

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	22 February 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Licensing Board Vacancy
REPORT NUMBER	COM/23/053
DIRECTOR	Gale Beattie, Director of Commissioning
CHIEF OFFICER	Jenni Lawson, Interim Chief Officer - Governance
REPORT AUTHOR	Sandy Munro
TERMS OF REFERENCE	8

1. PURPOSE OF REPORT

- 1.1 To inform the Council in terms of s2(4) of Schedule 1 to the Licensing (Scotland) Act 2005 (“the 2005 Act”) of a vacancy in the membership of the Licensing Board, and to seek the appointment of a Member to fill the vacancy.

2. RECOMMENDATION

That Council :-

- 2.1 elect a Member to fill the vacancy on the Licensing Board.

3. CURRENT SITUATION

- 3.1 A Licensing Board is to consist of such number (not fewer than 5 and not more than 10) of members as may be determined by the relevant council. Aberdeen City Council has agreed that the Licensing Board comprise 9 members. The members of a Licensing Board are to be elected by the council from among its councillors.
- 3.2 Where there is a vacancy in the membership of a Licensing Board, the Council must, at their first meeting after the vacancy arises, hold an election to fill the vacancy.

3.3 The vacancy has arisen as a result of the passing of Councillor MacKenzie and in the circumstances the February Council meeting is the first available meeting.

4. FINANCIAL IMPLICATIONS

4.1 Each Member of a Licensing Board is required to comply with statutory training requirements before he or she is permitted to take part in any proceedings of the Board.

4.2 Expenditure related to the Licensing Board however is required to be funded from licensing income and should not therefore affect any existing budgets.

5. LEGAL IMPLICATIONS

5.1 The procedure detailed in section 3 of the report is stipulated in the 2005 Act. Failure to follow that procedure would therefore breach licensing legislation.

6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications arising from the recommendations of this report.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	N/A			
Compliance	Breach of licensing legislation	Recommendations in report is to ensure compliance	L	Yes
Operational	N/A			
Financial	Training Costs	Met from licensing income	L	Yes
Reputational	N/A			
Environment / Climate	N/A			

8. OUTCOMES

8.1 The proposals in this report have no impact on the Council Delivery Plan.

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Full impact assessment not required
Data Protection Impact Assessment	Not required
Other	None

10. BACKGROUND PAPERS

10.1 None

11. APPENDICES

11.1 None

12. REPORT AUTHOR CONTACT DETAILS

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