



Licensing Act 1988

1988 CHAPTER 17

Permitted hours

8 Power to vary permitted hours in on-licensed vineyard premises.

The following section shall be inserted after section 87 of the principal Act—

“87A Power to vary permitted hours in on-licensed vineyard premises

- (1) Licensing justices, on an application by the holder of a justices' on-licence for any premises which form part of a vineyard, may make an order varying the permitted hours in those premises if, after hearing evidence, they are satisfied—
 - (a) that the sale of intoxicating liquor on the premises is ancillary to the carrying on of a business of producing wine from grapes grown in the vineyard; and
 - (b) that it is desirable to make an order under this section for the accommodation of persons visiting the vineyard.
- (2) An order under this section may vary the permitted hours either generally or for such days or part or parts of the year as the licensing justices think fit.
- (3) In making an order under this section with respect to permitted hours on weekdays, other than Christmas Day or Good Friday, licensing justices may not so vary the hours as to make them exceed in total more than twelve hours on any day.
- (4) In making an order under this section with respect to permitted hours on Sundays, Christmas Day or Good Friday, licensing justices may not so vary the hours as to make them—
 - (a) begin before twelve noon; or
 - (b) exceed in total more than five and a half hours on any day.
- (5) A person intending to apply for an order under this section shall give notice in writing of his intention to the clerk to the licensing justices and the chief officer

Status: This is the original version (as it was originally enacted).

of police at least 21 days before the commencement of the licensing sessions at which the application is to be made.

- (6) Licensing justices shall not hear an application for an order under this section unless notice under subsection (5) of this section has been duly given.
- (7) Licensing justices may revoke or vary an order under this section; but, unless it is proved that the holder of the justices' on-licence had notice of the revocation or variation, a person shall not be guilty of an offence under section 59 of this Act in doing anything that would have been lawful had the revocation or variation not been made."