



# Licensing (Scotland) Act 2005

## 2005 asp 16

### PART 2

#### LICENSING BODIES AND OFFICERS

##### *Local Licensing Forums*

#### **10 Local Licensing Forums**

- (1) Each council must establish a Local Licensing Forum for their area.
- (2) However, where the area of a council is divided into licensing divisions, the council may, instead of establishing a Local Licensing Forum for their area, establish separate such Forums for each division.
- (3) Each Licensing Board must hold, at least once in each calendar year, a joint meeting with the Local Licensing Forum for the Board's area.
- (4) Schedule 2 makes further provision about Local Licensing Forums, including provision about their membership and procedural and other administrative matters in relation to them.

#### **11 General functions of Local Licensing Forums**

- (1) Each Local Licensing Forum has the following general functions—
  - (a) keeping under review—
    - (i) the operation of this Act in the Forum's area, and
    - (ii) in particular, the exercise by the relevant Licensing Board or Boards of their functions, and
  - (b) giving such advice and making such recommendations to that or any of those Boards in relation to those matters as the Forum considers appropriate.
- (2) Subsection (1) does not enable a Local Licensing Forum to—
  - (a) review, or
  - (b) give advice, or make recommendations, in relation to, the exercise by a Licensing Board of their functions in relation to a particular case.

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*Status: This is the original version (as it was originally enacted).*

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- (3) In this section, section 12 and schedule 2, “relevant Licensing Board”, in relation to a Local Licensing Forum, means—
- (a) the Licensing Board for the Forum’s area, or
  - (b) in the case of a Local Licensing Forum for a council area which is divided into licensing divisions, each of the Licensing Boards for those divisions.

## **12 Licensing Boards' duties in relation to Local Licensing Forums**

- (1) A Licensing Board must—
- (a) in exercising any function, have regard to any advice given, or recommendation made, to them in relation to the function by a Local Licensing Forum, and
  - (b) where the Board decides not to follow the advice or recommendation, give the Forum reasons for the decision.
- (2) At the request of a Local Licensing Forum, a relevant Licensing Board must provide to the Forum copies of such relevant statistical information as the Forum may reasonably require for the purposes of the Forum’s general functions.
- (3) In this section, “relevant statistical information” means, in relation to a Licensing Board, such statistical information as the Board may have obtained under section 6(5).