

Executive Note
The Occasional Licence (Scotland) Regulations 2007 - (S.S.I 2007/96)

The above instrument was made in exercise of the powers conferred by sections 56(7) and (8)(j), 134, 146(2) and 147(1) of the Licensing (Scotland) Act 2005. Sections 56 and 134 will be brought fully into force by the commencement date of this instrument. The instrument is subject to negative resolution procedure.

Policy Objectives

The purpose of the instrument is to prescribe the form and content of the application form for an occasional licence under section 56 of the Act. It also prescribes the form and content of any occasional licence issued under Part 4 of the Act.

Consultation

The Scottish Executive undertook a public 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 Executive 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 Innkeeping;
- 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 Executive. Costs will fall on Licensing Boards in respect of administering the applications for occasional 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 chargeable under the Licensing (Scotland) Act 2005. This was addressed in the RIA which accompanied the Licensing (Scotland) Bill on introduction.