

**EXECUTIVE NOTE TO**  
**THE LICENSING (PROCEDURE) (SCOTLAND) REGULATIONS 2007**

**S.S.I. 2007/453**

The above instrument was made in exercise of the powers conferred by sections 21(6), 22(3)(a), 58(2)(a), 133, 134, 146(2) and 147(1) of, and paragraph 12(4) of schedule 1 to, the Licensing (Scotland) Act 2005. The instrument is subject to negative resolution procedure.

**Policy Objectives**

The purpose of the instrument is to prescribe the form certain procedures all Licensing Boards must adopt when undertaking their prescribed functions. This is to ensure a level of consistency across the country on certain procedures. These include the procedures following receiving an application on who and how notification should take place and in what timescales. How any objection or representation concerning an application should be treated. The timescales required to be applied to licensing boards in undertaking hearings confirming the outcome and issuing the relevant licence.

**Consultation**

The Scottish Government undertook a consultation on a draft of these Regulations between October and December 2006. Those consulted included all local authorities in Scotland, all Licensing Boards, the key licensed trade associations and a range of other stakeholder groups. In addition to this the Scottish Government had useful discussions with key stakeholders during the consultation period. Those organisations included:

- The Scottish Licensed Trade Association;
- British Entertainment & Dance Association;
- The Scottish Beer & Pub Association;
- British Institute of Inn keeping;
- Scottish Grocers' Federation;
- Scottish Retail Consortium;
- Association of Chief Police Officers in Scotland; and
- The British Hospitality Association.

## **Financial Effects**

The instrument has no financial implications for the Scottish Government. Costs will fall on Licensing Boards in respect of administering the applications for licences but these will be offset by fees received from applicants. Parliament will be invited to consider regulations in due course which would set the level of fees payable under the Licensing (Scotland) Act 2005. This was addressed in the RIA which accompanied the Licensing (Scotland) Bill on introduction.

Criminal Justice Directorate  
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