

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Corporate Services

Council Meeting: 30 June 2010

Subject: Appointment to West Dunbartonshire Licensing Board

1. Purpose

- 1.1** Councillor John Millar has given notice that he intends to resign from West Dunbartonshire Licensing Board immediately after its meeting on 30 June 2010. Council is asked to nominate a replacement member of the Board.

2. Background

- 2.1** West Dunbartonshire Licensing Board is a separate legal body from the Council. However its members are nominated by Council. Paragraph 2(4) of Schedule 1 of the Licensing (Scotland) Act 2005 states that where there is a vacancy in the membership of the Licensing Board, Council must, at the first meeting after the vacancy arises, hold an election to fill the vacancy.
- 2.2** In February 2009 Council agreed a procedure that if a member resigned who was appointed by a political group to a committee, sub-committee or working group, that the replacement member would be appointed directly by the relevant political group. This provision does not relate to the Licensing Board as it does not fall into the category of committee, sub-committee or working group. Accordingly it is for Council to appoint the replacement member of the Board.

3. Main Issues

- 3.1** While the Licensing Board as a regulatory body is non political in nature, if Council wish to maintain the same political balance the Labour Group have intimated that Councillor Douglas McAllister would be there preferred choice to replace Councillor Millar.
- 3.2** Once a new member is appointed to the Board he requires to undertake training provided by an accredited provider within a three month period, and to intimate evidence of this training to the Clerk to the Board within a further month. Accordingly the new appointment will require to undertake such training with an external provider before 30 September 2010.

4. People Implications

- 4.1 There are no people implications.

5. Financial Implications

- 5.1 The new member will require to attend an accredited course with an external provider. Otherwise there will be no costs.

6. Risk Analysis

- 6.1 The Council is required to appoint a replacement member at its first meeting following the resignation, failure to do so may create quorum problems as the Board has a quorum of 50%.

7. Equalities Impact

- 7.1 No significant issues were identified in the screening for potential equality impact.

8. Conclusions and Recommendations

- 8.1 Councillor John Millar, having intimated his intention to resign from the Board following its meeting on 30 June, Council is recommended to nominate a replacement member to serve on the Licensing Board.

Joyce White
Executive Director of Corporate Services

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

Appendices: None

Background Papers: None

Wards Affected: All