



Licensing (Scotland) Act 2005

2005 asp 16

PART 2

LICENSING BODIES AND OFFICERS

Licensing Boards

6 Statements of licensing policy

- (1) Every Licensing Board must, before the beginning of each [^{F1}licensing policy period], publish a statement of their policy with respect to the exercise of their functions under this Act during that period (referred to in this Act as a “licensing policy statement”).
 - (2) A Licensing Board may, during a [^{F2}licensing policy period], publish a supplementary statement of their policy with respect to the exercise of their functions during the remainder of that period (referred to in this Act as a “supplementary licensing policy statement”).
 - (3) In preparing a licensing policy statement or a supplementary licensing policy statement, a Licensing Board must—
 - (a) ensure that the policy stated in the statement seeks to promote the licensing objectives, and
 - (b) consult—
 - (i) the Local Licensing Forum for the Board's area,
 - (ii) if the membership of the Forum is not representative of the interests of all of the persons specified in paragraph 2(6) of schedule 2, such person or persons as appear to the Board to be representative of those interests of which the membership is not representative, ^{F3}...
 - [^{F4}(ia) the relevant health board, and]
 - (iii) such other persons as the Board thinks appropriate.
- [^{F5}(3ZA) A Licensing Board may, in preparing a licensing policy statement, decide that the licensing policy period to which the statement relates is to begin on a date earlier than it otherwise would under subsection (7).

Changes to legislation: Licensing (Scotland) Act 2005, Section 6 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(3ZB) Where a Licensing Board make a decision under subsection (3ZA) they must, when publishing the licensing policy statement under subsection (6), publicise the date on which they have decided the licensing policy period is to begin.]

[^{F6}(3A) A Licensing Board may not, in a licensing policy statement or supplementary licensing policy statement, indicate an intention to introduce (by means of the imposition of conditions on the granting of premises licences or the variation of conditions in premises licences) a prohibition on the sale of alcohol for consumption off licensed premises to persons aged 18 or over but under 21 which applies to—

- (a) all premises in its area which are licensed to sell alcohol for consumption off the premises, or
- (b) premises licensed as mentioned in paragraph (a)—
 - (i) in a particular part of its area, or
 - (ii) of a particular description.]

(4) In exercising their functions under this Act during each [^{F7}licensing policy period], a Licensing Board must have regard to the licensing policy statement, and any supplementary licensing policy statement, published by the Board in relation to that period.

(5) At the request of a Licensing Board—

- (a) the [^{F8}chief constable], ^{F9}...
- [^{F10}(aa) the relevant health board, or]
- (b) the relevant council,

must provide to the Board such statistical or other information as the Board may reasonably require for the purpose of preparing a licensing policy statement or supplementary licensing policy statement.

(6) On publishing a licensing policy statement or a supplementary licensing policy statement, a Licensing Board must—

- (a) make copies of the statement available for public inspection free of charge, and
- (b) publicise—
 - (i) the fact that the statement has been published, and
 - (ii) the arrangements for making copies available for public inspection in pursuance of paragraph (a).

[^{F11}(7) Subject to subsection (3ZA), in this section, “licensing policy period” means the period between each relevant date.

(8) For the purposes of subsection (7), “relevant date” means the date occurring 18 months after an ordinary election of councillors for local government areas takes place under section 5 of the Local Government etc. (Scotland) Act 1994.]

Textual Amendments

- F1** Words in s. 6(1) substituted (30.9.2016) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), [ss. 42\(a\)](#), 88(2); [S.S.I. 2016/132](#), [art. 2\(a\)](#) (with [art. 3](#))
- F2** Words in s. 6(2) substituted (30.9.2016) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), [ss. 42\(b\)](#), 88(2); [S.S.I. 2016/132](#), [art. 2\(a\)](#) (with [art. 3](#))
- F3** Word in s. 6(3)(b) omitted (1.10.2011) by virtue of [Alcohol etc. \(Scotland\) Act 2010 \(asp 18\)](#), [ss. 11\(2\)\(a\)\(i\)](#), 18(1) (with [s. 16](#)); [S.S.I. 2011/149](#), [art. 2](#), Sch.

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- F4** S. 6(3)(b)(iia) inserted (1.10.2011) by [Alcohol etc. \(Scotland\) Act 2010 \(asp 18\)](#), **ss. 11(2)(a)(ii)**, 18(1) (with s. 16); [S.S.I. 2011/149](#), art. 2, Sch.
- F5** S. 6(3ZA)(3ZB) inserted (30.9.2016) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), **ss. 42(c)**, 88(2); [S.S.I. 2016/132](#), art. 2(a) (with art. 3)
- F6** S. 6(3A) inserted (1.10.2011) by [Alcohol etc. \(Scotland\) Act 2010 \(asp 18\)](#), **ss. 9**, 18(1) (with s. 16); [S.S.I. 2011/149](#), art. 2, Sch.
- F7** Words in s. 6(4) substituted (30.9.2016) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), **ss. 42(d)**, 88(2); [S.S.I. 2016/132](#), art. 2(a) (with art. 3)
- F8** Words in s. 6(5)(a) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), sch. 7 para. 29(2)(3); [S.S.I. 2013/51](#), art. 2 (with transitional provisions and savings in [S.S.I. 2013/121](#))
- F9** Word in s. 6(5) omitted (1.10.2011) by virtue of [Alcohol etc. \(Scotland\) Act 2010 \(asp 18\)](#), **ss. 11(2)(b)(i)**, 18(1) (with s. 16); [S.S.I. 2011/149](#), art. 2, Sch.
- F10** S. 6(5)(aa) inserted (1.10.2011) by [Alcohol etc. \(Scotland\) Act 2010 \(asp 18\)](#), **ss. 11(2)(b)(ii)**, 18(1) (with s. 16); [S.S.I. 2011/149](#), art. 2, Sch.
- F11** S. 6(7)(8) substituted for s. 6(7) (30.9.2016) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), **ss. 42(d)**, 88(2); [S.S.I. 2016/132](#), art. 2(a) (with art. 3)

Commencement Information

- I1** S. 6 in force at 1.5.2007 by [S.S.I. 2007/129](#), art. 3, **Sch.**

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Changes and effects yet to be applied to :

- specified provision(s) Appointed Day(s) by [S.S.I. 2006/239 art. 2](#) (This S.S.I. is revoked on 25.5.2006 by S.S.I. 2006/286, art. 6)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 33(1)(1A) substituted for s. 33(1)-(3) by [2015 asp 10 s. 49\(2\)\(a\)](#)
- s. 33(8)(za) inserted by [2015 asp 10 s. 49\(2\)\(c\)](#)
- s. 33(8A) inserted by [2015 asp 10 s. 49\(2\)\(d\)](#)
- s. 33A inserted by [2015 asp 10 s. 49\(4\)](#)
- s. 134ZA-134ZC inserted by [2015 asp 10 s. 61\(2\)](#)