

Executive Note

The Licensing (Closure Orders) (Scotland) Regulations 2007 SSI/2007/35

The above instrument was made in exercise of the powers conferred by sections 100, 134 and 146(2) of the Licensing (Scotland) Act 2005. Sections 100 and 134 will be brought fully into force prior to the commencement date of these Regulations. The instrument is subject to negative resolution procedure.

Policy Objectives

The purpose of the instrument is to introduce a standardised proforma for applications to a Licensing Board for a Closure Order, for the Closure Order itself, and the request to end a closure order. In common with other aspects of the Licensing (Scotland) Act 2005, there is a wish for forms be in a standardised format to avoid the need for individual Licensing Boards and the Police to develop their own forms. Standardised forms created by regulations will help ensure a consistent approach to the use of Closure Orders.

Consultation

The forms given in Schedules 1, 2 and 3 were developed by the Police. The Scottish Executive undertook a public consultation on draft regulations and guidance between October and December 2006. These forms were set out in the consultation document. 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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