

Changes to legislation: Licensing (Scotland) Act 2005, SCHEDULE 2 is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 2

(introduced by section 10(4))

LOCAL LICENSING FORUMS

Introductory

- 1 In this schedule, “Forum” means a Local Licensing Forum established under section 10.

Commencement Information

- II** Sch. 2 para. 1 in force at 1.5.2007 by S.S.I. 2007/129, art. 3, Sch.

Membership

- 2 (1) A Forum is to consist of such number (being not fewer than 5 and not more than ^{F1}21) of members as the relevant council may determine.
- (2) The Scottish Ministers may by order substitute another number for the minimum or maximum number of members for the time being specified in sub-paragraph (1).
- (3) At least one of the members must be a Licensing Standards Officer for the council's area.
- ^{F2}(3A) At least one of the members must be a person nominated by—
- (a) the Health Board for the Forum's area, or
 - (b) if the Forum's area forms part of the area of more than one Health Board, the Health Board whose area contains the larger or, as the case may be, largest part of the Forum's area.]
- (4) The other members are to be individuals appointed by the relevant council on such terms and conditions as the relevant council may determine.
- (5) In appointing members of a Forum, the relevant council must seek to ensure so far as possible that the membership of the Forum is representative of the interests of persons or descriptions of persons who have an interest which is relevant to the Forum's general functions.
- (6) Those persons include—
- (a) holders of premises licences and personal licences,
 - ^{F3}(ba) the chief constable,]
 - (c) persons having functions relating to health, education or social work,
 - (d) young people,
 - (e) persons resident within the Forum's area.

Textual Amendments

- F1** Figure in Sch. 2 para. 2(1) substituted (1.9.2011) by Licensing (Local Licensing Forum) (Scotland) Order 2011 (S.S.I. 2011/130), arts. 1, 2
- F2** Sch. 2 para. 2(3A) inserted (1.10.2011) by Alcohol etc. (Scotland) Act 2010 (asp 18), ss. 11(7), 18(1) (with s. 16); S.S.I. 2011/149, art. 2, Sch.

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F3 Sch. 2 para. 2(6)(ba) substituted for Sch. 2 para. 2(6)(b) (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\), s. 129\(2\), sch. 7 para. 29\(10\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

Modifications etc. (not altering text)

C1 Sch. 2 para. 2(3) excluded (temp.) (1.5.2007) by [Licensing \(Appointed Day and Transitional Provisions\) \(Scotland\) Order 2007 \(S.S.I. 2007/128\), arts. 1, 5\(1\)](#)

Commencement Information

I2 Sch. 2 para. 2 in force at 1.5.2007 by [S.S.I. 2007/129, art. 3, Sch.](#)

Convener

- 3
- (1) At their first meeting in each calendar year, a Forum must elect one of the members of the Forum to be the convener of the Forum.
 - (2) The convener holds office, on such terms and conditions as the relevant council may determine, until the next election under sub-paragraph (1).
 - (3) Meetings of the Forum are to be chaired by the convener.
 - (4) If the office of convener is vacant or the convener is for any reason unable to act, a meeting of the Forum may be chaired by any other member present.

Commencement Information

I3 [Sch. 2 para. 3](#) in force at 1.5.2007 by [S.S.I. 2007/129, art. 3, Sch.](#)

Administrative support

- 4
- A council must provide each Forum established by them, or ensure each such Forum is provided, with such staff, property and services as the council considers are required for the Forum's purposes.

Commencement Information

I4 [Sch. 2 para. 4](#) in force at 1.5.2007 by [S.S.I. 2007/129, art. 3, Sch.](#)

Meetings and proceedings

- 5
- (1) Each Forum must, in each calendar year, hold at least 4 meetings.
 - (2) The quorum for a meeting of a Forum is one half of the number of members (but in any case not fewer than 3).
 - (3) Meetings of a Forum must be held in public.
 - (4) Otherwise, the arrangements for meetings of a Forum and other matters relating to proceedings of the Forum, are to be such as the Forum may determine.
 - (5) The proceedings of a Forum are not affected by—
 - (a) any vacancy in the membership of the Forum, or

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(b) any defect in the appointment of a member of the Forum.

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Modifications etc. (not altering text)

C2 Sch. 2 para. 5(1) excluded (1.5.2007) by [Licensing \(Appointed Day and Transitional Provisions\) \(Scotland\) Order 2007 \(S.S.I. 2007/128\)](#), arts. 1, **5(2)**

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Commencement Information

I5 Sch. 2 para. 5 in force at 1.5.2007 by [S.S.I. 2007/129](#), art. 3, **Sch.**

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Changes and effects yet to be applied to :

- specified provision(s) Appointed Day(s) by [S.S.I. 2006/239 art. 2](#) (This S.S.I. is revoked on 25.5.2006 by S.S.I. 2006/286, art. 6)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 33(1)(1A) substituted for s. 33(1)-(3) by [2015 asp 10 s. 49\(2\)\(a\)](#)
- s. 33(8)(za) inserted by [2015 asp 10 s. 49\(2\)\(c\)](#)
- s. 33(8A) inserted by [2015 asp 10 s. 49\(2\)\(d\)](#)
- s. 33A inserted by [2015 asp 10 s. 49\(4\)](#)
- s. 134ZA-134ZC inserted by [2015 asp 10 s. 61\(2\)](#)