

63006 Prosecutions of Companies

All prosecutions of companies, including Fixed Penalty Notices and civil penalties issued to companies by the Council under the Housing (Scotland) Act 2006, Housing (Scotland) Act 2014, Antisocial Behaviour etc. (Scotland) Act 2004, Housing (Scotland) Act 2010, Housing (Scotland) Act 1987, and the Private Residential Tenancy (Private Housing (Tenancies) (Scotland) Act 2016, Property Factors (Scotland) Act 2011, Letting Agent Code of Practice (Scotland) Regulations 2016, Civic Government (Scotland) Act 1982, since 2010, including name of the company, date of prosecution/penalty, size of monetary penalty including costs awarded, and a brief description of the offence.

Many of the above pieces of legislation do not include powers for local authorities to issue either a Fixed Penalty Notice (FPN) or a civil penalty. For example, the Antisocial Behaviour etc. (Scotland) Act 2004 includes powers for the police to issue FPNs, but that does not extend to local authorities. However, these Acts do provide other enforcement powers; for example, the Antisocial Behaviour etc. (Scotland) Act 2004 does include powers at section 94 for local authorities to serve a notice that no rent shall be payable where the property is not landlord registered. However, this is not an FPN, nor is this a civil penalty with a monetary award.

Therefore, there have been no FPNs or civil penalties issued under the listed legislation.

Please also include the above data on corporate landlords removed from the register by the Licensing Sub-Committee at council level if applicable.

No corporate landlords have been removed from the landlord register.