
APPOINTMENT OF MEMBERS TO LICENSING BOARD

1. BACKGROUND

- 1.1** The administration and regulation of liquor licensing is the responsibility of a Licensing Board which is a completely separate and distinct entity from the Council. At its first statutory meeting, however, it is the responsibility of the Council to appoint Members to the Licensing Board.
- 1.2** The Licensing (Scotland) Act 2005 requires the Council to appoint Members to a Licensing Board.

2. RECOMMENDATIONS

- 2.1** Appoint at least five and not more than ten Councillors from the Regulatory Cohort to be members of the Argyll and Bute Licensing Board.

3. DETAIL

- 3.1** The Licensing (Scotland) Act 2005 requires this Council to appoint Members to a Licensing Board. Since 2007 there has been one Licensing Board covering the whole of the Argyll and Bute area and ten Members have been appointed to this Board from the Members of the Regulatory Cohort. Schedule 1 of the 2005 Act provides that a Licensing Board must consist of at least five, and not more than ten members
- 3.2** The Council must have regard to the following when giving consideration to appointment to a Licensing Board. A Councillor is disqualified from being a member of a Board if the Councillor is
- (a) The holder of a licence
 - (b) An employee of a licence holder and works as such in licensed premises
 - (c) Whether alone or in partnership with another person, is engaged in the business of producing or selling alcohol
 - (d) A Director or other Officer of a company so engaged, or
 - (e) An employee of any person so engaged and works as such

in that business.

3.3 The next meeting of the Argyll and Bute Licensing Board is expected to take place on 28 June 2022.

4.0 IMPLICATIONS

- 4.1 Policy – None
- 4.2 Financial – None
- 4.3 Legal- The Council is required to appoint members to a Licensing Board.
- 4.4 HR – none.
- 4.5 Fairer Scotland Duty:
 - 4.5.1 Equalities – none.
 - 4.5.2 Socio Economic Duty – None known.
 - 4.5.3 Islands – none
- 4.6 Climate Change - none
- 4.7 Risk – none.
- 4.8 Customer Service – none.

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11 May 2022

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