The Licensing Process Who’s involved?

**Licensing Board**
A licensing board is the decision-making body on licensing matters. The board is responsible for developing licensing policy and deciding on individual applications for premises and other types of licences. A licensing board is appointed by the local authority and is made up of between five and ten local councillors.

**Local Licensing Forum**
A local licensing forum reviews the operation of the licensing system in its area and gives advice to the licensing board. Membership of a forum includes the licensing standards officer for the area and a representative of the local health board, as well as others in the community with an interest in licensing matters. Local licensing forums must meet at least four times a year.

**Licensing Standards Officers**
A licensing standards officer visits licensed premises to provide guidance, ensure compliance, and mediate on licensing matters.

**Other licensing stakeholders**
Other individuals and agencies may be involved in the licensing process, either commenting on individual licensing applications such as the police or the health board as well as contributing to the development of licensing policy. Other agencies may include:

**Alcohol and Drug Partnerships** An Alcohol and Drug Partnership (ADP) includes members of the local health board, local authority, police, prison service and voluntary sector. ADPs are responsible for drawing-up joint strategies for tackling alcohol and drug use in their communities.

**Community Health Partnerships** A Community Health Partnership (CHP) is a committee of the health board that develops local community health services together with local authority partners to ensure that health and social care services are integrated.

**Community Safety Partnerships** Community Safety Partnerships (CSPs) bring together representatives from the local authority, police service and fire and rescue services to work to reduce anti-social behaviour and fear of crime and to promote safer, more inclusive and healthier communities.

**Community Planning Partnerships** Community Planning Partnerships (CPP) are hosted by the local authority and made up of representatives from health, police, education, fire, councillors, and sometimes council departments. A CPP co-ordinates public services for a particular area.
What happens?

Formulating licensing policy for a local area
A licensing board has a duty to write and publish a statement of licensing policy every three years. The policy statement sets out how the licensing board will seek to promote the five licensing objectives in the Licensing (Scotland) Act 2005, and must include an assessment of overprovision of licensing premises in the area. It is incumbent on a licensing board to gather sufficient information in respect of each licensing objective to ensure that its policy is based on the best available evidence. It is recommended that a policy statement demonstrate how it relates to other local strategies in which alcohol is a recognised factor, including crime prevention, community safety and health.

The licensing board must consult the local licensing forum and the relevant health board when preparing its policy and can choose to consult with anyone else. Boards can request information from the chief constable, the health board and the relevant council to inform their policy statement. Once adopted the policy statement must be made publicly available. A licensing board must have regard to its policy when exercising its functions, which includes deciding on individual licence applications.

Day-to-day work of a licensing board
A licensing board will convene regularly – how often will depend on the amount of business they have. Meetings are normally advertised on the council’s website. Licensing boards must meet in public, so anyone can attend a meeting to observe.

Applications for new premises
The licensing board must meet to decide on an application for a new premises licence. Whilst only certain people must be notified of the application – police, health board, neighbours, community council, council and the fire authority – any person can object to it on specified grounds.

Variations of existing premises licences
A premises licence lasts indefinitely unless revoked, suspended or varied. Some variations, such as increasing capacity or longer hours, must be heard by the board and the same notification and rights of objection apply as with a new licence application. Minor variations are granted automatically.

Review of a premises licence
The police, the LSO, the licensing board and any person can apply for a review of a premises licence. There are specified grounds for a review, including any grounds relevant to one or more of the five objectives. If the licensing board decides there are grounds for a review, they must hold a hearing. If the review is upheld, the board has the option of issuing a written warning, varying the licence, suspending the licence or revoking it.

For more information [www.alcohol-focus-scotland.org.uk](http://www.alcohol-focus-scotland.org.uk)