
To: Council

On: 23 March 2015

Report by: Director of Finance and Resources

Heading: Membership of Boards

1. **Summary**

- 1.1 The purpose of this report is to consider the election of members to Renfrewshire Licensing Board and in relation to proposed changes to the remit and membership of the Appointments Board for Heads of Service and membership of the Appointments Board for Directors.

Renfrewshire Licensing Board

- 1.2 At the statutory meeting of the Council on 17th May 2012 the Council agreed that the Licensing Board would have nine members comprising five members from the Administration group and four members of the main opposition group.

- 1.3 There are currently two vacancies on the Licensing Board and the Council is asked to elect two councillors to fill those vacancies.

Appointment Board for Heads of Service

- 1.4 At the statutory meeting of the Council on 17th May 2012 the Council agreed to establish appointments Boards for Directors and Heads of Service, comprising respectively 9 members being 5 members of the Administration, 3 members from the main opposition group and 1 other opposition member not from the main opposition group and 7 members, being 4 members of the Administration, 2 members from the main opposition group and 1 other opposition member not from the main opposition group.

- 1.5 At the meeting of the Leadership Board held on 18th February, 2015 revised Council management structures were agreed which included the post of Assistant Director – Schools. It is proposed therefore that the remit of the Appointment Board for Heads of Service is amended to include the appointment of this post.
- 1.6 At present, the membership of the Appointment Boards is set. It is proposed however that the composition of these Boards be amended to retain the Leader and Depute Leader as Convener and Depute Convener respectively, to include the relevant Convener, and that the remaining members be drawn from a pool of all members on the basis of the current composition, ie for the Appointment Board for Directors, 9 members on the basis of 5 members of the administration, 3 members from the main opposition group, and 1 member from the remaining opposition, and for the Appointment Board for Heads of Service and Assistant Director – Schools, 7 members on the basis of 4 members of the administration, 2 members from the main opposition group, and 1 member from the remaining opposition.
-

2. Recommendations

- 2.1 That the Council considers the election of two councillors to the Renfrewshire Licensing Board to fill the existing vacancies on that Board.
- 2.2 In the event that any of the vacant positions remain unfilled, to reduce the membership of the Licensing Board by the number of vacancies remaining.
- 2.3 That the remit of the Appointment Board for Heads of Service be changed to include Appointments to the position of Assistant Director Schools.
- 2.4 That the composition of these Boards be amended as follows:
- (a) The Leader and Depute Leader remain as Convener and Depute Convener respectively;
 - (b) The relevant Convener be included, and that the remaining members be drawn from a pool of all members on the basis of the current composition, ie for the Appointment Board for Directors, 9 members, being 5 members of the administration, 3 members from the main opposition group, and 1 member from the remaining opposition, and for the Appointment Board for Heads of Service and Assistant Director – Schools, 7 members, being 4 members of the administration, 2 members from the main opposition group, and 1 member from the remaining opposition; and

- (c) That it be delegated to the Head of Corporate Governance, in discussion with the Leader of the Council and the Leader of the main opposition group to appoint the remaining members as appropriate to the Appointment Boards as required.
-

3. Background

- 3.1 In terms of the Licensing (Scotland) Act 2005 ("the 2005") Act every Council is required to elect members for the Licensing Board. The Council decided on 17th May 2012 that the Licensing Board would have nine members and nine councillors were elected to fill those places.
- 3.2 However, two vacancies have now arisen on the Licensing Board and in terms of the 2005 Act, where a vacancy arises the Council is required to hold an election to fill the vacancy.
- 3.3 The Council decision on 17th May 2012 was that the Licensing Board membership should comprise five members from the Administration Group and four from the main opposition group. The two vacancies that have arisen are in the places allocated to the main opposition group.
- 3.4 The 2005 Act specifies that the Licensing Board must consist of such number (being not fewer than five and not more than ten) of members as may be determined by the relevant council. It is proposed that in the event that any of the vacant positions remains unfilled following consideration of the recommendation to elect members to those vacancies, any vacant place is deleted from the membership of the Board. The main benefit of this change would be that the numbers of members required for a quorum of a Licensing Board meeting would reduce from five to four and consequently would reduce the risk of future meetings being inquorate.
-

Implications of the Report

1. **Financial** - None
2. **HR & Organisational Development** - None
3. **Community Planning** – None
4. **Legal** - In terms of the Licensing (Scotland) Act 2005, the council is required to hold an election to fill any vacancy that arises in the membership of the Board.
5. **Property/Assets**- None
6. **Information Technology**- None
7. **Equality & Human Rights**-

- (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety- None**
9. **Procurement- None**
10. **Risk-None**
11. **Privacy Impact-None**

List of Background Papers

- (a) **Background Papers**

None

Author:- Ken Graham, Head of Legal and Democratic Services (0141 618 7360)