

SCHEDULE 5 ALCOHOL LICENSING

Modifications of duties of Licensing Standards Officers

- 5 (1) The Licensing (Scotland) Act 2005 applies in accordance with the modifications in this paragraph.
- (2) Section 16 (training of licensing standards officers) has effect as if—
- (a) after subsection (1) there were inserted—
- “(1A) Subsections (1B) and (1C) apply if a Licensing Standards Officer is, for a reason relating to coronavirus, unable to comply with a requirement prescribed by regulations under subsection (1) to undertake a course of training within a particular period.
- (1B) The period within which the course is to be undertaken—
- (a) may be extended, on one or more than one occasion, by the (or each) council which appointed the Officer, but
- (b) must not be extended beyond the date that is 12 months after the date by which the course would have had to be undertaken were it not for this subsection.
- (1C) If a council extends the period—
- (a) during the period of the extension, the Officer is not to be treated by that council as failing to comply with subsection (1) on the basis of having failed to undertake a course within a particular period, but
- (b) at the end of the period of the extension, the Officer is to be treated by that council as failing to comply with subsection (1) if the Officer has not undertaken the course.”,
- and
- (b) in subsection (2), at the beginning, there were inserted “Subject to subsection (1C),”.
- (3) Section 57 (notification of application to chief constable and licensing standards officer) has effect as if after subsection (3) there were inserted—
- “(3A) If a Licensing Standards Officer intends to prepare and submit a report but is, for a reason relating to coronavirus, unable to do so within the period mentioned in subsection (3)—
- (a) the Officer must, within that period, make the Licensing Board aware of that situation, and
- (b) if the Officer submits a report after the end of that period, the Board may take the report into account if the Board considers it reasonable to do so.”.
- (4) Section 73A (notification of application to licensing standards officer) has effect as if after subsection (2) there were inserted—
- “(2A) If a Licensing Standards Officer intends to respond to a notice but is, for a reason relating to coronavirus, unable to do so within 21 days of receipt of the notice—

Status: This is the original version (as it was originally enacted).

- (a) the Officer must, within that period, make the Licensing Board aware of that situation, and
- (b) if the Officer responds to the notice after the end of that period, the Board may take the response into account if the Board considers it reasonable to do so.”.