relevant Paragraphs of Part 1 of Schedule 7A of the Act.

Paragraph Number of Minute	Paragraph Number of Schedule 7a and Reason
8	14 - Information relating to any action taken in connection with the prevention, investigation or prosecution of crime.

4. Minute of the Meeting of the Licensing Committee of 3 May 2023

The minute of the meeting of the Licensing Committee held on 3 May 2023 was submitted and approved.

5. Written Questions **

The Committee noted that no written question had been submitted.

6. Annual Functions Report

A report by the Depute Chief Executive (Education, Communities and Organisational Development) sought approval from the Committee to publish the draft annual functions report which incorporated a report from the Licensing Standards Officer.

During consideration Councillor Fernandes wished to thank the Licensing Standards Officer for the hard work shown in the report.

Thereafter the Committee agreed to note the draft Annual Functions report at Appendix 1 and that the final report be published.

7. Question Time ***

The Committee noted that no questions were asked.

8. Registration of Private Landlord - Case No RL-23-003 - [Para 14]

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Committee of an objection from Police Scotland to a landlord being registered as a private landlord under the requirements of the Antisocial Behaviour etc. (Scotland) Act 2004.

The legal advisor introduced the report and confirmed that the Committee had all received the additional meeting documents.

The Committee noted that the applicant was not in attendance. The Chief Constable was represented by Sergeant Neil Grant.

On the invitation of the Chair, Sergeant Grant addressed the Committee and responded to questions from members.

During consideration Councillor Bloomfield moved that the application be granted and this was seconded by Councillor Gatt.

Councillor Harris moved an amendment that the application be refused as she was of the opinion that the applicant was not a fit and proper person after hearing the Police objection. This was seconded by Councillor Fernandes.

On a division there voted:

For the Motion (10)	Councillors Bloomfield, Gatt, Allan, Cameron, Colyer, Coull, Divers, Leadbitter, McBain and Robertson
For the Amendment (3)	Councillors Harris, Fernandes and Williams
Abstentions (0)	

Accordingly the motion became the finding of the meeting and the Committee agreed to grant the registration.