

EXECUTIVE NOTE

THE LICENSING (DESIGNATED AIRPORTS) (SCOTLAND) ORDER 2007 SSI/2007/97

The above instrument was made in exercise of the powers conferred by sections 124(1)(a) of the Licensing (Scotland) Act 2005. Section 124 will be brought fully into force prior to the commencement date of this Order. The instrument is subject to negative resolution procedure.

Policy Objectives

The purpose of the instrument is to exempt from the requirements of the Act those airports which handle a significant amount of international passenger traffic. The Licensing (Scotland) Act 1976 exempts Aberdeen, Edinburgh, Glasgow, Prestwick, and Sumburgh airports. The Executive proposes that the exemption should continue to apply to these airports, and to Inverness airport which now also handles international traffic.

The exemption will only apply to premises in the “examination station” of the airport, that is, the area beyond security controls to which only passengers arriving or departing have access (airside). Premises before security controls (landside) will be subject to the provisions of the Act and an application in respect of them will need to be made to the Licensing Board in the same way as for any other premises.

The Executive is satisfied that there are already sufficient controls in place regarding the sale of alcohol in airports and the behaviour of passengers who may have been drinking. In addition, airports have a high security and often police presence which negates the need to apply some elements of the new Licensing Act.

Consultation

The Scottish Executive undertook a public consultation on draft regulations and guidance 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 effects on the Scottish Executive or any other bodies.

Scottish Executive Finance & Central Services Department

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