

Status: Point in time view as at 01/09/2004.

Changes to legislation: There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1982, SCHEDULE 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

LICENSING OF PUBLIC ENTERTAINMENTS

Modifications etc. (not altering text)

- C1** [Sch. 1](#): functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853, reg. 2\(1\)](#), [Sch.1](#)

Grant, renewal and transfer of entertainments licences

- 1 (1) An entertainment to which this paragraph applies shall not be provided in any place except under and in accordance with the terms of a licence granted under this paragraph by the appropriate authority.
- (2) Subject to sub-paragraph (3) below, this paragraph applies to public dancing or music or any other public entertainment of a like kind.
- (3) This paragraph does not apply—
- (a) to any music—
 - (i) in a place of public religious worship; or
 - (ii) performed as an incident of a religious meeting or service;
 - (b) to an entertainment held in a pleasure fair; or
 - (c) to an entertainment which takes place wholly or mainly in the open air.
- (4) The appropriate authority may grant to any applicant, and from time to time renew, a licence for the use of any place specified in it for all or any of the entertainments to which this paragraph applies on such terms and conditions and subject to such restrictions as may be so specified.
- (5) The appropriate authority may grant a licence under this paragraph in respect of such one or more particular occasions only as may be specified in the licence.
- [^{F1}2 (1) Subject to sub-paragraphs (2) and (3) below, no premises shall be used for any entertainment which consists of any sporting event to which the public are invited as spectators (a “sports entertainment”) except under and in accordance with the terms of a licence granted under this paragraph by the appropriate authority.
- (2) Sub-paragraph (1) above does not require a licence in respect of any occasion when the sporting event which constitutes the entertainment is not the principal purpose for which the premises are used on that occasion; but this provision does not apply in relation to a sports complex.
- (3) Sub-paragraph (1) above does not apply to a sports entertainment held in a pleasure fair.

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- (4) The appropriate authority may grant to any applicant, and from time to time renew, a licence for the use of any premises specified in it for any sports entertainment on such terms and conditions and subject to such restrictions as may be so specified.
- (5) The appropriate authority may grant a licence under this paragraph in respect of such one or more particular occasions only as may be specified in the licence.
- (6) In this paragraph—
- “premises” means any permanent or temporary building and any tent or inflatable structure and includes a part of a building where the building is a sports complex but does not include a part of any other building;
- “sporting event” means any contest, exhibition or display of any sport;
- “sports complex” means a building—
- (a) which provides accommodation and facilities for both those engaging in sport and spectators, and
 - (b) the parts of which are so arranged that one or more sports can be engaged in simultaneously in different parts of the building; and
- “sport” includes any game in which physical skill is the predominant factor and any form of physical recreation which is also engaged in for purposes of competition or display, except dancing (in any form).]

Textual Amendments

F1 Sch. 1 para. 2 substituted by [Fire Safety and Safety of Places of Sport Act 1987 \(c. 27, SIF 81:1\)](#), s. 43

- 3 (1) This paragraph applies to any public musical entertainment which is held—
- (a) in an area in which this paragraph and paragraph 4 below have effect; and
 - (b) wholly or mainly in the open air; and
 - (c) at a place on private land.
- (2) For the purposes of this paragraph and paragraph 4 below—
- (a) an entertainment is musical if music is a substantial ingredient; and
 - (b) land is private if the public has access to it (whether on payment or otherwise) only by permission of the owner, occupier or lessee.
- (3) This paragraph does not apply—
- (a) to a garden fete, bazaar, sale of work, sporting or athletic event, exhibition, display or other function or event of a similar character, whether limited to one day or extending over two or more days; or
 - (b) to a religious meeting or service, merely because music is incidental to it.
- (4) This paragraph does not apply to an entertainment held in a pleasure fair.
- 4 (1) An entertainment to which paragraph 3 above applies shall not be provided except under and in accordance with the terms of a licence granted under this paragraph by the appropriate authority.
- (2) The appropriate authority may grant to any applicant, and from time to time renew, a licence for the use of any place specified in it for any entertainment to which paragraph 3 above applies.

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- (3) The appropriate authority may grant a licence under this paragraph in respect of such one or more particular occasions only as may be specified in the licence.
- (4) A licence under this paragraph may be granted—
- (a) on terms and conditions; and
 - (b) subject to restrictions,
- imposed for all or any of the following purposes, but no others,—
- (i) for securing the safety of performers at the entertainment for which the licence is granted and other persons present at the entertainment;
 - (ii) without prejudice to the generality of paragraph (i) above, for securing adequate access for fire engines, ambulances, police cars or other vehicles that may be required in an emergency;
 - (iii) for securing the provision of adequate sanitary appliances and things used in connection with such appliances;
 - (iv) for preventing persons in the neighbourhood being unreasonably disturbed by noise.
- 5 (1) Subject to paragraphs 8 and 17 below, any entertainments licence other than a licence in respect of one or more particular occasions only shall, unless previously cancelled under paragraph 10 or revoked under paragraph [F211A or 12(4) or (5)] below, remain in force for one year or for such shorter period specified in the licence as the appropriate authority may think fit.
- (2) Where an entertainments licence has been granted to any person, the appropriate authority may, if they think fit, transfer that licence to any other person on the application of that other person or the holder of the licence.

Textual Amendments

F2 Words in [Sch. 1 para. 5\(1\)](#) substituted (1.5.1998) by [1997 c. 49, s. 1\(2\)](#); [S.I. 1998/1009, art. 2](#)

- 6 (1) An applicant for the grant, renewal or transfer of an entertainments licence in respect of any place shall give not less than 28 days' notice of his intention to make the application to—
- (a) the appropriate authority;
 - (b) the chief officer of police; and
 - (c) the fire authority.
- (2) The appropriate authority may in such cases as they think fit, after consulting with the chief officer of police and the fire authority, grant an application for the grant, renewal or transfer of an entertainments licence notwithstanding the fact that the applicant has failed to give notice in accordance with sub-paragraph (1) above.
- (3) An applicant for the grant, renewal or transfer of an entertainments licence shall furnish such particulars and give such other notices as the appropriate authority may by regulation prescribe.
- (4) In considering any application for the grant, renewal or transfer of an entertainments licence, the appropriate authority shall have regard to any observations submitted to them by the chief officer of police and by the fire authority.

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- [^{F3}6A (1) This paragraph applies where the authority by whom an entertainments licence was granted under paragraph 1 above in respect of a place receive a report from the chief officer of police—
- (a) stating that there is a serious problem relating to the supply or use of controlled drugs at the place or at any place nearby which is controlled by the holder of the licence; and
 - (b) giving reasons for his view that there is such a problem.
- (2) An application for the renewal or transfer of the licence may be refused by the authority on the ground that they are satisfied that not renewing or transferring it will significantly assist in dealing with the problem.
- (3) The authority shall give the reasons for their refusal of the application to—
- (a) the holder of the licence; and
 - (b) in the case of an application for the transfer of the licence, the person to whom the licence would have been transferred if the application had been granted.
- (4) A person to whom reasons are given may make representations to the authority; and the authority shall consider any representations within the period of 21 days beginning with the day on which they receive them.
- (5) After considering any representations, the authority shall (unless the date of expiry of the licence has passed) either—
- (a) confirm the refusal of the application; or
 - (b) grant the application.
- (6) The authority shall have regard in exercising their functions under this paragraph to such guidance as may be issued by the Secretary of State.]

Textual Amendments

F3 Sch. 1 para. 6A inserted (1.5.1998) by 1997 c. 49, s. 1(3); S.I. 1998/1009, art. 2

- 7 (1) Subject to sub-paragraphs (2) and (3) below, an applicant for the grant, renewal or transfer of an entertainments licence shall pay a reasonable fee determined by the appropriate authority.
- (2) No fee shall be payable if the application is for a licence for an entertainment—
- (a) at a church hall, chapel hall or other similar building occupied in connection with a place of public religious worship; or
 - (b) at a village hall, parish or community hall or other similar building.
- (3) The appropriate authority may remit the whole or any part of the fee that would otherwise be payable for the grant, renewal or transfer of an entertainments licence, where in the opinion of the authority the entertainment in question—
- (a) is of an educational or other like character; or
 - (b) is given for a charitable or other like purpose.
- 8 (1) Where, before the date of expiry of an entertainments licence, an application has been made for its renewal, it shall be deemed to remain in force notwithstanding that the date has passed until the withdrawal of the application or its determination by the appropriate authority.

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- (2) Where, before the date of expiry of an entertainments licence, an application has been made for its transfer, it shall be deemed to remain in force with any necessary modifications until the withdrawal of the application or its determination notwithstanding that the date has passed or that the person to whom the licence is to be transferred if the application is granted is carrying on at the place in respect of which the licence was granted the functions to which it relates.

Transmission and cancellation of entertainments licences

- 9 In the event of the death of the holder of an entertainments licence, the person carrying on at the place in respect of which the licence was granted the functions to which the licence relates shall be deemed to be the holder of the licence unless and until—
- (a) a legal personal representative of the deceased has been duly constituted; or
 - (b) the licence is transferred to some other person.
- 10 The appropriate authority may, at the written request of the holder of an entertainments licence, cancel the licence.

Power to prescribe standard terms, conditions and restrictions

- 11 (1) The appropriate authority may make regulations prescribing standard conditions applicable to all, or any class of, entertainments licences, that is to say terms, conditions and restrictions on or subject to which such licences, or licences of that class, are in general to be granted, renewed or transferred by them.
- (2) Regulations relating to entertainments to which paragraph 3 above applies may only prescribe standard conditions for the purposes specified in paragraph 4(4) above.
- (3) Where the appropriate authority have made regulations under sub-paragraph (1) above, every such licence granted, renewed or transferred by them shall be presumed to have been so granted, renewed or transferred subject to any standard conditions applicable to it unless they have been expressly excluded or varied.
- (4) Where the appropriate authority have made regulations under sub-paragraph (1) above, they shall, if so requested by any person, supply him with a copy of the regulations on payment of such reasonable fee as the authority may determine.
- (5) In any legal proceedings the production of a copy of any regulations made by the appropriate authority under sub-paragraph (1) above purporting to be certified as a true copy by an officer of the authority authorised to give a certificate for the purposes of this paragraph shall be prima facie evidence of such regulations, and no proof shall be required of the handwriting or official position or authority of any person giving such a certificate.

Enforcement

- [^{F4}11A(1) This paragraph applies where the authority by whom an entertainments licence was granted under paragraph 1 above in respect of a place receive a report from the chief officer of police—
- (a) stating that there is a serious problem relating to the supply or use of controlled drugs at the place or at any place nearby which is controlled by the holder of the licence; and

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- (b) giving reasons for his view that there is such a problem.
- (2) The authority may—
- (a) revoke the licence; or
 - (b) impose terms, conditions or restrictions on or subject to which it is to be held, on the ground that they are satisfied that to do so will significantly assist in dealing with the problem.
- (3) The authority shall give the reasons for their revocation of the licence, or the imposition of the terms, conditions or restrictions, to the holder of the licence who may make representations to the authority; and the authority shall consider any representations within the period of 21 days beginning with the day on which they receive them.
- (4) After considering any representations, the authority shall (unless the date of expiry of the licence has passed) either—
- (a) confirm that the licence remains revoked or continues to have effect on or subject to the terms, conditions or restrictions which have been imposed; or
 - (b) reinstate the licence or determine that it has effect free of those terms, conditions or restrictions.
- (5) The authority shall have regard in exercising their functions under this paragraph to such guidance as may be issued by the Secretary of State.]

Textual Amendments

F4 Sch. 1 para. 11A inserted (1.5.1998) by 1997 c. 49, s. 1(4); S.I. 1998/1009, art. 2

- 12 (1) If any entertainment to which paragraph 1, 2 or 3 above applies is provided at any place in respect of which a licence under the relevant paragraph is not in force, then, subject to sub-paragraph (3) below—
- (a) any person concerned in the organisation or management of that entertainment; and
 - (b) any other person who, knowing or having reasonable cause to suspect that such an entertainment would be so provided at the place,—
 - (i) allowed the place to be used for the provision of that entertainment; or
 - (ii) let the place, or otherwise made it available, to any person by whom an offence in connection with that use of the place has been committed,
- shall be guilty of an offence . . . ^{F5}
- (2) If any place in respect of which a licence under paragraph 1, 2 or 4 above is in force is used for any entertainment otherwise than in accordance with the terms, conditions or restrictions on or subject to which the licence is held, then, subject to sub-paragraph (3) and to paragraph 13 below,—
- (a) the holder of the licence; and
 - (b) any other person who, knowing or having reasonable cause to suspect that the place would be so used,—
 - (i) allowed the place to be so used; or

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(ii) let the place, or otherwise made it available, to any person by whom an offence in connection with that use of the place has been committed,

shall be guilty of an offence . . . ^{F5}

[^{F6}(2A) Any person guilty of an offence under sub-paragraph (1) or (2) above shall be liable on summary conviction—

- (a) in the case of an offence to which sub-paragraph (2B) below applies, to a fine not exceeding £20,000 or to imprisonment for a term not exceeding six months or to both;
- (b) in any other case, to a fine not exceeding level 5 on the standard scale.

(2B) This sub-paragraph applies to—

- (a) any offence under sub-paragraph (1) above where the entertainment provided is entertainment to which paragraph 1 or 3 above applies; and
- (b) any offence under sub-paragraph (2) above where the licence in force is a licence under paragraph 1 or 4 above and the terms, conditions or restrictions which are contravened or not complied with include one which imposes a limit on the number of persons who may be present at the entertainment.]

(3) It shall be a defence for a person charged with an offence under this paragraph to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.

[^{F7}(3A) It shall be a defence for a person charged with an offence under this paragraph to show that he holds a licence issued by the Security Industry Authority under section 8 of the Private Security Industry Act 2001 (c. 12) entitling him to act as a door supervisor or that the person he employed as a door supervisor holds such a licence and, in either case, that any conditions applicable to the licence were observed.]

(4) Subject to paragraph 17 below, the authority by whom an entertainments licence was granted may revoke it if its holder is convicted of an offence under sub-paragraph (2) (a) above.

[^{F8}(5) Where a person is convicted by a court of an offence under sub-paragraph (2) above in relation to a licence under paragraph 1 above in respect of a place, the court may revoke the licence if satisfied that—

- (a) there is a serious problem relating to the supply or use of controlled drugs at the place or at any place nearby which is controlled by the holder of the licence; and
 - (b) it will significantly assist in dealing with the problem to revoke the licence;
- and the standard of proof for the purposes of this sub-paragraph is that applicable in civil proceedings.]

Textual Amendments

- F5** Words repealed by virtue of [Entertainments \(Increased Penalties\) Act 1990 \(c. 20, SIF 45A\)](#), [s. 1\(3\)\(a\)](#)
- F6** Sch. 1 para. 12(2A)(2B) inserted by [Entertainments \(Increased Penalties\) Act 1990 \(c. 20, SIF 45A\)](#), [s. 1\(3\)\(b\)](#)
- F7** Sch. 1 para. 12(3A) inserted (19.4.2004) by [The Private Security Industry Act 2001 \(Modification of Local Enactments\) Order 2004 \(S.I. 2004/916\)](#), arts. 1, 4
- F8** Sch. 1 para. 12(5) inserted (1.5.1998) by [1997 c. 49, s. 1\(5\)](#); [S.I. 1998/1009, art. 2](#) (with art. 3)

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- 13 Where—
- (a) a special order of exemption has been granted in respect of premises under section 74(4) of the ^{M1}Licensing Act 1964; and
 - (b) the premises form all or part of a place in respect of which a licence under paragraph 1 above is for the time being in force,
- no person shall be guilty of an offence under paragraph 12(2) above by reason only of those premises being kept open on that special occasion for any of the purposes authorised by the licence after the latest hour so authorised but not later than the hour specified in that special order of exemption as the hour for closing.

Marginal Citations

M1 1964 c. 26.

- [^{F9}13A(1) Sub-paragraph (2) below applies where—
- (a) the Special Occasions licensing hours are (subject to any Special Occasions restriction order) to be added to the permitted hours in any premises, and
 - (b) the premises form all or part of a place in respect of which a licence under paragraph 1 above is for the time being in force.
- (2) No person shall be guilty of an offence under paragraph 12(2) above by reason only of the premises being kept open on New Year’s Eve for any of the purposes authorised by the licence after the latest hour so authorised.
- (3) For the purposes of sub-paragraph (2) above, “New Year’s Eve”—
- (a) does not include any time specified in a Special Occasions restriction order as not to be added to the permitted hours, but
 - (b) otherwise, includes any period immediately following New Year’s Eve during which the Special Occasions licensing hours continue.
- (4) Where, by virtue of a Special Occasions restriction order, the permitted hours together with any of the Special Occasions licensing hours to be added to them end at different times in different parts of the premises, each part shall be treated as separate premises for the purposes of this paragraph.
- (5) In this paragraph expressions used in the Regulatory Reform (Special Occasions Licensing) Order 2001 shall have the same meaning as in that Order.]

Textual Amendments

F9 Sch. 1 para. 13A inserted (21.11.2002) by [The Regulatory Reform \(Special Occasions Licensing\) Order 2002 \(S.I. 2002/3205\)](#), [art. 4](#)

- 14 (1) Where—
- (a) a constable; or
 - (b) an authorised officer of the appropriate authority; or
 - (c) an authorised officer of the fire authority,
- has reason to believe that an entertainment to which paragraph 1, 2 or 3 above applies is being, or is about to be, given in any place in respect of which an entertainments licence is for the time being in force, he may enter the place with a view to seeing

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whether the terms, conditions or restrictions on or subject to which the licence is held are complied with.

- (2) An authorised officer of the fire authority may, on giving not less than 24 hours' notice to the occupier of any place in respect of which an entertainments licence is for the time being in force, enter the place for the purpose of—
 - (a) inspecting the place to ensure that there are adequate fire precautions; and
 - (b) seeing whether the terms, conditions or restrictions relating to fire precautions on or subject to which the licence is held are being complied with.
- (3) A constable or authorised officer of the appropriate authority may enter any place in respect of which he has reason to suspect that an offence under paragraph 12 above is being committed if authorised to do so by a warrant granted by a justice of the peace.
- (4) Where an authorised officer of the appropriate authority or of the fire authority enters any place in exercise of any power under this paragraph he shall, if required to do so by the occupier, produce to him his authority.
- (5) Any person who without reasonable excuse refuses to permit a constable or officer to enter or inspect any place in accordance with the provisions of this paragraph shall be guilty of an offence and shall for every such refusal be liable on summary conviction to a fine not exceeding [^{F10}level 3 on the standard scale].

Textual Amendments

F10 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 46

Provisional grant of licences

- 15 (1) Where application is made to the appropriate authority for the grant of an entertainments licence in respect of premises which are to be, or are in the course of being, constructed, extended or altered and the authority are satisfied that the premises would, if completed in accordance with plans deposited in accordance with the requirements of the authority, be such that they would grant the licence, the authority may grant the licence subject to a condition that it shall be of no effect until confirmed by them.
- (2) The authority shall confirm any licence granted by virtue of the foregoing sub-paragraph if and when they are satisfied that the premises have been completed in accordance with the plans referred to in sub-paragraph (1) above or in accordance with those plans as modified with the approval of the authority, and that the licence is held by a fit and proper person.

Variation of licences

- 16 (1) The holder of an entertainments licence may at any time apply to the appropriate authority for such variations of the terms, conditions or restrictions on or subject to which the licence is held as may be specified in the application.
- (2) An authority to whom an application under sub-paragraph (1) above is made may—
 - (a) make the variations specified in the application;

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- (b) make such variations as they think fit, including, subject to paragraph 4(4) above, the imposition of terms, conditions or restrictions other than those so specified; or
- (c) refuse the application.

[^{F11}16A An applicant for the variation of the terms, conditions or restrictions on or subject to which an entertainments licence is held shall pay a reasonable fee determined by the appropriate authority.]

Textual Amendments

F11 Sch. 1 para. 16A inserted by Fire Safety and Safety of Places of Sport Act 1987 (c. 27, SIF 81:1), ss. 46, 49(2), Sch. 5 para. 9

Appeals

- 17 (1) Any of the following persons, that is to say—
- (a) an applicant for the grant, renewal or transfer of an entertainments licence in respect of any place whose application is refused;
 - (b) an applicant for the variation of the terms, conditions or restrictions on or subject to which any such licence is held whose application is refused;
 - (c) a holder of any such licence who is aggrieved by any term, condition or restriction on or subject to which the licence is held; or
 - (d) a holder of any such licence whose licence is revoked under paragraph [^{F12}11A or] 12(4) above,
- may at any time before the expiration of the period of 21 days beginning with the relevant date appeal to the magistrates' court acting for the petty sessions area in which the place is situated.
- (2) In this paragraph “the relevant date” means the date on which the person in question is notified of the refusal of his application, the imposition of the term, condition or restriction by which he is aggrieved or the revocation of his licence, as the case may be [^{F13}; but in a case where a decision is made under paragraph 6A(5) or 11A(4) above means the date on which the person in question is notified of the decision.]
- (3) An appeal against the decision of a magistrates' court under this paragraph [^{F14}or under paragraph 12(5) above] may be brought to the Crown Court.
- (4) On an appeal to the magistrates' court or the Crown Court under this paragraph the court may make such order as it thinks fit.
- (5) Subject to sub-paragraphs (6) to (9) below, it shall be the duty of the appropriate authority to give effect to an order of the magistrates' court or the Crown Court.
- (6) The appropriate authority need not give effect to the order of the magistrates' court until the time for bringing an appeal under sub-paragraph (3) above has expired and, if such an appeal is duly brought, until the determination or abandonment of the appeal.
- (7) Where any entertainments licence is revoked under paragraph 12(4) above or an application for the renewal of such a licence is [^{F15}refused otherwise than on the ground specified in paragraph 6A(2) above,] the licence shall be deemed to remain in force—

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- (a) until the time for bringing an appeal under this paragraph has expired and, if such an appeal is duly brought, until the determination or abandonment of the appeal; and
- (b) where an appeal relating to the refusal of an application for such a renewal is successful and no further appeal is available, until the licence is renewed by the appropriate authority.

[^{F16}(7A) A court which revokes an entertainments licence under paragraph 12(5) above may, if in the particular circumstances it would be unfair not to do so, order that the licence shall remain in force—

- (a) until the time for bringing an appeal against the revocation has expired; and
- (b) if such an appeal is duly brought, until the determination or abandonment of the appeal.]

(8) Where—

- (a) the holder of an entertainments licence makes an application under paragraph 16 above; and
- (b) the appropriate authority impose any term, condition or restriction other than one specified in the application,

the licence shall be deemed to be free of it until the time for bringing an appeal under this paragraph has expired.

(9) Where an appeal is brought under this paragraph against the imposition of any such term, condition or restriction, the licence shall be deemed to be free of the term, condition or restriction until the determination or abandonment of the appeal.

Textual Amendments

- F12** Words in Sch. 1 para. 17(1)(d) inserted (1.5.1998) by 1997 c. 49, s. 1(6)(a); S.I. 1998/1009, art. 2
- F13** Words in Sch. 1 para. 17(2) inserted (1.5.1998) by 1997 c. 49, s. 1(6)(b); S.I. 1998/1009, art. 2
- F14** Words in Sch. 1 para. 17(3) inserted (1.5.1998) by 1997 c. 49, s. 1(6)(c); S.I. 1998/1009, art. 2
- F15** Words in Sch. 1 para. 17(7) substituted (1.5.1998) by 1997 c. 49, s. 1(6)(d); S.I. 1998/1009, art. 2
- F16** Sch. 1 para. 17(7A) inserted (1.5.1998) by 1997 c. 49, s. 1(6)(e); S.I. 1998/1009, art. 2

Miscellaneous

18 Where a place in respect of which an entertainments licence has been granted constitutes a roller skating rink within the meaning of section 75(2)(b) of the ^{M2}Public Health Act 1961, it shall not be subject to any byelaws made under section 75 for so long as the licence is in force.

Marginal Citations

- M2** 1961 c. 64.

Savings and transitional provisions

19 (1) Any licence relating to public entertainments which was granted under an enactment repealed by this Act and which is in force immediately before the commencement date—

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- (a) shall have effect as from the commencement date as if granted under this Act by the appropriate authority on and subject to terms, conditions and restrictions corresponding to those on and subject to which it is held immediately before the commencement date; and
- (b) in the case of a licence granted or renewed for a specified period, shall remain in force, subject to paragraphs 10, 12(4) and 16(2) of this Schedule, for so much of that period as falls on or after the commencement date.
- (2) Where an appeal under any enactment mentioned in sub-paragraph (1) above has been brought in respect of a licence before the commencement date but has not been determined or abandoned before that date, the provisions of paragraph 17 above shall apply to proceedings relating to the appeal as if the appeal had been brought under that paragraph.
- 20 (1) Nothing in this Schedule shall affect—
- (a) the application of the ^{M3}Private Places of Entertainment (Licensing) Act 1967 to an area in respect of which an adoption has been made under section 1 of that Act; or
- (b) the validity of any licence granted under that Act before the commencement date.
- (2) Where by virtue of such an adoption made before the commencement date the Private Places of Entertainment (Licensing) Act 1967 applies to part only of a district, the district council may adopt that Act in respect of the remaining part of that district.

Marginal Citations

M3 1967 c. 19.

- 21 Nothing in this Schedule shall affect—
- (a) section 3 of the ^{M4}Sunday Entertainments Act 1932;
- [^{F17}(b) section 19 of the Cinemas Act 1985;]
- (c) paragraph 1 of Schedule 3 to the Revision of the ^{M5}Army and Air Force Acts (Transitional Provisions) Act 1955;
- (d) section 182(1) of the ^{M6}Licensing Act 1964;
- (e) section 12 of the ^{M7}Theatres Act 1968; or
- (f) section 31 of the ^{M8}Fire Precautions Act 1971.

Textual Amendments

F17 Sch. 1 para. 21(b) substituted by Cinemas Act 1985 (c. 13, SIF 45A), s. 24(1), Sch. 2 para. 15

Marginal Citations

M4 1932 c. 51.

M5 1955 c. 20.

M6 1964 c. 26.

M7 1968 c. 54.

M8 1971 c. 40.

Status: Point in time view as at 01/09/2004.

Changes to legislation: There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1982, SCHEDULE 1. (See end of Document for details)

Supplemental

22 In this Schedule—

“the appropriate authority” means—

- (i) in relation to any place in England and Wales, the district council for the area in which the place is situated; or
- (ii) in relation to any place situated in the Isles of Scilly, the Council of the Isles of Scilly;

“the chief officer of police”, in relation to any place, means the chief officer of police for the police area in which the place is situated;

“the commencement date” means 1st January 1983;

[^{F18}“controlled drugs” has the same meaning as in the ^{M9}Misuse of Drugs Act 1971;]

“an entertainments licence” means a licence granted under this Schedule;

“fire authority”, in relation to any place, means the authority discharging in the area in which the place is situated the functions of fire authority under the ^{M10}Fire Services Act 1947;

“place of public religious worship” means a place of public religious worship which belongs to the Church of England or to the Church in Wales (within the meaning of the ^{M11}Welsh Church Act 1914), or which is for the time being certified as required by law as a place of religious worship;

“pleasure fair” has the meaning assigned to it by section 75(2)(a) of the ^{M12}Public Health Act 1961.

Textual Amendments

F18 Definition of
“controlled drugs”
in Sch. 1 para. 22 inserted (1.5.1998) by 1997 c. 49, s. 1(7); S.I. 1998/1009, art. 2

Marginal Citations

M9 1971 c. 38.
M10 1947 c. 41.
M11 1914 c. 91.
M12 1961 c. 64.

Status:

Point in time view as at 01/09/2004.

Changes to legislation:

There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1982, SCHEDULE 1.