



Clackmannanshire Licensing Board

Guide to information available through the Model Publication Scheme 2013

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 whether information is available free of charge or on payment.

Clackmannanshire Licensing Board has adopted the Model Publication Scheme 2013 produced by the Scottish Information Commissioner. The scheme has the Commissioner's approval until 31 May 2017.

You can see this scheme on the Commissioner's website at www.itspublicknowledge.info/MPS or by contacting us at the address below if you prefer a copy to be provided to you in another format.

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 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 Clackmannanshire Council's website at www.clacksweb.org.uk.

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.

Copyright

The 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 the Council. 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 and the Queen's Printer for Scotland is available via the Scottish Government's site.

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

Reuse of public sector information

Access to the 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 reuse 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 the Council 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 contact the Council's Governance Services, Kilncraigs, Alloa, FK10 1EB, e: democracy@clacks.gov.uk

Guidance on the RPSI regulations can also be found on the Office of Public Sector Information (OPSI) website.

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

2. Charges

There is no charge to view information on our website or at our premises except where there is a statutory fee. See Clackmannanshire Council's Charges Booklet for further details.

We may charge for providing information to you for example photocopying, CD-Rom, pre-printed publications and postage, however, we will tell you what the cost is before providing the information to you.

3. Contact us

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

Licensing Administrator
Clackmannanshire Council
Kilncraigs
Greenside Street
Alloa
FK10 2EB
Tel: 01259 452093
e: licensing@clacks.gov.uk
Web: www.clacksweb.org.uk

We will also be pleased to advise you how to ask for information that we do not publish, or how to complain if you are dissatisfied with any aspect of this publication scheme.

4. The classes of information we publish

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 the Clackmannanshire Licensing Board
- Class 2: How we deliver our functions and services
- Class 3: How we take decisions and what we have decided
- Class 4: What we spend and how we spend it
- Class 5: How we manage our human, physical and information resources
- Class 6: How we procure goods and services from external providers
- Class 7: How we are performing
- Class 8: Our commercial publications

Class 1: About Clackmannanshire Licensing Board

Class description: Information about Clackmannanshire Licensing Board, who we are, where to find us, how to contact us, how we are managed and our external relations.

The Licensing Board is a separate legal entity from Clackmannanshire Council however the Council has a statutory responsibility to provide such staff, property and services the Licensing Board requires for its purposes.

The Licensing Board does not own any assets or employ any staff. The Council provides accommodation for the meetings of the Licensing Board and all necessary resources, including staff, to deliver the remit of the Licensing Board. All revenue received by the Licensing Board from licence application fees must be transferred to the Council and the Licensing Board's budget is held by the Council.

Information about the Clackmannanshire Licensing Board including its membership, structure, policy statements, contact details and remit can be viewed at:
<http://www.clacksweb.org.uk/council/committees/clackmannanshirelicensingboard/>

The Council has a statutory requirement to provide a solicitor to act as Clerk to the Licensing Board. The Clerk to the Clackmannanshire Council Licensing Board is a Legal Services Team Leader with the Council's Legal section.

Although the Licensing Board is a separate legal entity, independent of the Council in its procedures and decision making, which are regulated in terms of the Licensing (Scotland) Act 2005, requests regarding information held by the Board are dealt with by the Council on behalf of the Board.

Information requests relating to Board matters should be sent to:

Clackmannanshire Council
Kilncraigs
Alloa
FK10 1EB
Tel: 01259 450000
FOI e: contactcentre@clacks.gov.uk
Web: www.clacksweb.org.uk

The Council's Publication Scheme and Guide to Information can be viewed at:

<http://www.clacksweb.org.uk/regulation/foipublicationscheme/>

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.

The Licensing Board is responsible for administering the alcohol and gambling licensing schemes of the Licensing (Scotland) Act 2005 and the Gambling Act 2005 within the Clackmannanshire Council boundary.

Alcohol

In delivering the alcohol licensing scheme the Licensing Board is required to publish a policy statement setting out how it intends to exercise its functions under the Licensing (Scotland) Act 2005.

The statement of licensing policy is published at:

<http://www.clacksweb.org.uk/site/documents/licensingboard/clackmannanshirelicensingboardstatementofpolicylicensingScotlandact2005/>

These policy statements establish Schemes of Delegation which provide that some decisions are delegated to the Clerk to the Licensing Board.

Information about the types of alcohol licence applications we deal with including application forms, guidance and fees are published at:

<http://www.clacksweb.org.uk/regulation/licensing/alcohol/>

Gambling

In delivering the gambling licensing scheme the Licensing Board is required to publish a policy statement setting out how it intends to exercise its functions under the Gambling Act 2005. The statement of principles is published at:

<http://www.clacksweb.org.uk/site/documents/licensingboard/clackmannanshirelicensingboardstatementofprinciplesgamblingact2005/>

These policy statements establish Schemes of Delegation which provide that some decisions are delegated to the Clerk to the Licensing Board.

Information about the types of gambling licence applications we deal with including application forms, guidance and fees are published at:

<http://www.clacksweb.org.uk/regulation/gamblingact2005/>

The Licensing Board is also required to comply with the equality duty established under the Equalities Act 2010. The Licensing Board has adopted the Equality Outcomes set by Clackmannanshire Council with the addition that interpreters will be made available when deemed appropriate . Further information is published at:

<http://www.clacksweb.org.uk/council/eqopps/>

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.

The Licensing Board takes decisions in accordance with the primary and secondary legislations of the Licensing (Scotland) Act 2005 and the Gambling Act 2005 & the policy statements published under those Acts.

Agendas, reports and minutes (including minutes of decisions) of Licensing Board meetings are published online at:

<http://www.clackswab.org.uk/council/committees/clackmannanshirelicensingboard/>

Alternatively, copies of papers and minutes can be provided in hard copy or electronically on request.

Licence applications cannot be published online due to data protection restrictions.

In determining applications the Licensing Board has a statutory requirement to advertise some types

of applications on the Council's website in order to enable the public to comment. These public notices are published at:

<http://www.clackswab.org.uk/regulation/licensinglists/>

The Licensing Board will also, for time to time, carry out public consultations on the development of

policies. These consultations and their outcomes are published on the Council's website at:

<http://www.clackswab.org.uk/regulation/licensinglists/>

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).

The Licensing Board is a separate legal entity from Clackmannanshire Council however the Council has a statutory responsibility to provide such staff, property and services the Licensing Board requires for its purposes.

The Licensing Board does not own any assets or employ any staff. The Council provides accommodation for the meetings of the Licensing Board and all necessary resources to deliver the remit of the Licensing Board. All revenue received by the Licensing Board from licence application fees must be transferred to the Council and the Licensing Board's budget is held by the Council.

The Council's Publication Scheme and Guide to Information can be viewed at:

<http://www.clackswab.org.uk/regulation/foipublicationscheme>

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.

The Licensing Board is a separate legal entity from Clackmannanshire Council however the Council has a statutory responsibility to provide such staff, property and services the Licensing Board requires for its purposes.

The Licensing Board comprises six elected members of Clackmannanshire Council.

The Licensing Board does not own any assets or employ any staff. The Council provides accommodation for the meetings of the Licensing Board and all necessary resources to deliver the remit of the Licensing Board.

The Council's Publication Scheme and Guide to Information can be viewed at:

<http://www.clacksweb.org.uk/regulation/foipublicationscheme>

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.

The Licensing Board does not hold information within this class. Goods and Services are procured by Clackmannanshire Council rather than the Licensing Board.

The Council's Publication Scheme and Guide to Information can be viewed at:

<http://www.clacksweb.org.uk/regulation/foipublicationscheme>

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.

The Licensing Board processes applications in accordance with the procedures and timescales provided under alcohol and gambling licensing legislation.

The Licensing Board produces policy statements in accordance with the provisions and timescales provided under alcohol and gambling licensing legislation.

The procedures and timescales contained with the primary and secondary legislation can be viewed at:

<http://www.legislation.gov.uk>

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.

The Licensing Board does not hold information within this class.