

FALKIRK COUNCIL

Subject: LICENSING BOARD MEMBERSHIP AND APPOINTMENTS TO OUTSIDE BODIES
Meeting: FALKIRK COUNCIL
Date: 3 OCTOBER 2007
Author: ACTING DIRECTOR OF LAW & ADMINISTRATION

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise of a vacancy in the membership of the Licensing Board and to seek appointments to outside bodies since this matter was last considered by Members at the June meeting of the Council.

2. LICENSING BOARD

- 2.1 At the statutory meeting of Council held on 18 May 2007, Council agreed to establish a Licensing Board of ten Members, with Members being appointed in accordance with the Council's political proportionality. At that time, Council was advised that Members appointed to the Board were required, in terms of the Licensing (Scotland) Act 2005 and the Licensing (Training) (Scotland) Regulations 2007, to evidence that they had undertaken a course of training accredited by the Scottish Ministers within three months of appointment to the Board. Any Member who was unable to comply with this provision would cease to be a Member of the Board.
- 2.2 To date, only two bodies are accredited by the Scottish Ministers to provide training under the Act, ServeWise Scotland and BII (British Institute of Innkeepers). Arrangements were made for the former to deliver training and to administer the exam in respect thereof to Falkirk's Board members on 1 August 2007.
- 2.3 On that date, nine Members of the Board successfully completed the training course. Unfortunately, Councillor McNally was unable to attend on 1 August. While officers have been able to accommodate the requirements of other members who have been unable to attend internal training sessions for various Committees, this could not be done in the case of the Board given the nature of the statutory provisions. The very tight timescale also meant that alternative external provision could not be made. Consequently, Councillor McNally ceased to be a Member of the Board on 18 August 2007, by operation of law. It follows that a vacancy on the Board currently exists which would fall to be filled by a member of the SNP Group in accordance with the decision on membership taken by Council. There is no impediment to Councillor McNally being re-appointed. The three month time limit for training will start to run again following any new appointment.

3. APPOINTMENT OF MEMBERS TO OUTSIDE BODIES: CoSLA

- 3.1 At the meeting of Council on 27 June 2007, appointments to outside bodies were made. In addition, Council agreed to take up membership of CoSLA with the allocation of the Council's 4 places being agreed as 3 Labour and 1 SNP. This was agreed following a division and subsequent casting vote of the Provost. When using his casting vote, the Provost stated that this was based on the provisions of CoSLA's standing orders and on the understanding that CoSLA was committed to reviewing the associated guidance it issues to Local Authorities on the appointment

of members in relation to political proportionality. To date, there has been no indication that any revised guidance is available.

- 3.2 Membership of CoSLA has brought with it the opportunity for the Council to appoint Members to the range of CoSLA Executive Groups. These are detailed below and in Appendix 1 which also includes information on their respective remits along with future meeting dates where these are known. CoSLA's Model Terms of Reference for the Executive Groups is attached at Appendix 2.

- Health and Well-being
- Education, Children and Young People
- Community Well-being and Safety
- Regeneration and Sustainable Development
- Resources and Capacity
- Strategic Human Resources Management

- 3.3 COSLA is seeking the nomination of one member of the Council to each Group. There is some uncertainty over the membership of the Strategic Human Resources Executive Group and its relationship to the Scottish Joint Council on which further information is awaited from CoSLA. It is hoped that this information will be available for the Council meeting. In the meantime, Council may consider it appropriate to nominate a member but note that this appointment may be subject to further advice from CoSLA.

- 3.4 Some of these Groups have already met but the Council has only been represented at one (Regeneration and Sustainable Development) by the Convener of the Council's Environment and Heritage Committee. This was an interim arrangement pending the appointment of members by Council.

4. CORNTON VALE PRISON VISITING COMMITTEE

- 4.1 The Council has six places on the Cornton Vale Over 21's Prison Visiting Committee. At its June meeting, Council appointed four members, namely:-

Provost Reid
Mr Bill Strathearn
Miss Jill McIntosh
Miss Lindsay Drummond

- 4.2 Council also agreed that the remaining places be filled following a further recruitment process to attract additional lay members. As a result of this activity, a further application has been received from Ms Ann McFarlane, Depute Head Teacher at St Margaret's Primary School, Polmont. Ms McFarlane is considered suitable for appointment. If appointed, this will leave one vacancy and it is proposed that the recruitment process be continued to attract a further lay member.

5. FORTH VALLEY AREA WASTE STRATEGY WORKING GROUP

- 5.1 The appointment of Members to the Forth Valley Area Waste Strategy Working Group were inadvertently omitted from the report on outside bodies considered at the June meeting of Council.
- 5.2 The Council has two places on the Group. In accordance with previous decisions of Council, these appointments are ex officio, namely the Leader of the Council and the Convener of the Environment and Heritage Committee and are being reported to Council for noting.

5.3 For information, this Group consists of elected member representatives from Clackmannanshire, Falkirk and Stirling Councils.

5.4 The remit of the Group is:-

- to consider the implications of joint working arrangements with neighbouring authorities and to identify jointly beneficial waste management options;
- to implement a consultation plan and awareness raising programme for members of the public;
- to survey and report on the views of the local communities to identify priorities with regard to the various future waste management issues;
- to review the long-term waste management strategy for the Forth Valley Area.

6. RECOMMENDATION

6.1 It is recommended that Council:-

- (a) appoints a member from the SNP Group to the Licensing Board;
- (b) considers the appointment of members to the CoSLA Executive Groups set out at section 3 of the report;
- (c) approves the appointment of Ms Ann McFarlane to Cornton Vale Prison Visiting Committee, and
- (d) notes the ex-officio appointment of the Leader of the Council and the Convener of the Environment and Heritage Committee to the Forth Valley Area Waste Strategy Working Group.

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Acting Director of Law & Administration

Date: 14 September 2007

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LIST OF BACKGROUND PAPERS

NIL

Appendix 1

CoSLA Executive Group	Remit	Date of Next Meeting
Health and Well-being	<ul style="list-style-type: none"> ▪ Social Care/Joint Future ▪ Free Personal Care ▪ Care Homes ▪ Supporting People ▪ Homelessness (Support & Social Care) ▪ Local Government & NHS Interface ▪ CHPs/CHCPs ▪ Older People's Services ▪ Mental Health ▪ Substance Misuse ▪ Health Improvement 	30 October 2007
Education, Children & Young People	<ul style="list-style-type: none"> ▪ Integrated Children's Services ▪ Education ▪ Child Protection ▪ Corporate Parenting ▪ Young People/Youth Work ▪ Children and Young People's Commissioner ▪ Youth Justice 	8 November 2007
Community Well-being & Safety	<ul style="list-style-type: none"> ▪ Community Safety ▪ Community Justice Authorities ▪ Housing, Homelessness and Housing Improvement ▪ Social Justice/Inclusion ▪ Consumer Protection/Trading Standards ▪ Environmental Health ▪ Lifelong Learning & Community Learning ▪ Arts, Culture and Leisure ▪ Anti-Social Behaviour ▪ Health Improvement 	6 November 2007
Regeneration & Sustainable Development	<ul style="list-style-type: none"> ▪ Economic Development ▪ Planning ▪ Roads and Transportation ▪ Regeneration ▪ Environmental Issues ▪ Tourism ▪ Energy ▪ Waste ▪ Water Services ▪ Building Services ▪ Sustainable Development 	23 November 2007
Resources & Capacity	<ul style="list-style-type: none"> ▪ Finance ▪ Asset Management ▪ Efficient Government ▪ Outcome Agreements ▪ Procurement ▪ Shared Services 	To be confirmed
Strategic Human Resources Management	<ul style="list-style-type: none"> ▪ Personnel Resources ▪ Workforce Development/Planning ▪ Recruitment ▪ Liaison with Unions ▪ Negotiations ▪ Single Status 	3 October 2007