

Item 3

Licensing (Scotland) Act 2005 Request to Further Extend Provisional Premises Licence

FOR MEMBERS AND APPROPRIATE OFFICERS OF THE LICENSING BOARD ONLY

Purpose of Report:

To advise Members of a request made in terms of section 45(7) of the Licensing (Scotland) Act 2005 ("the Act") to further extend the period of a provisional premises licence in respect of premises at Virgin Hotel, 236-246 Clyde Street, Glasgow.

Recommendation:

Members are asked to consider whether to grant the request to further extend the period of effect of a provisional premises licence, and if minded to grant the request, to determine the appropriate period of the extension.

1 Background

- 1.1 In terms of section 45(3) of the Act, a provisional premises licence granted by the Board does not take effect until confirmed. If the provisional premises licence is not confirmed by the period ending 4 years from the date of issue, it is treated as being revoked in terms of section 45(4) of the Act.
- 1.2 In terms of section 45(7) of the Act on the application of the holder of a provisional premises licence being made before the expiry of the 4 year period, the Licensing Board can extend the provisional period by such period as it considers appropriate in terms of section 45(8) of the Act if it is satisfied that:-
 - (i) completion of the construction or conversion of the premises has been delayed; and
 - (ii) the delay has been caused by factors out with the licence holder's control.
- 1.3 The provisional premises licence in respect of the premises at 236-246 Clyde Street, Glasgow was originally granted by the Licensing Board on 14 February 2020.
- 1.4 A request by the licence holder's agent for extension of the provisional premises licence was received on 5 January 2024. The Board determined to grant an extension of the provisional premises licence for a period of 12 months.
- 1.5 By email of 12 November 2024, a further period of extension of the provisional premises licence was requested by the licence holder's agent. This request was considered by the Board at its meeting on 6 December 2024. Having heard

submissions on behalf of the applicant, the Board determined to grant an extension of the provisional premises licence for a further period of 12 months, from 14 February 2025.

- 1.6 By email of 2 December 2025, a further period of extension of the provisional premises licence has now been requested by the licence holder's agent. A copy of the transcript of the discussion at the meeting on 6 December 2024 is attached.