

Item: 4

Special General Meeting of the Council: 8 September 2022.

Orkney Islands Area Licensing Board and Licensing Committee.

Report by Corporate Director for Strategy, Performance and Business Solutions.

1. Purpose of Report

To consider an appointment to a vacancy on the Orkney Islands Area Licensing Board and the Licensing Committee.

2. Recommendations

The Council is invited to note:

2.1.

That membership of the Orkney Islands Area Licensing Board and the Licensing Committee is identical, with the period of appointment being for the term of office as Councillor.

2.2.

That, on 16 May 2022, the Council appointed the following members to the Orkney Islands Area Licensing Board and the Licensing Committee:

- Councillor David Dawson.
- Councillor Steven B Heddle.
- Councillor Rachael A King.
- Councillor Kristopher D Leask.
- Councillor W Leslie Manson.
- Councillor James R Moar.
- Councillor Gwenda M Shearer.
- Councillor Duncan A Tullock.

2.3.

That, on 8 July 2022, the Clerk to the Orkney Islands Area Licensing Board received a letter of resignation from Councillor James R Moar, to take effect immediately.

2.4.

That, on 5 August 2022, Councillor James R Moar tendered his resignation from the Licensing Committee, with immediate effect.

2.5.

That, as a result of existing appointments and limitations on membership, the members listed in section 5 of this report are eligible for nomination to the vacancy on the Orkney Islands Area Licensing Board and the Licensing Committee created by the resignation of Councillor James R Moar.

It is recommended:

2.6.

That the Council appoints one member from the list in section 5 of this report to fill the vacancy on the Orkney Islands Area Licensing Board and the Licensing Committee.

3. Background

3.1.

The Council has determined that membership of the Orkney Islands Area Licensing Board and the Licensing Committee is identical, with the period of appointment being for the term of office as Councillor.

3.2.

On 16 May 2022, when considering the various appointments to Committees and other bodies, the Council appointed the following members to the Orkney Islands Area Licensing Board and the Licensing Committee:

- Councillor David Dawson.
- Councillor Steven B Hedde.
- Councillor Rachael A King.
- Councillor Kristopher D Leask.
- Councillor W Leslie Manson.
- Councillor James R Moar.
- Councillor Gwenda M Shearer.
- Councillor Duncan A Tullock.

3.3.

On 8 July 2022, the Clerk to the Orkney Islands Area Licensing Board received a letter of resignation from Councillor James R Moar, to take effect immediately.

3.4.

On 5 August 2022, Councillor James R Moar tendered his resignation from the Licensing Committee, with immediate effect.

3.5.

Consequently there is now a vacancy on both the Orkney Islands Area Licensing Board and the Licensing Committee.

4. Limitations on Appointment

4.1.

A councillor is disqualified from election as, and from being, a member of a Licensing Board if the councillor is:

- A premises licence holder.
- An employee of a premises licence holder and works as such in licensed premises.
- Whether alone or in partnership with another person, engaged in the business of producing or selling alcohol.
- A director or other officer of a company so engaged.
- An employee of any person so engaged and works as such in that business.

4.2.

The Council has agreed that members of the Orkney Islands Area Licensing Board are ineligible for nomination as a trustee of the Pickaquoy Centre Trust. At the Statutory General Meeting of the Council held on 16 May 2022, the following members were nominated as Trustees of the Pickaquoy Centre Trust:

- Councillor Graham A Bevan.
- Councillor Raymond S Peace.
- Councillor John A R Scott.
- Councillor Gillian Skuse.
- Councillor Ivan A Taylor.

4.3.

In terms of the Scheme of Appointment of Members to Committees, all members, with the exception of the Convener and the Leader, will serve on the following:

- Either Development and Infrastructure Committee or Education, Leisure and Housing Committee; and
- Not more than two from the following:
 - Planning Committee.
 - Monitoring and Audit Committee.
 - Licensing Committee.

5. Vacancy

5.1.

As a result of existing appointments and limitations on membership, the following members are eligible for nomination to the vacancy on the Orkney Islands Area Licensing Board and the Licensing Committee created by the resignation of Councillor James R Moar:

- Councillor Stephen G Clackson.
- Councillor Jean E Stevenson.
- Councillor James W Stockan.
- Councillor Owen Tierney.
- Councillor Heather N Woodbridge.

5.2.

The Council is invited to nominate one of the members listed above to serve on the Licensing Board and the Licensing Committee, noting that the appointment will last until the end of this Council term, namely May 2027.

6. Corporate Governance

This report relates to the Council complying with governance and procedural issues and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

7. Financial Implications

There are no financial implications arising directly as a result of the recommendations of this report.

8. Legal Aspects

There are no legal implications arising directly as a result of the recommendations of this report.

9. Contact Officers

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