
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 336

The Licensing Conditions (Late Opening Premises) (Scotland) Regulations 2007

Mandatory conditions – certain premises

3.—(1) The conditions specified in paragraphs 2 to 6 of the Schedule must be imposed by a Licensing Board on the granting by it of a premises licence falling within section 27(4) of the Act if it appears to the Board from the operating plan for the premises that they fall within the description in paragraph (2).

(2) That description is premises (other than premises to which paragraph (3) applies) the capacity of which is at least 250 people and which—

- (a) will regularly provide at any time in the period between 1:00 am and 5:00 am—
 - (i) live or recorded music with a decibel level exceeding 85dB;
 - (ii) facilities for dancing; or
 - (iii) adult entertainment; or
 - (b) when fully occupied, are likely to have more customers standing than seated.
- (3) This paragraph applies to premises—
- (a) the primary function of which is the service of food;
 - (b) which include, or are part of larger premises which include, at least 6 letting bedrooms;
 - (c) in respect of which a licence under section 12 of the Theatres Act 1968(1) or section 1 of the Cinemas Act 1985(2) is in force; or
 - (d) which are, or are part of, an art gallery.

(1) 1968 c. 54; section 12 was amended by S.S.I. 2006/475.

(2) 1985 c. 13; section 1 was amended by S.S.I. 2006/475.