



# Air Weapons and Licensing (Scotland) Act 2015

2015 asp 10

## PART 2

### ALCOHOL LICENSING

#### *Miscellaneous*

#### 55 Overprovision

- (1) The 2005 Act is amended as follows.
- (2) In section 7 (duty to assess overprovision)—
  - (a) in subsection (2), after “Act” insert “and in doing so the Board may determine that the whole of the Board’s area is a locality”,
  - (b) in subsection (3)—
    - (i) the word “must” is repealed,
    - (ii) at the beginning of paragraph (a) insert “must”,
    - (iii) the word “and” immediately following that paragraph is repealed,
    - (iv) after that paragraph insert—
      - “(aa) may have regard to such other matters as the Board thinks fit including, in particular, the licensed hours of licensed premises in the locality, and”,
    - (v) at the beginning of paragraph (b) insert “must”.
- (3) In section 23(5)(e) (refusal of premises licence on grounds of overprovision)—
  - (a) for the words from “that,” where first occurring to “situated,” substitute “that”,
  - (b) for “that description,” substitute “the same or similar description as the subject premises,”.
- (4) In section 30(5)(d) (refusal to vary premises licence on grounds of overprovision)—
  - (a) for the words from “that,” where first occurring to “situated,” substitute “that”,
  - (b) for “that description,” substitute “the same or similar description as the subject premises (taking account of the variation),”.