

INVERCLYDE LICENSING BOARD

Model Publication Scheme 2016

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

Inverclyde Licensing Board has adopted the single Model Publication Scheme which was produced and approved by the Scottish Information Commissioner on 29 March 2016.

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 2016

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 and re-use

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.

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

Class description:

Information about Inverclyde 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.

INVERCLYDE LICENSING BOARD

GUIDE TO INFORMATION AVAILABLE THROUGH THE MODEL PUBLICATION SCHEME 2016

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.

INVERCLYDE LICENSING BOARD has adopted the **Model Publication Scheme 2016** produced and approved by the Scottish Information Commissioner on 29 March 2016.

You can see this scheme on the Commissioner's website at:

<http://www.itspublicknowledge.info/mps> or by contacting us at the address below.

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.

Copyright and re-use

Where Inverclyde Licensing Board holds the copyright in its published information, the information may be copied or reproduced without formal permission, provided that:

- it is copied or reproduced accurately;
- it is not used in a misleading context; and
- the source of the material is identified.

The publication scheme may however contain information where the copyright holder is not Inverclyde 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 Queen's 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.

The Re-Use of Public Sector Information Regulations 2015 governs the re-use of information that has been obtained from a public body such as Inverclyde Licensing Board. Accessible information from Inverclyde Licensing Board is available for re-use under an Open Government Licence. This means you are free to re-use that information under the licence as long as it is consistent with those licence terms.

Please click on the following link for more information.

<http://www.inverclyde.gov.uk/law-and-licensing/freedom-of-information/re-use-of-public-sector-information-regulations-2015>

In addition, an applicant can also apply to Inverclyde Licensing Board to re-use information that is not publicly available or on our website, or for a use not covered under the Open Government Licence. If you would like further information please contact us so the Licensing Board can consider your request.

Charges

This section explains when we may make a charge for our publications and how any charge will be calculated.

There is no charge to view information on our website or at our premises. 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 photocopying charge per sheet of paper is shown in the tables below:

Black and white photocopying

Size of paper	Pence per sheet of paper
A1	Not available
A2	Not available
A3	20p
A4	10p
A5	10p

Colour photocopying

Size of paper	Pence per sheet of paper
A1	Not available
A2	Not available
A3	60p
A4	30p
A5	30p

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.

Contact us

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

Write to: The Clerk to Licensing Board
 Legal & Property Services
 Municipal Buildings
 Greenock
 PA15 1LX

E-mail: licensingsection@inverclyde.gov.uk

Telephone: 01475 712 109

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.

The classes of information that 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 INVERCLYDE LICENSING BOARD

The Inverclyde Licensing Board is constituted in terms of Section 5 and Schedule 1 of the Licensing (Scotland) Act 2005. In terms of Schedule 1 Part 3, of the Freedom of Information (Scotland) Act 2002, the Inverclyde Licensing Board is a Scottish Public Authority.

The Licensing Board is elected by Inverclyde Council from amongst the elected Members of the Council. There are eight full Members of the Board. Two further Members have passed the necessary examination and may substitute on the Board as and when necessary. Profiles on members of the Board can be found on the Council website using the following link: <http://www.inverclyde.gov.uk/council-and-government/councillors>

The Licensing Board is a quasi-judicial Board, and accordingly is not constituted with any political agenda. Board members, although acting in a quasi-judicial capacity must always adhere to the standards required of a Councillor. The Councillors' Code of Conduct can be found using the following link: <http://www.scotland.gov.uk/Publications/2010/12/10145144/0>

Inverclyde Licensing Board is the statutory body having responsibility for the administration of Liquor Licensing within Inverclyde. It is also responsible for certain matters relating to gambling.

The Board's administration is carried out by Council staff. The Clerk to the Board is the Head of Legal & Property Services. The Depute Clerk is a Principal Solicitor employed by the Council. Staff and accommodation is provided by the Council. It should be noted that the Inverclyde Licensing Board is a separate legal entity, entirely distinct from Inverclyde Council.

All major decisions relating to the Licensing Board's functions are made at meetings of the Board. Certain non-contentious matters are delegated to the Clerk to the Board.

The Board has four meetings per year. These take place on the first Thursday of March, June, September and December. Additionally, due to the Board being subject to strict timescales for dealing with certain matters, additional meetings of the Board shall be called to deal with matters as and when they arise. Notification of the sittings of the Board can be found at: <http://www.inverclyde.gov.uk/law-and-licensing/licensing/alcohol-and-gambling/licensing-board/licensing-board-meetings>

Normal working hours of the Board are 08:45 – 16:45 Mondays to Fridays

inclusive.

CLASS 2: HOW WE DELIVER OUR FUNCTIONS AND SERVICES

Inverclyde Licensing Board is the statutory body having responsibility for the administration of Liquor Licensing within Inverclyde. It is also responsible for certain matters relating to gambling.

Our Alcohol Licensing Policy can be found here:

<http://www.inverclyde.gov.uk/law-and-licensing/licensing/alcohol-and-gambling/licensing-board/licensing-board-policies-regulations-and-public-information/policy-statement>

Our Gambling Policy can be found here:

<http://www.inverclyde.gov.uk/law-and-licensing/licensing/alcohol-and-gambling/gambling/statement-of-principles>

Our Equality Strategy under Equality Act 2010 can be found here:

<http://www.inverclyde.gov.uk/law-and-licensing/licensing/alcohol-and-gambling/licensing-board/licensing-board-policies-regulations-and-public-information/equalities-report>

These policies contain Schemes of Delegation which provide that some decisions are delegated to the Clerk to the Board, whilst others must be made by the Board.

Information about the types of alcohol licence applications we deal with can be found here:

<http://www.inverclyde.gov.uk/law-and-licensing/licensing/alcohol-and-gambling>

If you wish to make an application for an alcohol licence, the application forms can be found here:

<http://www.inverclyde.gov.uk/law-and-licensing/licensing/alcohol-and-gambling/alcohol/application-forms-and-fees>

Information on the fees for alcohol licences can be found here:

<http://www.inverclyde.gov.uk/law-and-licensing/licensing/alcohol-and-gambling/alcohol/application-forms-and-fees>

Information about the types of gambling licence applications we deal with can be found here:

<http://www.inverclyde.gov.uk/law-and-licensing/licensing/alcohol-and-gambling/gambling>

If you wish to make an application for a gambling licence, the application forms can be found here:

<http://www.inverclyde.gov.uk/law-and-licensing/licensing/alcohol-and-gambling/gambling/application-forms-and-fees>

Information on the fees for gambling licences can be found here:

<http://www.inverclyde.gov.uk/law-and-licensing/licensing/alcohol-and-gambling/gambling/application-forms-and-fees>

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

The Licensing Board meets at least quarterly, but in practice meets several times per year to determine different types of application. The Board must make its decision in accordance with the Licensing (Scotland) Act 2005 and the Gambling Act 2005.

Agendas, Reports, Minutes and Decisions are recorded here:

<http://www.inverclyde.gov.uk/law-and-licensing/licensing/alcohol-and-gambling/licensing-board/licensing-board-meetings>

Agendas, reports and minutes of Meetings held prior to June 2013 can be viewed by attending at the Municipal Buildings, Greenock.

The Board is required to advertise some types of application to enable the public to comment. The Board also carries out, from time to time, public consultations on matters such as its policies. Applications and consultations are published in the Public Notices section of the Board's website at:

<http://www.inverclyde.gov.uk/law-and-licensing/licensing/alcohol-and-gambling/licensing-board/adverts-and-public-notices>

CLASS 4: WHAT WE SPEND AND HOW WE SPEND IT

The Board is a separate legal entity from the Council. It does not own any assets. The Council provides accommodation for the meetings of the Board and expenses occasioned by the Board in carrying out its functions. All revenue received by the Board must be transferred to the Council and the Board's budget is held by the Council.

The Inverclyde Council's Model Publication Scheme and Guide to Information is published at:

<http://www.inverclyde.gov.uk/law-and-licensing/freedom-of-information>

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

The Board comprises eight elected Members of Inverclyde Council. Two further Councillors have been trained and passed the necessary examination to allow them to substitute for any Member of the Board.

The Board does not employ staff in its own right. Members of staff from the Council's Legal & Property Services Department administer the Board and undertake the duties required by the Board. All staff are employees of Inverclyde Council.

The Board is provided with accommodation by the Inverclyde Council as and when necessary. It does not own any property or lease property in its own right.

The Board holds information on the Inverclyde Council's computer systems only. It does not have its own computer hardware, software or systems. All paper-based records are kept within the Council's Legal & Property Services department.

The Council's Model Publication Scheme can be viewed here:

<http://www.inverclyde.gov.uk/law-and-licensing/freedom-of-information/freedom-of-information-publication-scheme>

The Board's Model Publication Scheme can be viewed here:

<http://www.inverclyde.gov.uk/law-and-licensing/licensing/alcohol-and-gambling/licensing-board/licensing-board-policies-regulations-and-public-information/publication-scheme>

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

The Board does not hold information within this class. The Board does not procure goods and services from external providers in its own right. Any procurement required is undertaken by the Council.

The Council's Model Publication Scheme can be viewed here:
<http://www.inverclyde.gov.uk/law-and-licensing/freedom-of-information/freedom-of-information-publication-scheme>

CLASS 7: HOW WE ARE PERFORMING

The Board processes applications and conducts hearings in terms of the Licensing (Scotland) Act 2005 and the Gambling Act 2005. The Act provides timescales within which the Board must undertake these duties.

The Board is required to produce policies in terms of those Acts together with Statutory instruments that support the legislation.

Primary and Secondary legislation is published and can be found at:

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

Should you require help in locating any particular piece of legislation then you can contact us using the details contained within the "Contact Us" section of this guide.

CLASS 8: OUR COMMERCIAL PUBLICATIONS

The Board does not hold information within this class.

CLASS 9: OUR OPEN DATA

The Board does not hold information within this class.