ABSTRACT

The Committee is asked to consider new applications for registration as a door steward.

1. RECOMMENDATION

   It is recommended that the Committee consider and determine the applications for registration as detailed in the attached Appendix A in terms of one of the following options:-

   (i) to grant the application subject to the standard door steward’s conditions attached in Appendix B; or

   (ii) to refuse the application on the grounds referred to in paragraph 3 below.

2. BACKGROUND

   The Committee is asked to note that the Council has received applications for new licences which require to be determined by the Committee because one or more of the following apply:-

   (i) there has been an objection or a representation received in respect of the application; or

   (ii) the applicant has a conviction(s), a spent conviction(s) or a pending case.

3. LEGAL IMPLICATIONS

   The Committee may only refuse the application if in their opinion the applicant is not a fit and proper person to be registered as a door steward.

4. FINANCIAL IMPLICATIONS

   There are no financial implications arising from this Report.

5. HUMAN RIGHTS IMPLICATIONS

   The Committee must take into account the rights of the applicant under Article 6 of the Human Rights Act 1998 to a fair and public hearing within a reasonable time and consider the proportionality of the individual applicant’s right weighed against the public interest.

6. NOTIFICATION

   The applicants have been notified of the terms of this Report. They have also been advised of their entitlement to attend this meeting.
7. CONSULTATION

The Chief Executive, the Acting Director of Finance and the Chief Constable have been consulted on the content of this Report.

CATHERINE A COULL
Director of Law and Administration

NOTE: No background papers as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.
(1) GRANT OF A DOOR STEWARD REGISTRATION – MIKOLAJ PAWLOWSKI

With reference to article 4(1) of the minute of the meeting of this committee held on 21 March 2006 members are advised that consideration of this application was deferred for the applicant to provide a character reference.

An application for the grant of registration was received on 15 February 2006 from Mikolaj Pawlowski, 23H Rosefield Street, Dundee.

Tayside Police submitted a letter dated 21 February 2006, a copy of which shall be circulated at the meeting.

Members are requested to note that at the time of writing this report the character reference had not been received.

The Committee is asked to determine this application in accordance with Section 1 of the Report.
(2) GRANT OF A DOOR STEWARD REGISTRATION – SEBASTIAN BEDNAREK

With reference to article 4(2) of the minute of the meeting of this committee held on 21 March 2006 members are advised that consideration of this application was deferred for the applicant to provide a character reference.

An application for the grant of registration was received on 15 February 2006 from Sebastian Bednarek, Flat A, 63 Constitution Road, Dundee.

Tayside Police submitted a letter dated 21 February 2006, a copy of which shall be circulated at the meeting.

Members are requested to note that at the time of writing this report the character reference had not been received.

The Committee is asked to determine this application in accordance with Section 1 of the Report.
(3) GRANT OF A DOOR STEWARD REGISTRATION – KYLE RENNIE

An application for the grant of registration was received on 2 March 2006 from Kyle Kenneth Rennie, 6 New Road, Forfar.

Tayside Police submitted a letter of objection dated 23 March 2006 together with appendix 1, copies of which shall be circulated at the meeting.

The Committee is asked to determine this application in accordance with Section 1 of the Report.
DOOR STEWARD’S CONDITIONS

1. No person shall be employed or engaged in or about licensed premises as a doorman or steward or in any capacity concerned with the maintenance of order there unless he/she is registered for this purpose.

Application for such registration in Angus shall be in the form and contain the particulars determined by the said Council.

Unless revoked, such registration in Angus shall remain in force for three years or for such shorter period as the Council may think fit.

The Council may refuse to grant or renew a registration or cancel such registration in Angus if it considers the applicant unsuitable to be employed or engaged as aforesaid.

2. Where a person is employed or engaged as aforesaid, the Licensee shall maintain a register in the form to be approved by the Council showing in respect of each period of duty of that person:

(a) the name, date of birth, residential address and registration number of the person and/or registering authority;
(b) the date and time when the person commenced duty, countersigned by the person;
(c) the date and time when the person ceased duty, countersigned by the person; and
(d) details of any time during the period of duty when the person was not on duty, countersigned by the person.

The register shall be kept at the Licensed Premises readily available for inspection during licensed hours by any authorised officer or member of the Council or Police who shall demand to inspect the same and the said register shall be retained for a period of 12 months.

A person who is employed or engaged as aforesaid and is on duty at the Licensed Premises shall at all times wear in a readily visible position an identification badge of a type and containing the particulars determined by the Council.

3. No person shall, when carrying out duties as a door steward, consume alcohol, or be under the influence of alcohol or controlled substances.