

## WEST DUNBARTONSHIRE LICENSING BOARD GUIDE TO INFORMATION AVAILABLE THROUGH THE MODEL PUBLICATION SCHEME 2013

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.

West Dunbartonshire 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 our website at <http://www.west-dunbarton.gov.uk/law-and-licensing/> 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).

All our written information can also be made available, on request, in a range of different formats and languages.

### *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 Board holds the copyright for the vast majority of information in this publication scheme.

Where the 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.

Where the Board does not hold the copyright in information we publish, we will make this clear.

## **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 or where it can be sent to you electronically by email.

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.

For photocopying, we will charge a standard rate of 10p per A4 side of paper (black and white copy) and 30p per A4 side of paper (colour copy).

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.

If providing copies of any 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.

We do charge in relation to information not published under this scheme:

### General information request:

- There will be no charge for information requests which cost us £600 or less to process.
- We are not obliged to respond to requests which will cost us over £600 to process.
- In calculating any fee, staff time will be calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.
- We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you.
- In the event that we decide to impose a charge we will issue you with notification of the charge (a fees notice) and how it has been calculated. You will have three months from the date of issue of the fees notice in which to decide whether to pay the charge. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you.

#### Environmental information request:

- We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you.
- In the event that we decide to impose a charge we will issue you with notification of the charge and how it has been calculated. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you. Charges are calculated on the basis of the actual cost to the authority of providing the information.
- Photocopying is charged at 10p per A4 sheet for black and white copying, 30p per A4 sheet for colour copying.
- Postage is charged at actual rate for first class mail.
- Staff time is calculated at actual cost per staff member hourly salary rate.

Request for your own personal data:

There is no charge for requests for personal data.

Such requests should be addressed to the Clerk to the Licensing Board at the address shown below.

#### **Contact us**

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

Email: [Peter.Hessett@west-dunbarton.gov.uk](mailto:Peter.Hessett@west-dunbarton.gov.uk)

Telephone: 01389 737 800

Write To: Peter Hessett  
West Dunbartonshire Council  
Council Offices  
Garshake Road  
Dumbarton  
G82 3PU

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 WEST DUNBARTONSHIRE LICENSING BOARD**

The Licensing Board is a Scottish public authority as defined in Part 3 of Schedule 1 of the Act.

West Dunbartonshire Licensing Board can be contacted at West Dunbartonshire Council, Council Offices, Garshake Road, Dumbarton, G82 3PU. We can be contacted by email to [Peter.Hessett@west-dunbarton.gov.uk](mailto:Peter.Hessett@west-dunbarton.gov.uk) or by telephone to 01389 737 800.

The Board comprises eight elected members of West Dunbartonshire Council. Details of the current membership are available at <http://www.west-dunbarton.gov.uk/law-and-licensing/>. Councillor profiles can be found at <http://www.west-dunbarton.gov.uk/law-and-licensing/>. Councillors are required to adhere to the Councillors' Code of Conduct set out by the Standards Commission for Scotland and published at <http://www.scotland.gov.uk/Publications/2010/12/10145144/0>.

The Board is a separate legal entity from the Council. It does not employ any staff or own any assets. All staff carrying out the Board's responsibilities are recruited and employed by the 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 from licence application fees must be transferred to the Council and the Board's budget is held by the Council. The Council's Model Scheme of Publication and Guide to Information is published at <http://www.west-dunbarton.gov.uk/law-and-licensing/>.

The Board makes decisions on policies and applications. It is assisted and advised in its work by its Clerk, who is the Head of Legal, Democratic and Regulatory Services within the Council. The Clerk is assisted by officials of the Licensing Team within Legal, Democratic and Regulatory Services.

Normal working hours for the Board and its staff are 9am to 1pm and 2pm to 5pm Mondays to Fridays inclusive.

Any enquiries or complaints regarding the Board's work can be directed to the postal, email or telephone contact details shown above.

The Board's Model Publication Scheme and this Guide to Information are available at <http://www.west-dunbarton.gov.uk/law-and-licensing/>. The Board's charging schedule for published information and environmental information is shown in the Charges section above.

To contact the Board or ask for advice about how to request information from us, please use the contact details shown in the Contact Us section above.

The Board is established under the Licensing (Scotland) Act 2005. We are required to publish a Policy explaining our function under the legislation and this is published at <http://www.west-dunbarton.gov.uk/law-and-licensing/>. We also carry out other functions and further information is provided on this in Class 2 below.

## **CLASS 2: HOW WE DELIVER OUR FUNCTIONS AND SERVICES**

The Board is responsible for administering the alcohol licensing system under the Licensing (Scotland) Act 2005 within West Dunbartonshire.

Our Alcohol Licensing Policy is published at <http://www.west-dunbarton.gov.uk/law-and-licensing/>.

The Board also deals with applications for premises licences and permissions under the Gambling Act 2005.

Our Gambling Policy is also published at <http://www.west-dunbarton.gov.uk/law-and-licensing/>.

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.

We are also required to publish a policy on how we are complying with the equality requirement under the Equality Act 2010. Our Multi-Equality Strategy is published at <http://www.west-dunbarton.gov.uk/law-and-licensing/>. Information about the types of alcohol licence applications we deal with, application forms, criteria, fees and guidelines are published at <http://www.west-dunbarton.gov.uk/law-and-licensing/>.

Information about the types of gambling applications we deal with, application forms, criteria and fees and guidance are published at <http://www.west-dunbarton.gov.uk/law-and-licensing/>.

Any concerns regarding the Board's work can be directed to the postal, email or telephone contact details shown in the Contact Us section above.

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

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

Decisions are recorded in public registers published at <http://www.west-dunbarton.gov.uk/law-and-licensing/> for alcohol licensing; and at <http://www.west-dunbarton.gov.uk/law-and-licensing/> and <http://www.west-dunbarton.gov.uk/law-and-licensing/> for gambling.

Agendas, reports and minutes of the Board's meetings are also published at <http://www.west-dunbarton.gov.uk/law-and-licensing/>.

The Board is required to advertise some types of application to enable public 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 Council's website at <http://www.west-dunbarton.gov.uk/law-and-licensing/>.

#### **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 necessary expenses for the work of the Board. All revenue received by the Board from licence application fees must be transferred to the Council and the Board's budget is held by the Council.

The Council's Model Scheme of Publication and Guide to Information is published at <http://www.west-dunbarton.gov.uk/law-and-licensing/>.

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

The Board is a separate legal entity from the Council.

It comprises eight elected members of West Dunbartonshire Council.

It does not employ any staff or own any assets.

It is assisted and advised in its work by its Clerk, who is the Head of Legal, Democratic and Regulatory Services within the Council. The Clerk is assisted by officials of the Licensing Team within Legal, Democratic and Regulatory Services.

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

The Council provides accommodation for the meetings of the Board.

The Council's Model Scheme of Publication and Guide to Information is published at <http://www.west-dunbarton.gov.uk/law-and-licensing/>.

#### **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 the Council rather than the Board.

The Council's Model Scheme of Publication and Guide to Information is published at <http://www.west-dunbarton.gov.uk/law-and-licensing/>.

#### **CLASS 7: HOW WE ARE PERFORMING**

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

The Board produces policies in accordance with timescales provided under legislation dealing with alcohol and gambling licensing, the equality duty and the publication of a scheme explaining how to access information which it holds.

Primary legislation and secondary regulations are published at <http://www.legislation.gov.uk/>. We can help you to locate specific information – use the contact details shown in the Contact Us section above.

## **CLASS 8: OUR COMMERCIAL PUBLICATIONS**

The Board does not hold information within this class.