

LICENSING BOARD INFORMATION SHEET

TYPE OF APPLICATION: TEMPOARY PREMISES LICENCE PREMISES: 124B BALNAGASK ROAD

DESCRIPTION

Application for a temporary licence under section 47 Licensing (Scotland) Act 2005. The licence is sought as Premises, 106 Balnagask Road is under reconstruction or conversation.

OBJECTIONS/REPRESENTATIONS

None

CONDITIONS

The temporary licence will be subject to the same conditions are the principal licence.

LEGISLATION

Temporary premises licence

(1) This section applies where any licensed premises (other than premises in respect of which a provisional premises licence or occasional licence has effect) are undergoing, or are to undergo, reconstruction or conversion (referred to in this section as the "principal premises").

(2)The appropriate Licensing Board in relation to the principal premises may—

- (a) on the application of the holder of the premises licence in respect of the premises, and
- (b) if satisfied as to the matters mentioned in subsection (3),

issue to the applicant a premises licence in respect of such other premises within the Licensing Board's area as are specified in the application (such premises being referred to in this section as the "temporary premises").

(3) The matters referred to in subsection (2)(b) are—

- (a) that the temporary premises are suitable for use for the sale of alcohol, and
- (b) that it is necessary to grant the application to enable the applicant to carry on business pending reconstruction or conversion of the principal premises.

(4) A premises licence issued under subsection (2) is referred to in this Act as a “temporary premises licence”.

) Where a Licensing Board issues a temporary premises licence, the Board must send a copy of the temporary premises licence to the chief constable

(5) A temporary premises licence—

(a) has effect for such period of not more than 2 years beginning with the date of its issue as the Licensing Board may determine, and

(b) is subject to the same conditions as those to which the premises licence in respect of the principal premises is subject at the time the temporary premises licence is issued, with such exceptions or variations (if any) as the Licensing Board considers appropriate.