
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 454

The Licensing (Transitional and Saving Provisions) (Scotland) Order 2007

Applications to which special procedure applies – full licence held

18.—(1) An application falls within this article if each of paragraphs (2) to (4) apply in respect of it.

(2) The application must relate to premises in respect of which at the time the application is made there is in force a relevant permission granted—

- (a) before the beginning of the transitional period; or
- (b) following upon a provisional grant of a licence made before the beginning of that period.

(3) The operating plan and layout plan which accompany the application under sub paragraphs (i) and (ii) of section 20(2)(b) of the 2005 Act must show that—

- (a) it is proposed that—
 - (i) the size and capacity of the premises;
 - (ii) the general nature of the premises; and
 - (iii) any entertainment to be provided on the premises,

are to be substantially the same as at the date of the application; and

- (b) alcohol is not to be sold on the premises outside the hours authorised by the relevant permission (whether by virtue of the original grant or by virtue of section 57, 58, 59, 60 or 64 of the 1976 Act⁽¹⁾).

(4) The application must be made by the appropriate date, determined in accordance with article 20.

⁽¹⁾ Section 57 was amended by the 1990 Act, section 45(3) and section 60 was amended by the 1990 Act, section 46(6).