



# Licensing (Scotland) Act 2005

## 2005 asp 16

### PART 3

#### PREMISES LICENCES

##### *Premises licence applications*

#### **20 Application for premises licence**

- (1) Any person, other than an individual under the age of 18, may apply to the appropriate Licensing Board for a premises licence in respect of any premises.
- (2) An application under subsection (1) must—
  - (a) contain a description of the subject premises, and
  - (b) be accompanied by—
    - (i) an operating plan for the subject premises,
    - (ii) a plan (referred to in this Act as a “layout plan”), in the prescribed form, of the subject premises,<sup>F1</sup>...
    - [<sup>F2</sup>(iia) a disabled access and facilities statement, and]
    - (iii) the certificates required by section 50(1).
- (3) An application under subsection (1) which complies with subsection (2) is referred to in this Act as a “premises licence application”.
- (4) An “operating plan” in relation to any premises is a document in the prescribed form containing—
  - (a) a description of the activities to be carried on in the premises,
  - (b) a statement of the times during which it is proposed that alcohol be sold on the premises,
  - (c) a statement as to whether the alcohol is to be sold for consumption on the premises, off the premises or both,
  - (d) a statement of the times at which any other activities in addition to the sale of alcohol are to be carried on in the premises,
  - (e) where alcohol is to be sold for consumption on the premises, a statement as to whether children or young persons are to be allowed entry to the premises

*Status: Point in time view as at 30/03/2018.*

*Changes to legislation: Licensing (Scotland) Act 2005, Section 20 is up to date with all changes known to be in force on or before 31 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

and, if they are to be allowed entry, a statement of the terms on which they are allowed entry including, in particular—

- (i) the ages of children or young persons to be allowed entry,
  - (ii) the times at which they are to be allowed entry, and
  - (iii) the parts of the premises to which they are to be allowed entry,
- (f) information as to the proposed capacity of the premises,
  - (g) prescribed information about the individual who is to be the premises manager, and
  - (h) such other information in relation to the premises and the activities to be carried on there as may be prescribed.
- (5) Where alcohol is to be sold both for consumption on and for consumption off any premises, the operating plan for the premises may, under subsection (4)(b), state different times for—
- (a) the sale of alcohol for consumption on the premises, and
  - (b) the sale of alcohol for consumption off the premises.
- [<sup>F3</sup>(6) A “disabled access and facilities statement” is a statement, in the prescribed form, containing information about—
- (a) provision made for access to the subject premises by disabled persons,
  - (b) facilities provided on the subject premises for use by disabled persons, and
  - (c) any other provision made on or in connection with the subject premises for disabled persons.
- (7) In subsection (6), "disabled person" is to be interpreted in accordance with section 6 of the Equality Act 2010 (c.15).]

#### Textual Amendments

- F1** Word in s. 20(2)(b) repealed (30.3.2018) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 179(2)(a)**, 206(1); S.S.I. 2017/445, art. 2 (with art. 3)
- F2** S. 20(2)(b)(ia) inserted (30.3.2018) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 179(2)(b)**, 206(1); S.S.I. 2017/445, art. 2 (with art. 3)
- F3** S. 20(6)(7) inserted (30.3.2018) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 179(3)**, 206(1) (as amended (9.11.2012) by S.S.I. 2012/304, arts. 1(1), 2); S.S.I. 2017/445, art. 2 (with art. 3)

#### Modifications etc. (not altering text)

- C1** S. 20(2)(b)(ii) modified (1.2.2008) by [Licensing \(Vessels etc.\) \(Scotland\) Regulations 2007 \(S.S.I. 2007/545\)](#), regs. 1(1), 5

#### Commencement Information

- I1** S. 20 in force at 1.2.2008 by [S.S.I. 2007/472](#), art. 2, **Sch. 1**

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