
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 454

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

Applications to which special procedure applies – provisional licence held

19.—(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 effect a licence under Part II of the 1976 Act—

- (a) which was provisionally granted prior to the beginning of the transitional period; and
- (b) the provisional grant of which has not yet been declared final.

(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 was proposed in the application which led to the provisional grant under the 1976 Act; and

- (b) alcohol is not to be sold on the premises outside the hours authorised by the licence provisionally granted under the 1976 Act.

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