



Licensing (Scotland) Act 2005

2005 asp 16

PART 7

CONTROL OF ORDER

Closure of premises

97 Closure orders

- (1) A Licensing Board may—
 - (a) on the application of a senior police officer relating to any licensed premises situated within the Board's area, and
 - (b) if satisfied that, by reason of the likelihood of disorder on, or in the vicinity of the premises, closure of the premises is necessary in the interests of public safety,make a closure order in relation to the premises.
- (2) A senior police officer may, if the officer reasonably believes that—
 - (a) there is, or is likely imminently to be, disorder on, or in the vicinity of, any licensed premises,
 - (b) closure of the premises is necessary in the interests of public safety, and
 - (c) the risk to public safety is such that it is necessary to do so immediately and without making an application under subsection (1),make a closure order in relation to the premises.
- (3) A closure order is an order requiring the licensed premises to which it relates to be closed for such period, beginning with the coming into force of the order, as may be specified in the order.
- (4) A closure order made by a senior police officer under subsection (2) is referred to as an "emergency closure order".
- (5) The period of closure specified in an emergency closure order must not exceed 24 hours.
- (6) A closure order comes into force in relation to any licensed premises to which it relates when a constable gives notice of it to a responsible person.

Status: This is the original version (as it was originally enacted).

- (7) Any responsible person who allows any licensed premises to be open in breach of a closure order commits an offence.
- (8) A person guilty of an offence under subsection (7) is liable on summary conviction to—
- (a) a fine not exceeding £20,000,
 - (b) imprisonment for a term not exceeding 3 months, or
 - (c) both.