

**Falkirk Council Licensing Board**

**Subject:** Licensing (Scotland) Act 2005  
Statement of Licensing Board Policy - Working Group  
**Meeting:** Licensing Board  
**Date:** 9 August 2017  
**Author:** Consumer Protection Manager

**1. Purpose of Report**

- 1.1 This purpose of this report is to seek approval for the creation of a working group to review the Statement of Licensing Board policy.

**2. Recommendations**

**Members are requested to:-**

- (1) note the contents of the report; and**
- (2) approve the creation of a working group to review the Statement of Licensing Board policy.**

**3. Background**

- 3.1 Section 6 of the 2005 Act states that a Licensing Board must publish a statement of their policy. The period for statements of licensing policy run from 18 months after the Council election that was held in May 2017 to 18 months after the following Council election. The effect of this is that the statement should be in place by November 2018.

**4. Considerations**

- 4.1 There is a statutory requirement for the draft policy to be consulted on. The normal period for consultation is 12 weeks. The Board will therefore need to start reviewing the current policy timeously in order to meet the statutory timescales.
- 4.2 The review of the policy is best undertaken by a working group consisting of members of the Licensing Board supported by officers. It is suggested that there are 3 or 4 members of the group appointed from within the Board. The group will be supported by the Consumer Protection Manager and the Licensing Standards Officer(s).
- 4.3 The current policy will apply until the new policy is approved by the Board.

## **5. Implications**

### **Financial and Resources**

- 5.1 The main implication is in relation to staffing resources required to carry out the review. It is intended that this will be sourced from existing licensing board staff.

### **Legal**

- 5.2 The publication of the new policy within 18 months after the local council election is a statutory requirement.

### **Risk**

- 5.3 Not publishing the report within 18 months of the local council elections will result in statutory failure and reputational damage in relation to the Board.

### **Equalities**

- 5.4 The Board's continued commitment to equalities issues is demonstrated in the strategy and reports that have been published since 2013.

### **Sustainability/ Environmental Impact**

- 5.5 None.

## **6. Conclusion**

- 6.1 It is concluded that a working group should be created to review the Statement of Licensing policy.

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Consumer Protection Manager  
Date: 3 August 2017

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### Appendices

Nil

### LIST OF BACKGROUND PAPERS

Nil