

Refreshment Houses Act 1967

1967 CHAPTER 38

An Act to amend the Refreshment Houses Acts 1860 and 1964; and for purposes connected therewith.

[28th June 1967]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Power to impose conditions on grant or renewal of licence for refreshment house.

1.—(1) A licensing authority if satisfied that it is desirable so to do, in order to avoid unreasonable disturbance to residents of the neighbourhood, may on the grant or renewal of a licence for a refreshment house impose a condition prohibiting the opening or keeping open of the refreshment house for public refreshment, resort or entertainment at any time between such time (not being earlier than eleven of the clock at night) as may be specified in the condition and five of the clock in the morning.

(2) In the event of any contravention of a condition imposed by the licensing authority under this section, the keeper of the refreshment house shall be guilty of an offence and liable on summary conviction to a fine not exceeding two hundred pounds or to imprisonment for a term not exceeding three months or to both.

Appeal.

2.—(1) Any person aggrieved by a condition imposed under the provisions of this Act on the grant or renewal of a licence for a refreshment house may appeal to a magistrates' court; and the court may on such appeal give such directions with respect to the condition subject to which the licence is to be granted or renewed (including a direction that no condition is to be imposed) as it thinks proper.

(2) Any party to an appeal under subsection (1) of this section may appeal from the decision of the magistrates' court to a court of quarter sessions.

Amendment of section 3 of Refreshment Houses Act 1964.
1964 c. 88.
1860 c. 27.

3. In section 3(2) of the Refreshment Houses Act 1964 (which provides that on a person's conviction in relation to any premises of certain offences the court may make a disqualification order) after the words " the Refreshment Houses Act 1860 " there shall be inserted the words " or under section 1 of the Refreshment Houses Act 1967 ".

Administration of refreshment house licence and duties thereon.
1949 c. 47.

4.—(1) Licences under the Refreshment Houses Act 1860 and the duties thereon shall cease to be excise licences and excise duties respectively.

(2) Section 15(2) of the Finance Act 1949 (application of excise code to management by local authorities of duties transferred to them under that section) and section 15(7) of that Act (orders giving effect to the transfer of the duties) shall cease to have effect in relation to licences under the said Act of 1860 and the duties on those licences.

(3) In section 16 of the said Act of 1860 (list or register of licence holders to be kept in each area) for the words from " at the office " onwards there shall be substituted the words " by the licensing authority, and the authority shall whenever required, give to the clerk to the justices for their area or any part of it a copy or extract from the list or register ".

Short title, interpretation, extent and commencement.

5.—(1) This Act may be cited as the Refreshment Houses Act 1967, and the Refreshment Houses Acts 1860 and 1964 and this Act may be cited together as the Refreshment Houses Acts 1860 to 1967.

(2) In this Act " refreshment house " has the same meaning as in the Refreshment Houses Act 1860, " licence " means a licence under that Act, and " licensing authority " shall be construed accordingly.

(3) This Act shall not extend to Scotland or to Northern Ireland.

(4) This Act shall come into operation at the expiration of the period of one month beginning with the day on which it is passed.