

*These notes relate to the Licensing (Scotland) Act 2005
(asp 16) which received Royal Assent on 21 December 2005*

LICENSING (SCOTLAND) ACT 2005

EXPLANATORY NOTES

COMMENTARY ON PARTS

Part 5 – Licensed Hours

Section 70 – Determination of extended hours application

145. Subsection (1) provides that in determining an application for an extension to hours the Board must take into account any objections from the chief constable and any LSO comments. Subsection (2) provides that the Board may hold a hearing for the purposes of determining any application, but this is not mandatory.
146. Subsection (3) provides that where the Board does not hold a hearing, the Board must ensure that before determining the application, the applicant is given an opportunity to comment on any objections from the Police or adverse comments from the Licensing Standards Officer.