

Model Publication Scheme 2017

Introduction

The Freedom of Information (Scotland) Act 2002 (the Act) requires Scottish public authorities to produce and maintain a publication scheme. Authorities are under a legal obligation to:

- publish the classes of information that they make routinely available
- tell the public how to access the information and whether information is available free of charge or on payment.

The Act also allows for the development of model publication schemes which can be adopted by more than one authority.

About this scheme

This single Model Publication Scheme has been produced and approved by the Scottish Information Commissioner. It is approved until 31 May 2017.

It is suitable for adoption by any authority listed in Parts 3, 5, and 6 of Schedule 1 of the Freedom of Information (Scotland) Act 2002 (councils and other local authority bodies, educational institutions, police authorities).

The scheme may also be suitable for adoption by other Scottish public authorities. Any other authority who wishes to adopt the scheme should apply to the Commissioner for approval to do so.

Adopting the single Model Publication Scheme 2017

This single Model Publication Scheme can be adopted only in its entirety, **without amendment**. It commits an authority to:

- **publishing the information**, including environmental information, that it holds and which falls within the classes of information below.
- **producing a guide** for the public to that information.

The Commissioner has issued Guidance to accompany this model scheme www.itspublicknowledge.info/MPS. This is essential reading for authorities adopting the model scheme: it explains the above requirements in further detail and lists the types of information the Commissioner expects authorities will publish under each class of information.

Guide to Information

An authority adopting this model scheme must produce a guide to the information it publishes through the scheme. The authority can decide the format of its Guide to Information.

The authority's Guide to Information must:

- allow the public to see what information is available (and what is not available) in relation to each class
- state what charges may be applied
- explain how to find the information easily
- provide contact details for enquiries and to get help with access to the information
- explain how to request information that has not been published.

These requirements are set out in more detail below.

Availability and formats

The information published through this model scheme should, wherever possible, be available on the authority's website. There must be an alternative arrangement for people who do not wish to, or who cannot, access the information either online or by inspection at the authority's premises. An authority may, for example, arrange to send out information in paper copy on request (although there may be a charge for this).

Exempt information

The authority must publish the information it holds that falls within the classes of information below. If a document contains information that is exempt under Scotland's freedom of information laws (for example sensitive personal data or a trade secret), the authority should remove or redact the information before publication and explain why it has done so.

Copyright

The authority must publish a copyright statement which explains what can, and what cannot, be done with information accessed through this model publication scheme. The statement must be consistent with the fair dealing provisions of the Copyright, Designs and Patents Act 1988.

The Commissioner recommends the use of the Open Government Licence. A link to the licence and an alternative sample copyright statement are available in the accompanying Guidance.

Where the authority does not hold the copyright in information it publishes, this should be made clear.

Charges

The authority must publish a charging schedule which explains when there is a charge for publications available through the scheme and how any charge will be calculated. There should be no charge to view information on the authority's website or at its premises, except where there is a statutory fee, for example, for access to registers.

The authority may charge for computer discs, photocopying, postage and packing and other costs associated with supplying the information, but the charge must be no more than these elements actually cost the authority. The authority may not pass on any other costs for information in Classes 1 – 7 below. An exception is made for commercial publications (see Class 8 below) where pricing is on a retail basis.

The authority must give the recipient advance notice of any charges to be applied.

Contact details

The authority must provide contact details for enquiries about any aspect of the adoption of the model scheme, the authority's Guide to Information and for requests for copies of the authority's published information.

The authority is under a duty to provide advice and assistance to anyone who wants to request information which is not published and the authority's Guide to Information must provide contact details for this purpose.

The Classes of Information

The authority must publish information that it holds which falls within the following classes. Once published, information should be available for the current and previous two financial years. Where information has been updated or superseded, only the current version need be available (previous versions may be requested from the authority).

The Commissioner's Guidance accompanying this scheme provides lists of the types of information authorities are expected to publish under each class. The authority's Guide to Information should make clear what is available under each class.

CLASS 1: ABOUT THE ARGYLL AND BUTE LICENSING BOARD

Class description:

Information about the Argyll and Bute Licensing Board - who we are, where to find us, how to contact us, how we are managed and our external relations.

CLASS 2: HOW WE DELIVER OUR FUNCTIONS AND SERVICES

Class description:

Information about our work, our strategy and policies for delivering functions and services and information for our service users.

CLASS 3: HOW WE TAKE DECISIONS AND WHAT WE HAVE DECIDED

Class description:

Information about the decisions we take, how we make decisions and how we involve others.

CLASS 4: WHAT WE SPEND AND HOW WE SPEND IT

Class description:

Information about our strategy for, and management of, financial resources (in sufficient detail to explain how we plan to spend public money and what has actually been spent).

CLASS 5: HOW WE MANAGE OUR HUMAN, PHYSICAL AND INFORMATION RESOURCES

Class description:

Information about how we manage the human, physical and information resources of the authority.

CLASS 6: HOW WE PROCURE GOODS AND SERVICES FROM EXTERNAL PROVIDERS

Class description:

Information about how we procure goods and services, and our contracts with external providers.

CLASS 7: HOW WE ARE PERFORMING

Class description:

Information about how we perform as an organisation, and how well we deliver our functions and services.

CLASS 8: OUR COMMERCIAL PUBLICATIONS

Class description:

Information packaged and made available for sale on a commercial basis and sold at market value through a retail outlet e.g, bookshop, museum or research journal.

CLASS 9: OUR Open data

Class description:

Open data made available by the authority as described by the Scottish Government's Open Data Resource Pack and available under an open licence.

Argyll and Bute Licensing Board

Guide to information available through the Model Publication Scheme 2017

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ARGYLL AND BUTE LICENSING BOARD

GUIDE TO INFORMATION AVAILABLE THROUGH THE MODEL PUBLICATION SCHEME 2017

1. INTRODUCTION

The Freedom of Information (Scotland) Act 2002 (the Act) requires Scottish public authorities to produce and maintain a publication scheme. Authorities are under a legal obligation to:

- publish the classes of information that they make routinely available
- tell the public how to access the information and what it might cost.

Argyll and Bute Licensing Board has adopted the **Model Publication Scheme 2017** produced by the Scottish Information Commissioner. The scheme has the Commissioner's approval until **31 May 2017**.

You can see this scheme on our website at:

<http://www.argyll-bute.gov.uk/council-and-government/freedom-information>

or by contacting us at the address below (see section 2, "Contact us").

The purpose of this Guide to Information is to:

- allow you to see what information is available (and what is not available) in relation to each class.
- state what charges may be applied.
- explain how you can find the information easily.
- provide contact details for enquiries and to get help with accessing the information.
- explain how to request information we hold that has not been published.

Availability and formats

The information we publish through the model scheme is, wherever possible, available on our website. We offer alternative arrangements for people who do not want to, or cannot, access the information online or by inspection at our premises. For example, we can usually arrange to send information to you in paper copy (although there may be a charge for this).

Exempt information

We will publish the information we hold that falls within the classes of information below. If a document contains information that is exempt under Scotland's freedom of information laws (for example sensitive personal information or a trade secret), we may remove or redact the information before publication but we will explain why.

Protective marking

We may adopt a protective marking scheme, in which case, documents will be marked appropriately to their level of sensitivity. A protective marking scheme can provide a guide to information which is likely to be able to be made available under FOISA, but is not an absolute - a judgement will require to be made with regard to whether certain documents / information can be made available in each specific case.

2. GENERAL INFORMATION AND KEY CONTACT DETAILS

Our aim is to make our publication scheme as user-friendly as possible, and we hope that you can access all the information we publish with ease. If you do have any issues with any aspect of the publication scheme, then please contact us, and we will try and resolve your query as quickly as possible. You can contact the Clerk to the Licensing Board (*see below*) in the first instance.

Contact us

You can contact us for assistance with any aspect of this publication scheme:

Clerk to the Licensing Board, Governance and Law, Argyll and Bute Council, Kilmory, Lochgilphead, Argyll, PA31 8RT

Tel: 01546 604338

e-mail: licensing@argyll-bute.gov.uk

3. COPYRIGHT

The Argyll and Bute Licensing Board holds the copyright for the vast majority of information in this publication scheme. All of this information can be copied or reproduced (but not re-used - see below) without our formal permission, provided it is copied or reproduced accurately, is not used in a misleading context, and provided that the source of the material is identified.

The publication scheme may however contain information where the copyright holder is not Argyll and Bute Licensing Board. In most cases the copyright holder will be obvious from the documents. In cases where the copyright is unclear, however, it is the responsibility of the person accessing the information to locate and seek the permission of the copyright holder before reproducing the material or in any other way breaching the rights of the copyright holder.

Information about Crown copyright material is available on the website of the Queens Printer for Scotland at www.oqps.gov.uk. We can provide you with a copy of this information if you do not have internet access.

Re-Use of Public Sector Information

Access to information does not mean that copyright has been waived, nor does it give the recipient the right to re-use the information for a commercial purpose. If you intend to re-use information obtained from the scheme, and you are unsure whether you have the right to do so, you are advised to make a request to Argyll and Bute Licensing Board to re-use the information. Your request will be considered under the Re-Use of Public Sector Information Regulations 2005 (RPSIs) for which a charge may be imposed. In the event that a charge is payable, you will be advised what this is and how it has been calculated. If you would like more information on the re-use of information, please see the “*Contact us*” section above.

Guidance on the RPSI regulations can also be found on the Office of Public Sector Information (OPSI) website at <http://www.opsi.gov.uk/advice/psi-regulations/index.htm>

We can provide you with a copy of this information if you do not have internet access.

4. CHARGING INFORMATION

All information contained within our scheme is available from us free of charge where it can be downloaded from our website, or where it can be sent to you electronically by e-mail.

We may charge for providing information to you e.g., photocopying and postage, but we will charge you no more than it actually costs us to do so. We will always tell you what the cost is before providing the information to you.

Our current photocopying charge per sheet of paper is shown in the tables below (note – the charges are in line with Argyll and Bute Council's fees and charges, and are subject to change on an annual basis, revised charges will be published here <http://www.argyll-bute.gov.uk/council-and-government/council-fees-and-charges>):

Current charges for photocopying (2017/18)

Black and white photocopying

Size of paper	Cost per sheet of paper (£)
A3	0.30
A4	0.15

Colour photocopying

Size of paper	Cost per sheet of paper (£)
A3	0.65
A4	0.30

Information provided on CD-Rom will be charged at £1.00 per computer disc.

Postage costs will be recharged at the rate we pay to send the information to you.

When providing copies of pre-printed publications, we will charge no more than the cost per copy of the total print run.

We do not pass any other costs on to you in relation to our published information.

This charging schedule does not apply to our commercial publications (*see section 6, class 8 below*). These items are offered for sale through retail outlets such as book shops, academic journal websites or museum shops and their price reflects a 'market value' which may include the cost of production.

5. CLASSES OF INFORMATION

We publish information that we hold within the following classes. Once information is published under a class we will continue to make it available for the current and previous two financial years.

Where information has been updated or superseded, only the current version will be available. If you would like to see previous versions, you may make a request to us for that information.

CLASS 1: ABOUT ARGYLL AND BUTE LICENSING BOARD

Class description:

Information about the Argyll and Bute Licensing Board - who we are, where to find us, how to contact us, how we are managed and our external relations

Notes: The Argyll and Bute Licensing Board is a separate statutory body from Argyll and Bute Council. The Board is supported by a Clerk who gives administrative support and professional advice. The Clerk to the Board is Argyll and Bute Council's Head of Governance and Law.

The information we publish under this class	How to access it
About the Argyll and Bute Licensing Board: <ul style="list-style-type: none"> - Introduction to the Licensing Board - Current membership information - Contact details 	http://www.argyll-bute.gov.uk/law-and-licensing/argyll-and-bute-licensing-board-0
Statement of Licensing Policy	https://www.argyll-bute.gov.uk/sites/default/files/Unknown/licensing_policy_2013_-_2016.pdf
Gambling Policy Statement	https://www.argyll-bute.gov.uk/licensing-policies

CLASS 2: HOW WE DELIVER OUR FUNCTIONS AND SERVICES

Class description:

Information about our work, our strategy and policies for delivering functions and services and information for our service users.

Notes:

The information we publish under this class	How to access it
Licensing Standards Advice Pack	https://www.argyll-bute.gov.uk/sites/default/files/licensee_advice_pack_update_june_2017.doc
Licensing Standards and information	http://www.argyll-bute.gov.uk/law-and-licensing/licensing-standards
Current licensing adverts, applications and meeting dates	http://www.argyll-bute.gov.uk/law-and-licensing/licensing-advertising-and-applications
Gambling Policy Statement	https://www.argyll-bute.gov.uk/licensing-policies
Apply for a licence	http://www.argyll-bute.gov.uk/all_licenses

CLASS 3: HOW WE TAKE DECISIONS AND WHAT WE HAVE DECIDED

Class description:

Information about the decisions we take, how we make decisions and how we involve others

Notes

The information we publish under this class	How to access it
The Board takes decisions in accordance with the Licensing (Scotland) Act 2005 and the Gambling Act 2005.	
Information from the Board's meetings are published on the Argyll and Bute Council website	http://www.argyll-bute.gov.uk/moderngov/ieListMeetings.aspx?CId=417&Year=-1
Decisions are published in the licensing registers on the Argyll and Bute Council website	http://www.argyll-bute.gov.uk/law-and-licensing/licensing-register

CLASS 4: WHAT WE SPEND AND HOW WE SPEND IT**Class description:**

Information about our strategy for, and management of, financial resources (in sufficient detail to explain how we plan to spend public money and what has actually been spent.

Notes

The Board does not hold any information in this class – financial resources are managed by Argyll and Bute Council. Argyll and Bute Council's publication scheme can be found here:

<http://www.argyll-bute.gov.uk/council-and-government/freedom-information>

The information we publish under this class	How to access it

CLASS 5: HOW WE MANAGE OUR HUMAN, PHYSICAL AND INFORMATION RESOURCES**Class description:**

Information about how we manage the human, physical and information resources of Argyll and Bute Licensing Board

Notes

The Board does not hold any information in this class –resources are managed by Argyll and Bute Council. Argyll and Bute Council's publication scheme can be found here:

<http://www.argyll-bute.gov.uk/council-and-government/freedom-information>

The information we publish under this class	How to access it

CLASS 6: HOW WE PROCURE GOODS AND SERVICES FROM EXTERNAL PROVIDERS**Class description:**

Information about how we procure goods and services, and our contracts with external providers

Notes

The Board does not hold any information in this class – procurement is carried out by Argyll and Bute Council. Argyll and Bute Council's publication scheme can be found here:

<http://www.argyll-bute.gov.uk/council-and-government/freedom-information>

The information we publish under this class

CLASS 7: HOW WE ARE PERFORMING

Class description:

Information about how we perform as an organisation, and how well we deliver our functions and services

Notes

The Board does not hold any information in this class – performance is measured by Argyll and Bute Council. Argyll and Bute Council's publication scheme can be found here:

<http://www.argyll-bute.gov.uk/council-and-government/freedom-information>

The information we publish under this class	How to access it

CLASS 8: OUR COMMERCIAL PUBLICATIONS

Class description:

Information packaged and made available for sale on a commercial basis and sold at market value through a retail outlet e.g. bookshop, museum or research journal.

Notes

The information we publish under this class	How to access it
The Board does not hold any information in this class.	

CLASS 9: OUR Open data

Class description:

Open data made available by the authority as described by the Scottish Government's Open Data Resource Pack¹⁹ and available under an open licence.

The Commissioner expects authorities to publish the following information (if held), **as a minimum:**

- The authority's open data publication plan
- Open data sets and their metadata, or links to where they are accessible

Notes The Board does not hold any information in this class – procurement is carried out by Argyll and Bute Council. Argyll and Bute Council's publication scheme can be found here:

<http://www.argyll-bute.gov.uk/council-and-government/freedom-information>

The information we publish under this class	How to access it