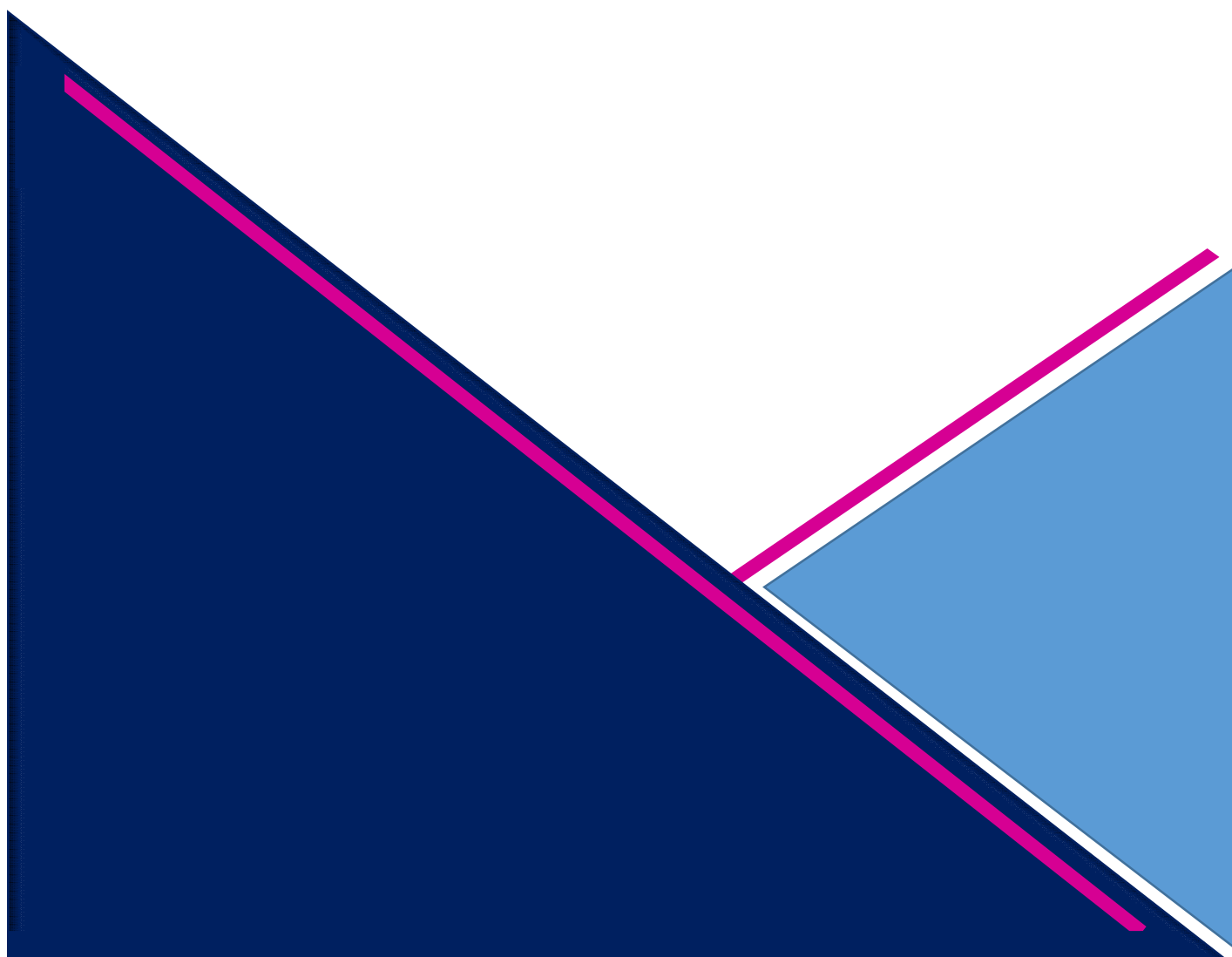


## **ABERDEENSHIRE LICENSING BOARD**

### **GUIDE TO INFORMATION AVAILABLE THROUGH THE MODEL PUBLICATION SCHEME 2020**



If you need information from this document in an alternative language or in a Large Print, Easy Read, Braille or BSL, please telephone 01467 534517

1. Jeigu pageidaujate šio dokumento kita kalba arba atspausdinto stambiu šriftu, supaprastinta kalba, parašyta Brailio raštu arba britų gestų kalba, prašome skambinti 01467 534517
2. Dacă aveți nevoie de informații din acest document într-o altă limbă sau într-un format cu scrisul mare, ușor de citit, tipar pentru nevăzători sau în limbajul semnelor, vă rugăm să telefonați la 01467 534517
3. Jeśli potrzebowali będą Państwo informacji z niniejszego dokumentu w innym języku, pisanych dużą czcionką, w wersji łatwej do czytania, w alfabecie Braille'a lub w brytyjskim języku migowym, proszę o telefoniczny kontakt na numer 01467 534517
4. Ja jums nepieciešama šai dokumentā sniegtā informācija kādā citā valodā vai lielā drukā, viegli lasāmā tekstā, Braila rakstā vai BSL (britu zīmju valodā), lūdzu, zvaniet uz 01467 534517

**Contact:**     **The Clerk to the Board**  
                  **C/O Legal and Governance**  
                  **Business Services**  
                  **Town House,**  
                  **34 Low Street,**  
                  **Banff,**  
                  **AB45 1AN;**

**Tel:**            **01467 534517**

**E-mail:**       **[licensing@aberdeenshire.gov.uk](mailto:licensing@aberdeenshire.gov.uk)**  
                  (please include Freedom of Information "Publication Scheme" in the subject line)

## Contents

<b>SECTION 1: OVERVIEW .....</b>	<b>1</b>
<b>Introduction.....</b>	<b>1</b>
<b>About the Model Publication Scheme (MPS) .....</b>	<b>1</b>
What is the MPS? .....	1
Who Can adopt the MPS? .....	1
What are the benefits of the MPS to an authority? .....	1
How does an authority adopt the MPS?.....	2
When Does and Authority have to adopt the MPS? .....	2
<b>The MPS Principles .....</b>	<b>3</b>
<b>SECTION 2: GUIDES TO INFORMATION.....</b>	<b>4</b>
<b>What is a Guide to Information? .....</b>	<b>4</b>
<b>Meeting the MPS Principles.....</b>	<b>4</b>
Principle 1: Availability and formats .....	4
Principle 2: Availability and formats .....	5
Principle 3: Copyright and re-use.....	6
Principle 4: Charges .....	6
Principle 5: Advice and Assistance .....	7
Principle 6: Duration .....	8
<b>Complaints and Feedback .....</b>	<b>10</b>
<b>APPENDIX 1: TYPES OF INFORMATION UNDER THE MODEL PUBLICATION SCHEME CLASSES. ....</b>	<b>11</b>
<b>The Classes of Information.....</b>	<b>11</b>
<b>Types of Information under the Model Publication Scheme Classes. ....</b>	<b>11</b>
Class 1: About the Board.....	11
Class 2: How we deliver our functions and services .....	13
Class 3: How we take decisions and what we have decided .....	14
Class 4: What we spend and how we spend it .....	16
Class 5: How we manage our human, physical and information resources.....	17
Class 6: How we procure goods and services from external providers .....	17
Class 7: How we are performing.....	17
Class 8: Our commercial publications .....	17
Class 9: Open Data .....	18

## TERMS USED

Term	Explanation
<b>FOISA</b>	The Freedom of Information (Scotland) Act 2002
<b>EIRs</b>	The Environmental Information (Scotland) Regulations 2004
<b>Model Publication Scheme</b>	A standard framework for authorities to publish information under FOISA, approved by the Scottish Information Commissioner
<b>MPS</b>	The Model Publication Scheme
<b>Guide to Information</b>	A guide that every public authority adopting the MPS must produce to help people access the information it makes available
<b>MPS Principles</b>	The six key principles with which all information published under the MPS must comply
<b>Classes of Information</b>	Nine broad categories describing the types of information authorities just publish (if they hold it)
<b>Notification Form</b>	The form an authority must submit to notify the Commissioner of its adoption of the MPS
<b>Re-use Regulations</b>	The Re-use of Public Section Information Regulations 2015
<b>Copyright law</b>	The Copyright, Designs and Patents Act 1988
<b>TNA</b>	The National Archives

## SECTION 1: OVERVIEW

### Introduction

The Freedom of Information (Scotland) Act 2002 (FOISA) places a duty<sup>1</sup> on Scottish public authorities to publish information proactively. Authorities must have regard to the public interest in the information they hold and make information available so it can be accessed without having to make a request for it under Section 1 of FOISA. The duty to publish is in addition to the obligation to respond to requests for information (See Appendix 2: Publication Scheme: the legal requirements for more information).

In addition, the Environmental Information (Scotland) Regulations (2004) (the EIRs) require authorities to publish environmental information proactively<sup>2</sup>, particularly information they hold in electronic formats.

Even if it were not a specific duty, there are benefits to authorities from publishing information, including:

- Reducing the work and resources associated with information requests. If the public can access information themselves, they do not need to ask an authority to provide it.
- Developing better relationships with stakeholders by providing access to information that helps their understanding and supports them to engage meaningfully with the authority.
- Demonstrating the authority is open and transparent in its practice as well as intentions.

### About the Model Publication Scheme (MPS)

#### What is the MPS?

The MPS is a standard framework for Scottish public authorities to publish the information they hold.

By adopting the MPS, authorities commit to:

- (i) Publishing, as a minimum, specified types of information, through this Guide to Information. This sets out how people can access the information the authority publishes under the MPS
- (ii) Ensuring all our published information meets the six MPS principles (see below)

An authority which formally adopts the MPS and then publishes information in accordance with the MPS will meet its publication scheme duties.

#### Who Can adopt the MPS?

The MPS can be adopted by any Scottish public authority subject to FOISA. The Licensing Board is one such body.

#### What are the benefits of the MPS to an authority?

---

<sup>1</sup> Section 23 of FOISA

<sup>2</sup> Regulation 4 of the EIRs

The MPS:

- (i) Provides the most efficient and effective way to secure the Commissioner's approval for a publication scheme
- (ii) Focuses authorities' resources on making as much information available as possible
- (iii) Improves accessibility of information for the public and increases consistency across the public sector in the range of information available.
- (iv) Gives access to specific guidance and advice.

### How does an authority adopt the MPS?

There are five steps to adopting the MPS for the first time (each is explained in more detail in later sections):

- (i) Make a corporate decision to adopt the MPS without amendment
- (ii) Identify the information held by the authority that is covered by the MPS classes of information and any additional information in which there is a public interest in publication.
- (iii) Produce and publish a Guide to Information, ensuring that the arrangements for publication meet the six MPS Principles.
- (iv) Notify the Scottish Information Commissioner that you have adopted the MPS. You need only do this only once.
- (v) Make arrangements to maintain and update the Guide to Information. This includes adjusting the Guide to Information in respect to any future changes to the MPS.

**The Commissioner's approval depends on authorities complying with all the above steps. If an authority does not satisfy all the requirements, it can neither claim to have adopted a publication scheme nor to be maintaining one. The authority will not therefore be compliance with the publication scheme duty under Section 23 of FOISA. The Commissioner has enforcement powers to ensure compliance.**

### When Does and Authority have to adopt the MPS?

The Aberdeenshire Licensing Board ("The Board") adopted a Publication Scheme based on the Model Publication Scheme 2018 on XXXX. This Scheme was approved by the Information Commissioner on XXX.

You can access the Model Publication Scheme on the Commissioner's website at [www.itspublicknowledge.info/MPS](http://www.itspublicknowledge.info/MPS).

You can access our Publication Scheme, together with this Guide to Information on our website at: <http://www.aberdeenshire.gov.uk/licensing/policies/licensing-board-publication-schemes/>

Alternatively, you can contact us for a copy at the details listed on the front page of this document.

The person responsible for the overall operation of the Board's Publication Scheme is the Clerk to the Board.

The Clerk has day-to-day responsibility for the administration of the Board. Contact details are listed on the front page of this document. All contact should be with the Clerk in the first instance.

## The MPS Principles

The MPS imposes six principles which govern the way authorities must make their information available through this Guide to Information:

- Principle 1: Availability and formats
- Principle 2: Exempt Information
- Principle 3: Copyright and re-use
- Principle 4: Charges
- Principle 5: Advice and Assistance
- Principle 6: Duration

Each principle is explained in detail in the MPS Principles

## SECTION 2: GUIDES TO INFORMATION

### What is a Guide to Information?

This Guide to Information is effectively an “index” of the information the Board publishes and a “how to” guide to access it. It is a practical, user-friendly resource for the public, helping them to access the information the Board publishes.

This Guide must set out:

- (1) What information the Board publishes under each class
- (2) How to access the information
- (3) Whether the Board charges for the information (we must, if we do, say both what the charges are and when they apply)
- (4) Contact details for advice and assistance to access information

The Board must maintain a record of what information is published and when it becomes available so that there is a record in the event of a dispute.

This Guide must be published on the Board’s website and it must be possible to find it through a simple search of the website.

This Guide will be linked to the freedom of information page on the Board’s website.

### Meeting the MPS Principles

The 6 MPS Principles	
1	Availability and formats
2	Exempt Information
3	Copyright and re-use
4	Charges
5	Advice and assistance
6	Duration

**The access arrangements for all of the information contained within this Guide must meet the MPS Principles.**

The Principles are explained in more detail below:

#### Principle 1: Availability and formats

Definition
Information published through the MPS should, wherever possible, be made available on the authority’s website.
There must be an alternative arrangement for people who cannot reasonably access the information either online or by inspection at the authority’s premises. An authority may e.g., arrange to send out information in paper copy on request (although there may be a charge for doing so).

The information we publish through the model scheme is, wherever possible, available on our website at [www.aberdeenshire.gov.uk/licensing](http://www.aberdeenshire.gov.uk/licensing)



We offer alternative arrangements for people who do not wish to, or who cannot, access the information either online or by inspection at our premises. For example, we can usually arrange to send out information in paper copy (although there may be a charge for this).

Please make contact with us in advance, prior to any visit to our premises. An appointment may be necessary depending on the information requested and where you need to access the information. Contact details are as shown on the front page of this document

All of our written information can also be made available, on request, in a range of different formats should you require this.

Please note that the Clerk is unable to provide you with legal advice.

## Principle 2: Availability and formats

### Definition

If information described by the classes cannot be published and is exempt under Scotland's freedom of information laws e.g. sensitive personal data or a trade secret, the authority may withhold the information or provide a redacted version for publication, but it must explain why it has done so.

The public's right to information is twofold:

- (a) Access to Information under this Guide is automatic (subject to the exemptions discussed in this section).
- (b) The general entitlement to information under Section 1 of the Freedom of Information (Scotland) Act 2002 enables any member of the public to make a request for information that is not in this Guide.

The Board aims to be as open as possible. However, it may withhold information from any of the classes of information listed below where it considers that disclosure is exempt under FOISA, for example, if it may seriously prejudice law enforcement, legal proceedings or where disclosure is otherwise prohibited by law. Where possible, specific instances of how this is to operate in practice are included in the Classes of Information below, but in general it should be noted that even if a document is in a Class of Information, it, or parts of it, may be held back because exemptions apply, but only in so far as it is permitted under FOISA. Even where an exemption exists, it may nevertheless be possible to provide copies with the exempted information edited out (Redacted Information).

The Board may also withhold information:

- Which is subject to any of the exemptions under FOISA (See Sections 25-41 of FOISA)
- Which is personal information under the Data Protection Act 1998.

If you wish to complain about information which is being withheld from you, please see the "complaints" section below.

### Principle 3: Copyright and re-use

#### Definition

The Authority's Guide to information must include a copyright statement which is consistent with the fair dealing provisions of the Copyright, Designs and Patents Act 1988. Where the authority does not hold the copyright in information it publishes, this should be made clear.

Any conditions applied to the re-use of published information must be consistent with the Re-Use of Public Sector Information Regulations 2015.

Unless otherwise stated, the Board reserves copyright in all information available under its Publication Scheme, whether that information is in electronic or hard-copy format, text or graphics, and regardless of whether the copyright (©) symbol appears. The right to information under this Guide does not include permission to reproduce that information. Most information can be copied or reproduced without our formal permission, provided:

- It is copied or reproduced accurately
- Is not used in a misleading context; and
- The source of the material is identified.
- Subject to your acceptance of the [Open Government Licence \(version 1\)](#) for public sector information.

If in doubt, please contact us to obtain permission for re-use.

By using and/or re-using information in which the Board holds the copyright, you accept the terms and conditions of the Open Government Licence. Where the Board does not hold the copyright in information we publish, we will make this clear. Where there is any third-party copyright information, you will need to obtain permission from the copyright holders to use and/or re-use the information.

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

### Principle 4: Charges

#### Definition

The Guide to Information must contain a charging schedule, explaining any charges and how they will be calculated.

No charge may be made to view information on the authority's website or at its premises except where there is a statutory fee e.g. for access to some registers.

The authority may charge for computer discs, photocopying, postage and packing and other costs associated with supplying information. The charge must be no more than these elements actually cost the authority e.g. cost per photocopy or postage. There may be no further charges for information in Classes 1-7. An exception is made for commercial publications (see Class 8: our commercial publications) where pricing may be based on market value.

Unless a charge is otherwise indicated, all information contained in the 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.

If payment is required for the information you want, you will be advised of the charge and how it has been calculated. Information will not be provided to you until payment has been received.

We do not charge for the inspection of any of the information which is made available via the classes in this Scheme.

We may charge for providing information in paper copy or computer disc/alternative formats. The Board is mindful of its obligations under equalities legislation when setting charges for alternative formats. Charges will reflect the actual costs of reproduction and postage to the authority, as set out below.

Reproduction Costs	
Black and White Copy	10p per A4 sheet
Colour Copy	30p per A4 sheet
Alternative Formats	
Computer Discs/other formats	£1 per disc
Postage	
Charged at the cost to the Board of sending the information by First Class Post.	

Please note that, if you are interested in a large printed document, we can provide you with photocopies of selected relevant pages rather than charge you for a full printed copy of the document required. The photocopying charges that would apply are as set out in the table above. Our staff can advise you.

## Principle 5: Advice and Assistance

Definition
The authority must provide contact details for enquiries about any aspect of the adoption of the MPS, the authority's Guide to Information and to ask for copies of the authority's published information.
The Authority's Guide to Information must provide contact details to access advice and assistance to request unpublished information.

### Contact details

You can contact the Clerk for assistance with any aspect of this information guide at the contact details shown on the front page of this document.

### How to Access Information Not Available Under This Scheme

If the information you are seeking is not available under this Publication Scheme, then you may wish to request that information from us. Please note that FOISA provides you with a right of access to the information the Board holds, subject to certain exemptions.

Should you wish to request a copy of any information held by the Board that is not available under this Scheme, please contact:

Freedom of Information  
Aberdeenshire Council  
Woodhill House  
Westburn Road  
Aberdeen  
AB16 5GB

E-mail: [foi@aberdeenshire.gov.uk](mailto:foi@aberdeenshire.gov.uk)

FOISA does not give a person the right to obtain copies of information which the Board may hold about them personally. You are, however, entitled to request your personal data from the Board under the Subject Access provisions contained in Section 7 of the Data Protection Act 2018.

Requests for information in terms of Section 7 of the Data Protection Act must:

- Be made in writing
- Give your name and address
- Include proof of your identity
- Specify the information or documents sought; and
- Include any fee applicable.

Such requests should be addressed to the Address or E-mail shown above for Freedom of Information Requests.

Alongside FOISA, the Environmental Information (Scotland) Regulations 2004 (EIRS) provide a separate right of access to any environmental information that we hold. The Board currently does not hold any environmental information – but in the event that it did, this could be requested under the EIRS.

## Principle 6: Duration

### Definition

Once published through the Guide to Information, the 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 under Section 1(1) of FOISA).

**The Legal and Governance Service, Licensing Document Retention Policy is as follows:**

### Licensing Register (Scotland) Regulations 2007

Applications for the grant of a premises licence, personal licence, variation of premises licence, transfer of premises licence or an occasional licence that is refused by the Licensing Board.	Information will be retained for a period of 5 years from the date of refusal and will thereafter be destroyed
--	--

In any other case, where information relates to a premises licence	Information will be retained for a period of 5 years from the date the premises licence ceases to have effect and will thereafter be destroyed
Information relating to occasional licences/extensions	Information will be retained for a period of 5 years from the date the occasional ceases to have effect and will thereafter be destroyed
Information relating to personal Licences	Information will be retained for a period of 5 years from the date the personal licence ceases to have effect and will thereafter be destroyed
<b>Gambling Act 2005</b>	
Applications for the grant of a licence, permit or registration which is refused by the Board	Information relating to the application will be retained for a period of 5 years and will thereafter be destroyed
In any other case, information relating to a licence, permit or registration	Information will be retained for a period of 5 years from the date the licence, permit or registration ceases to have effect and will thereafter be destroyed
<b>Civic Government (Scotland) Act 1982 (&amp; HMO Licences)**</b>	
Where an application for the grant of a licence, permit or permission is refused by the Licensing Sub-Committee (or relevant Area Committee)	Information will be retained for a period of 2 years from the date of refusal and will thereafter be destroyed
In any other case, information relating to a licence, permit or permission	Information will be retained for a period of 2 years from the date the licence, permit or permission ceases to have effect and will thereafter be destroyed
<b>Miscellaneous licences**</b>	
Information relating to an application for the grant of a licence, permit or permission which is refused by the Licensing Sub-Committee (or relevant Area Committee)	Information will be held for a period of 2 years from the date of refusal of the licence, permit or permission and will thereafter be destroyed

In any other case information relating to a licence, permit or permission	Information will be held for a period of 2 years from the date the licence, permit or permission ceases to have effect and will thereafter be destroyed
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\*\* This function is carried out by Aberdeenshire Council, as Licensing Authority and therefore does not relate to the Board.

## Complaints and Feedback

FOISA requires that we review our publication scheme from time to time. However, feedback, including complaints about this Publication Scheme should be directed to the Clerk. Contact details are listed on the front page of this document.

Any complaint will be acknowledged within two working days of receipt and we will respond in full within twenty working days.

You have legal rights to access information under this Scheme and a right of appeal to the Scottish Information Commissioner if you are dissatisfied with our response. These rights apply only to information requests made in writing<sup>3</sup> or another recordable format. If you are unhappy with our responses to your request you can ask us to review it and if you are still unhappy, you can make an appeal to the Scottish Information Commissioner.

The Commissioner's website has a guide to this three-step process and operates an enquiry Service Monday to Friday from 9.00a.m. – 5.00p.m. The office can be contacted as follows:

Scottish Information Commissioner  
Kinburn Castle  
Doubledykes Road  
St. Andrews  
Fife KY16 9 DS

Telephone: 01334 464610

E-Mail: [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info)

Website: <http://www.itspublicknowledge.info/ContactSIC/Contact.aspx>

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<sup>3</sup> Verbal requests for environmental information carry similar rights. Currently the Board does not hold environmental information

## APPENDIX 1: TYPES OF INFORMATION UNDER THE MODEL PUBLICATION SCHEME CLASSES.

### The 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.

The classes are:

Class	Description
1	About the Board
2	How we deliver our functions and services
3	How the Board takes decisions and what it has decided
4	What the Board spends and how it spends it
5	How the Board manages its human, physical and information services
6	How the board procures goods and services from external providers
7	How the board is performing
8	Our commercial publications *
9	Open Data

\* We do not hold or publish any information under this Class.

### Types of Information under the Model Publication Scheme Classes.

#### Class 1: About the Board

The Licensing Board is a Scottish public authority as defined in Part 3 of Schedule 1 to the Freedom of Information (Scotland) Act 2002.

The Board is constituted under the Licensing (Scotland) Act 2005. The Board also has responsibility for licences and permits issued under the Gambling Act 2005.

The Board is elected by Aberdeenshire Council from its Elected Members. The Board is made up of ten Councillors of Aberdeenshire Council.

The Board makes decisions on policies and applications in relation to liquor and gambling licences.

Details of our current Board Members are available at:-

<http://www.aberdeenshire.gov.uk/media/7436/supplementarypolicy1-contextandprofile.pdf>

Councillor profiles can be found at:-



<http://www.aberdeenshire.gov.uk/councillors/index.asp>

Councillors require to adhere to the Councillors' Code of Conduct set out by the Standards Commission for Scotland. The Code is public and can be found at:-

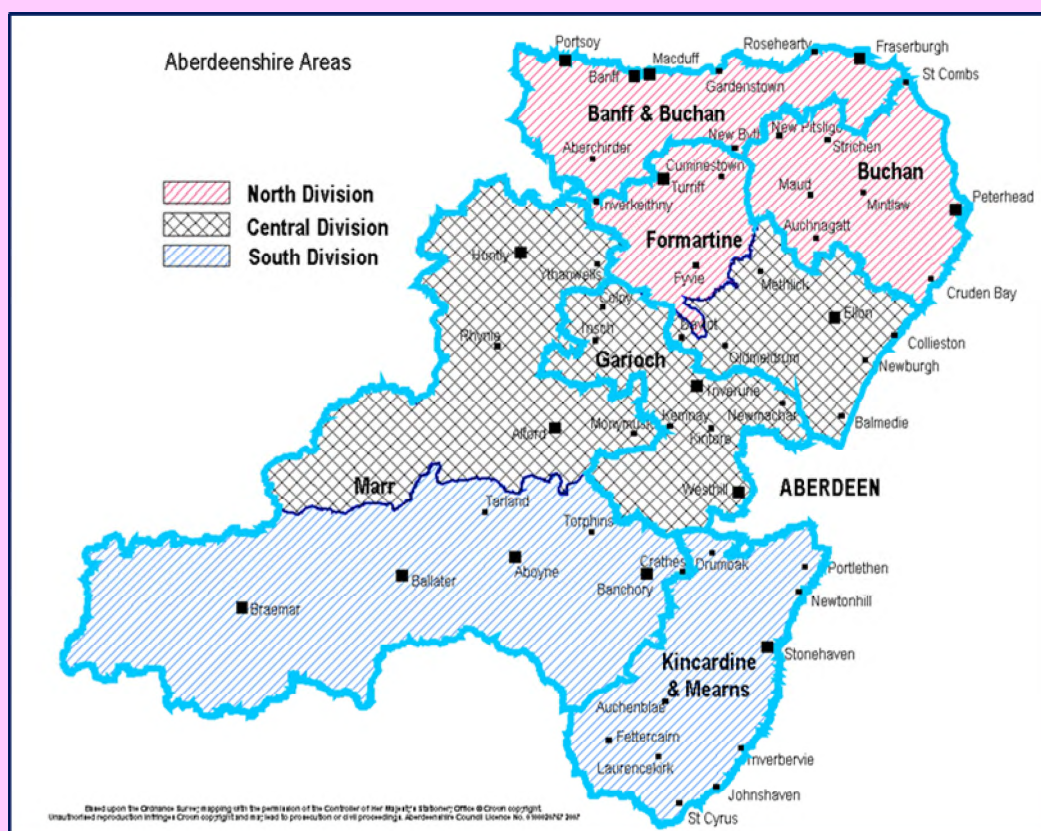
<http://www.standardscommissionscotland.org.uk/codes-of-conduct/councillors-code-of-conduct>

The Code applies to Councillors when they sit as Licensing Board Members in the same way it does when they sit as Aberdeenshire Councillors.

The Board is a separate legal entity to Aberdeenshire Council.

The Board administers licences for premises and persons within Aberdeenshire:

The Board area is reflected in the map shown below and covers the entire area previously covered by the North, Central and South Aberdeenshire Divisional Licensing Boards.



The Board decides licensing applications at its hearings.

Hearings take place bi-monthly in XXX.

It should be noted that it is a criminal offence under section 8 of the Licensing (Scotland) Act 2005 to canvass Board members in relation to applications that are being considered by the Board. Additionally, such an approach would put a Member at risk of contravening the Councillors' Code of Conduct.

The Board works to deadlines set out under the Licensing (Scotland) Act 2005 and the Gambling Act 2005. Performance indicators are produced by Aberdeenshire Council,



inclusive of the Board's performance indicators. These performance indicators are not included in this Scheme but are available on request.

Certain non-contentious decisions are delegated to the Clerk and the Depute Clerk under the Board's Scheme of Delegation.

## **Class 2: How we deliver our functions and services**

The Board is advised and assisted by its Clerk who is the Council's Head of Legal and Governance, Business Services, Aberdeenshire Council. The Clerk is assisted by several Depute Clerks who sit within the Governance Team of Legal and Governance.

The Clerk can be contacted at the location shown on the front page of this Scheme.

Members of the Public can access Licensing Offices between 9.00am. and 5.00p.m. Mondays to Fridays.

Licensing Offices are located at:

- Town House, 34 Low Street, Banff
- Gordon House, Blackhall Road, Inverurie
- Viewmount, Arduathie Road, Stonehaven

The following documents can be found on our website:

Access is via the customer servicepoints in the first instance.

The Board's Statement of Licensing Policy in terms of the Licensing (Scotland) Act 2005:  
<http://www.aberdeenshire.gov.uk/licensing/alcohol/current-boards-policy-statements-2013-2016>

The Board's Scheme of Delegation in terms of the Licensing (Scotland) Act 2005:  
<http://www.aberdeenshire.gov.uk/licensing/alcohol/current-boards-policy-statements-2013-2016>

The Board's Annual Financial Statements in terms of the Licensing (Scotland) Act 2005:  
<http://publications.aberdeenshire.gov.uk/dataset/9fc87cad-5c27-4f6c-8c43-27762c341c9d/resource/61add841-8944-4bef-9526-0ea47496b450/download/appendix-1-misc-licensing---liquor-2017.18-website.pdf>

The Board's Annual Functions Reports in terms of the Licensing (Scotland) Act 2005:  
<https://www.aberdeenshire.gov.uk/media/22827/aberdeenshire-licensing-boards-function-report-2017-2018.pdf>

The Board's Statement of Licensing Principles in terms of the Gambling Act 2005:  
<http://www.aberdeenshire.gov.uk/licensing/gambling/gambling-gaming-and-lotteries/>

The Board's Scheme of Delegation in terms of the Gambling Act 2005:  
<http://www.aberdeenshire.gov.uk/licensing/gambling/gambling-gaming-and-lotteries/>

The Board's policy in terms of the Equality Act 2010:  
<http://www.aberdeenshire.gov.uk/licensing/policies/licensing-equalities/>

**Other information is available as follows:**

Information	Manner in which the information is published
<b>Application forms</b> <b>Application fees</b> <b>Application Criteria and Guidelines</b>	<ul style="list-style-type: none"><li>• online at: <a href="http://www.aberdeenshire.gov.uk/licensing/">http://www.aberdeenshire.gov.uk/licensing/</a></li><li>• Downloadable from: <a href="http://www.aberdeenshire.gov.uk/licensing/">http://www.aberdeenshire.gov.uk/licensing/</a></li></ul> <p><i>Available at:</i></p> <ul style="list-style-type: none"><li>• Any of the Licensing Offices</li><li>• By telephone request</li><li>• e-mail request: <a href="mailto:licapps@aberdeenshire.gov.uk">licapps@aberdeenshire.gov.uk</a></li><li>• by personal visit</li></ul>

### **Class 3: How we take decisions and what we have decided**

The Board takes decisions in accordance with the requirements of the Licensing (Scotland) Act 2005 and the Gambling Act 2005.

Information is available as follows:

Information	Manner in which the Information is published
<b>Board Dates</b>	<p>These are published at: <a href="http://committees.aberdeenshire.gov.uk/committees.aspx?commid=487">http://committees.aberdeenshire.gov.uk/committees.aspx?commid=487</a></p> <p>They are also available at:</p> <ul style="list-style-type: none"><li>• Any of the Licensing Offices</li><li>• By telephone request</li><li>• By e-mail request</li><li>• By personal visit</li></ul>

<b>Board Agendas</b>	<p>These are published at:  <a href="http://committees.aberdeenshire.gov.uk/committees.aspx?commid=487">http://committees.aberdeenshire.gov.uk/committees.aspx?commid=487</a></p> <p>They are also available at:</p> <ul style="list-style-type: none"> <li>• Any of the Licensing Offices</li> <li>• By telephone request</li> <li>• By e-mail request</li> <li>• By personal visit</li> </ul>
<b>Board Minutes</b>  <i>Minutes are only available after they have been approved by the Board</i>	<p>These are published at:  <a href="http://committees.aberdeenshire.gov.uk/committees.aspx?commid=487">http://committees.aberdeenshire.gov.uk/committees.aspx?commid=487</a></p> <p>They are also available at:</p> <ul style="list-style-type: none"> <li>• Any of the Licensing Offices</li> <li>• By telephone request</li> <li>• By e-mail request</li> <li>• By personal visit</li> </ul>
<b>Appeal decisions</b>  <i>These are available within the past 2 years</i>	<p>These are available at:</p> <ul style="list-style-type: none"> <li>• Any of the Licensing Offices</li> <li>• By telephone request</li> <li>• By e-mail request</li> <li>• By personal visit</li> </ul>
<b>Statements of Reasons/State d Cases</b>  <i>EXCEPT: any statements issued during the current quarter or which are the subject of a current appeal</i>	<p>These are available at:</p> <ul style="list-style-type: none"> <li>• Any of the Licensing Offices</li> <li>• By telephone request</li> <li>• By e-mail request</li> <li>• By personal visit</li> </ul> <p><i>Excepted items are confidential and/or contain personal information protected by the Data Protection Act, or have the potential to be produced in Court</i></p>

<p><b>Board Reports</b></p> <p><i><b>Except Reports that are for Members only</b></i></p>	<p>These are available online as part of the Board agenda (see above).</p> <p>They are also available at:</p> <ul style="list-style-type: none"> <li>• Any of the Licensing Offices</li> <li>• By telephone request</li> <li>• By e-mail request</li> <li>• By personal visit</li> </ul> <p><i>Excepted reports are confidential and/or contain personal information protected by the Data Protection Act, or have the potential to be produced in any subsequent court appeal. However, any decision to except a report from this category will be made on a case-by-case basis.</i></p>
<p><b>Statutory Registers and information on current applications</b></p>	<p>These are published at: <b>insert link to online system</b></p> <ul style="list-style-type: none"> <li>• Any of the Licensing Offices</li> <li>• By telephone request</li> <li>• By e-mail request</li> <li>• By personal visit</li> </ul>

#### **Class 4: What we spend and how we spend it**

The Board is a separate legal entity to Aberdeenshire Council. It does not employ any staff or own any assets.

All staff carrying out the Board's responsibilities are recruited and employed by Aberdeenshire Council.

The Council provides accommodation for the meetings of the Board and necessary expenses for the work of the Board.

All revenue received by the Board by way of licence application fees must be transferred to the Council and the Board's budget is held by the Council. The Council has a separate Publication Scheme. This can be found at: <http://www.aberdeenshire.gov.uk/council-and-democracy/foi/>.

Alternatively, you can get further information from the following source:

Freedom of Information  
Aberdeenshire Council  
Woodhill House  
Westburn Road  
Aberdeen AB16 5GB

E-mail: [foi@aberdeenshire.gov.uk](mailto:foi@aberdeenshire.gov.uk)

### **Class 5: How we manage our human, physical and information resources**

All human, physical and information resources for the Board are carried out and managed by Aberdeenshire Council.

The Council's Publication Scheme can be accessed at:  
<http://www.aberdeenshire.gov.uk/council-and-democracy/foi/> .

### **Class 6: How we procure goods and services from external providers**

The Board does not hold information within this class. Goods and services are procured by Aberdeenshire Council.

The Council's Publication Scheme can be accessed at:  
<http://www.aberdeenshire.gov.uk/council-and-democracy/foi/> .

### **Class 7: How we are performing**

The Board processes applications in accordance with statutory timescales set out in the Licensing (Scotland) Act 2005, Gambling Act 2005 and related Acts and Statutory Instruments.

Policies and procedures are also produced in accordance with the relevant statutory timescales.

Primary and secondary legislation relating to the Board's function are published at:  
<http://www.legislation.gov.uk>

The Board produces an annual report in relation to compliance with policy.

This can be found at: <http://www.aberdeenshire.gov.uk/licensing/alcohol/current-boards-policy-statements-2013-2016>

The Board's Annual financial statement and Functions Report are published online as outlined at the beginning of this table

It is also available at:

- Any of the Licensing Offices
- By telephone request
- By e-mail request
- By personal visit

### **Class 8: Our commercial publications**

The Board does not hold any information falling within this class

## **Class 9: Open Data**

The Board will be subject to Aberdeenshire Council's Open Data Policy.

The Council's Open Data Strategy can be accessed at:

<http://publications.aberdeenshire.gov.uk/dataset/open-data-strategy>

The Open Government Licence can be accessed here:

<http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

