

## **WEST DUNBARTONSHIRE COUNCIL**

### **Report by the Interim Executive Director of Corporate Services**

**Council : 29 February 2012**

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**Subject: Appointment of Depute Clerk of West Dunbartonshire Licensing Board**

#### **1. Purpose**

**1.1** To formally appoint a Depute Clerk of West Dunbartonshire Licensing Board.

#### **2. Background**

**2.1** Over the last two years there have been a number of changes to the Licensing Teams within Legal, Democratic and Regulatory Services. The changes which have included the consolidation of three different Licensing Teams into one Section were designed to achieve a better, more efficient service with less resources.

**2.2** One of the changes involved the appointment of a Senior Solicitor to report directly to the Clerk of the Board and act as Depute Clerk to the Board. The Depute would have full powers to Clerk the Board and otherwise act in place of the Clerk. The post will also provide support to West Dunbartonshire Local Licensing Forum.

#### **3. Proposals**

**3.1** In terms of the Licensing (Scotland) Act 2005, the Council must appoint the Clerk of the Board. As the Depute Clerk of the Board can exercise all powers of the Clerk it is recommended that Council formally appoint the Depute Clerk of the Board.

**3.2** Raymond Lynch was successful after interview in gaining the post of Senior Solicitor and it is recommended that Council appoint him as Depute Clerk of the Licensing Board.

#### **4. People Implications**

**4.1** The 2005 Act requires that the Clerk post is held by a solicitor or Advocate. The post was filled following competitive interview of qualified staff within Legal, Democratic and Regulatory Services.

## **5. Financial Implications**

5.1 There are no financial implications.

## **6. Risk Analysis**

6.1 If the Depute Clerk post is not formally appointed by Council it is possible that this lack of formal appointment will be used as a ground of appeal to challenge a licensing decision.

## **7. Equalities Impact Assessment (EIA)**

7.1 There are no equalities impacts which require an Equalities Impact Assessment.

## **8. Strategic Assessment**

8.1 The proposal contributes to the Council's strategic priorities by (i) making better use of human assets and (ii) improves service provision, thus contributing a Fit for Purpose Liquor Licensing Service, which in turn promotes social regeneration.

## **9. Conclusions and Recommendations**

9.1 It is recommended that Raymond Lynch is appointed as Depute Clerk to West Dunbartonshire Licensing Board.

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**David Amos**  
**Interim Executive Director of Corporate Services**

**Person to Contact:** Andrew A Fraser, Head of Legal, Democratic and Regulatory Services, Council Offices, Garshake Road, Dumbarton, G82 3PU. Telephone 01389 737800  
e-mail: [andrew.fraser@west-dunbarton.gov.uk](mailto:andrew.fraser@west-dunbarton.gov.uk)

**Appendices:** None  
**Background Papers:** None  
**Wards Affected:** ALL