



Local Government Act 1972

1972 CHAPTER 70

PART IX

FUNCTIONS

Miscellaneous functions

204 Licensing: licensed premises, cinemas, theatres and refreshment houses.

- (1) The [^{F1}principal areas] in Wales shall be the areas for which polls under section 66 of the ^{M1}Licensing Act 1964 (Sunday closing in Wales) may be held, but in relation to each such [^{F2}area], until such a poll is held and the decision on the poll takes effect in the [^{F2}area] in accordance with section 67(4) of that Act, the [^{F3}localities in which] subsection (1) of the said section 66 does or does not have effect shall be the same on and after [^{F4}1st April 1996] as before that date.
- (2) Any reference in Part VII of the ^{M2}Licensing Act 1964 (licensing planning areas) to a local planning authority shall [^{F5}(except in relation to Wales)] be construed as a reference to a district planning authority only.
- (3) In the case of premises situated outside Greater London, notice of an application for a justices' licence under Schedule 2 to the ^{M3}Licensing Act 1964 shall be given to the proper officer of the district council [^{F6}or, in Wales, of the principal council] instead of to the clerk to the rating authority.
- (4) In consequence of the preceding provisions of this section and of section 217 below, the ^{M4}Licensing Act 1964 shall have effect subject to the amendments specified in Part I of Schedule 25 to this Act.
- ^{F7}(5)
- (6) In section 18(1) of the ^{M5}Theatres Act 1968, in the definition of "licensing authority", for paragraph (b) there shall be substituted the following paragraph:—
 - "(b) as respect premises in a district in England or Wales, the council of that district;"

Status: Point in time view as at 01/04/1996. This version of this provision has been superseded.

Changes to legislation: Local Government Act 1972, Section 204 is up to date with all changes known to be in force on or before 11 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

F8

F9(7)

- (8) The provisions of Part II of Schedule 25 to this Act shall have effect for the purpose of conferring a right of appeal with respect to licences under the ^{M6}Home Counties (Music and Dancing) Licensing Act 1926; and any reference in that Part of that Schedule—
- (a) to the 1926 act is a reference to the said Act of 1926, or
 - (b) to a licence is a reference to a licence under section 3 of the 1926 Act.
- (9) In section 2(2) of the ^{M7}Late Night Refreshment Houses Act 1969 (licensing authorities under that Act) for the words “county and county borough councils” there shall be substituted the words “district councils”.

Textual Amendments

- F1** Words in s. 204(1) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 41(2)(a)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F2** Word in s. 204(1) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 41(2)(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F3** Words in s. 204(1) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 41(2)(c)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F4** Words in s. 204(1) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 41(2)(d)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F5** Words in s. 204(2) inserted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 41(3)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F6** Words in s. 204(3) inserted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 41(4)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F7** S. 204(5) repealed by Cinemas Act 1985 (c. 13, SIF 45A), s. 24(2), **Sch. 3**
- F8** Words repealed by Local Government (Miscellaneous Provisions) Act 1982 (c. 30, SIF 81:1), s. 47, **Sch. 7 Pt. IV**
- F9** S. 204(7) repealed by Local Government (Miscellaneous Provisions) Act 1982 (c. 30, SIF 81:1), s. 47, **Sch. 7 Pt. I**

Modifications etc. (not altering text)

- C1** The text of s. 204(9), 208(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** 1964 c. 26.
M2 1964 c. 26.
M3 1964 c. 26.
M4 1964 c. 26.
M5 1968 c. 54.
M6 1926 c. 31.
M7 1969 c. 53.

Status:

Point in time view as at 01/04/1996. This version of this provision has been superseded.

Changes to legislation:

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