



London Local Authorities Act 1995

1995 CHAPTER x

PART IV

NEAR BEER LICENSING

14 Interpretation of Part IV

In this Part of this Act—

“the Act of 1964” means the Licensing Act 1964;

“near beer premises” means any premises, vehicle, vessel or stall used for a business which—

(a) consists to a significant degree in—

(i) the sale to customers for consumption on the premises of liquid refreshments which include in their trade description any of the following words:— beer, lager, pils, shandy, cider, wine, champagne, cocktail, sherry, gin, brandy, whisky, vodka or other words which imply that the liquid refreshment contains or can reasonably be expected to contain alcohol; or

(ii) the sale to customers for consumption on the premises of liquid refreshments which consist of any beverage commonly expected to contain alcohol or calculated to represent any alcoholic beverage; and

(b) offers, expressly or by implication, whether on payment of a fee or not, either or both of the following:—

(i) the provision of companions for customers on the premises; or

(ii) the provision of live entertainment on the premises;

but does not include any such premises in which the sale to customers for consumption of intoxicating liquor is provided exemption or saving from the provisions of the Act of 1964 by virtue of section 199 of that Act or in respect of which there is in force—

(A) a justices' on-licence within the meaning of section 1 (2) of the Act of 1964;

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (B) a licence granted by the council under Schedule 12 to the London Government Act 1963, section 21 (Licensing of public exhibitions, etc.) of the Greater London Council (General Powers) Act 1966 or the Private Places of Entertainment (Licensing) Act 1967;
- (C) a licence granted by the council under the Theatres Act 1968 for the performance of plays;
- (D) a licence granted by the council under the Cinemas Act 1985;
- (E) a licence granted by licensing justices under section 148 (licences for seamen’s canteens authorising the holding of retailer’s on-licences) of the Act of 1964;
- (F) a permission granted by licensing justices under section 1 (grant of occasional permissions) of the Licensing (Occasional Permissions) Act 1983;
- (G) an occasional licence granted under section 180 (consent to grant of occasional licence) of the Act of 1964;

during the hours permitted by such licence or, in the case of premises to which sub-paragraph (A) above applies, until the expiration of 30 minutes after the end of the hours permitted by such licence:

Provided that the premises are in use wholly or mainly and bona fide for the purpose authorised by such licence; and

does not include any such premises in respect of which there is in force a licence under Part II of the Gaming Act 1968;

“occupier” in relation to any premises means an occupier who is—

- (a) the freeholder; or
- (b) a lessee; or
- (c) a tenant holding a tenancy of at least one year in duration.