



Licensing (Scotland) Act 2005

2005 asp 16

PART 3

PREMISES LICENCES

Premises under construction or conversion

46 Confirmation of provisional premises licence

- (1) The holder of a provisional premises licence may, at any time before the expiry of the provisional period in relation to the licence, apply to the Licensing Board which issued the licence for confirmation of the licence.
- (2) An application under subsection (1) must be accompanied by—
 - (a) the provisional premises licence,
 - (b) the operating plan for the premises to which the licence relates,
 - (c) the layout plan for the premises, and
 - (d) the certificates required by section 50(3).
- (3) The operating plan referred to in subsection (2)(b) must, in particular and without prejudice to subsection (4) of section 20, contain a statement of the information specified in paragraph (g) of subsection (4) of that section.
- (4) Where a Licensing Board which issued a provisional premises licence receives an application under subsection (1) in respect of the licence, the Board must, if satisfied as to the matters mentioned in subsection (5), confirm the licence.
- (5) Those matters are that—
 - (a) since the provisional premises licence was issued, or
 - (b) if, since that time, an application for a variation of the licence has been granted under section 30, since the last such application was granted,there has been no variation (other than a minor variation) made to the operating plan or layout plan for the premises to which the licence relates.
- (6) Where a Licensing Board confirms a provisional premises licence under subsection (4), the Board may, for the purpose specified in subsection (7), make a variation of the conditions to which the licence is subject.

Status: This is the original version (as it was originally enacted).

- (7) That purpose is ensuring consistency with any licensing policy statement or supplementary licensing policy statement published since the licence was issued.