



Air Weapons and Licensing (Scotland) Act 2015

2015 asp 10

PART 2

ALCOHOL LICENSING

Miscellaneous

56 Duties of Licensing Boards to produce annual reports

- (1) The 2005 Act is amended as follows.
- (2) After section 9 insert—

“9A Annual functions report

- (1) Each Licensing Board must prepare and publish a report not later than 3 months after the end of each financial year.
- (2) A report under this section must include—
 - (a) a statement explaining how the Board has had regard to—
 - (i) the licensing objectives, and
 - (ii) their licensing policy statement and any supplementary licensing policy statement (including the Board’s statement under section 7(1) (duty to assess overprovision)),in the exercise of their functions under this Act during the financial year,
 - (b) a summary of the decisions made by (or on behalf of) the Board during the financial year, and
 - (c) information about the number of licences held under this Act in the Board’s area (including information about the number of occasional licences issued during the year).

Status: This is the original version (as it was originally enacted).

- (3) A report under this section may include such other information about the exercise of the Licensing Board’s functions under this Act as the Board consider appropriate.
- (4) At the request of a Licensing Board the relevant council must provide the Board with such information as the Board may reasonably require for the purpose of preparing a report under this section.
- (5) In discharging their duties under subsection (1) and section 9B(1) (annual financial report), a Licensing Board may, if they consider it appropriate, prepare and publish a combined report containing the information required under this section and under section 9B (which combined report must be published not later than 3 months after the end of the financial year in question).
- (6) The Scottish Ministers may by regulations make further provision about reports under this section including, in particular, provision about—
 - (a) the form and required content of reports,
 - (b) the publication of reports.
- (7) In this section, “financial year” means a yearly period ending on 31 March.

9B Annual financial report

- (1) Each Licensing Board must prepare and publish a report not later than 3 months after the end of each financial year.
- (2) A report under this section must include—
 - (a) a statement of—
 - (i) the amount of relevant income received by the Licensing Board during the financial year, and
 - (ii) the amount of relevant expenditure incurred in respect of the Board’s area during the year, and
 - (b) an explanation of how the amounts in the statement were calculated.
- (3) For the purposes of subsection (2)—

“relevant income”, in relation to a Licensing Board, means income received by the Board in connection with the exercise of the Board’s functions under or by virtue of—

 - (a) this Act, or
 - (b) section 14(1) of the Alcohol etc. (Scotland) Act 2010 (social responsibility levy) in so far as relating to holders of premises licences or occasional licences, and

“relevant expenditure”, in relation to a Licensing Board, means any expenditure—

 - (a) which is attributable to the exercise of the Board’s functions under or by virtue of—
 - (i) this Act, or
 - (ii) section 14(1) of the Alcohol etc. (Scotland) Act 2010 (social responsibility levy) in so far as relating to holders of premises licences or occasional licences, and
 - (b) which is incurred by—

- (i) the Board,
 - (ii) the relevant council, or
 - (iii) the Licensing Standards Officer (or Officers) for the Board's area.
 - (4) At the request of a Licensing Board the relevant council must provide the Board with such information as the Board may reasonably require for the purpose of preparing a report under this section.
 - (5) The Scottish Ministers may by regulations make further provision about reports under this section including provision—
 - (a) about the form and content of reports including, in particular—
 - (i) how a statement required under subsection (2) is to be set out, and
 - (ii) what constitutes relevant income and relevant expenditure for the purposes of subsection (2), and
 - (b) the publication of reports.
 - (6) Regulations under subsection (5)(a) may modify subsection (3).
 - (7) In this section, “financial year” means a yearly period ending on 31 March.”.
- (3) In section 146 (orders and regulations: affirmative procedure),
- (a) in subsection (4)(c), after “applies,” insert “regulations under section 9B(5) or”,
 - (b) in subsection (5), before paragraph (a) insert—
 - “(za) regulations under section 9B(5) containing provisions which add to, replace or omit any part of the text of subsection (3) of that section,”.