

*These notes relate to the Licensing (Scotland) Act 2005
(asp 16) which received Royal Assent on 21 December 2005*

LICENSING (SCOTLAND) ACT 2005

EXPLANATORY NOTES

COMMENTARY ON PARTS

Part 5 – Licensed Hours

Section 65 – Licensed hours: off-sales

136. This section introduces statutory opening hours for off sales premises. Where an application is made for a premises licence, a variation to the licence, an occasional licence, or extended hours application for the sale of alcohol between the hours of 10.00 pm and 10.00 am for consumption off the premises, then the Board must refuse the application.
137. Subsections (4) and (5) enable Scottish Ministers to change those designated times by an affirmative resolution order and require Licensing Boards to take into account the impact of antisocial behaviour (as defined by the Antisocial Behaviour etc. (Scotland) Act 2004) when considering what hours to grant with regard to off-sales.