



London Local Authorities Act 1995

1995 CHAPTER x

PART IV

NEAR BEER LICENSING

26 Seizure

- (1) Any police officer who enters any premises by virtue of the powers contained in subsection (1) of section 25 (Powers of entry under Part IV) of this Act or any authorised officer who enters any premises under the authority of a warrant granted under subsection (2) of the said section 25 of this Act may seize and remove any apparatus or equipment or other thing whatsoever found on the premises which he has reasonable cause to believe may be liable to be forfeited under section 43 of the Powers of Criminal Courts Act 1973.
- (2)
 - (a) The following provisions of this subsection shall have effect where any apparatus or equipment or any other thing is seized under subsection (1) above and references in those provisions to proceedings are to proceedings in respect of the alleged offence in relation to which the article or thing is seized.
 - (b) Subject to paragraphs (c) and (d) below, at the conclusion of the proceedings the apparatus, equipment or thing shall be returned to the premises from which it was seized unless the court orders it to be forfeited under any enactment.
 - (c) If no proceedings are instituted before the expiration of a period of 28 days beginning with the date of seizure, or any proceedings instituted within that period are discontinued, at the expiration of that period or, as the case may be, on the discontinuance of the proceedings, the apparatus, equipment or thing shall, subject to paragraph (d) below, be returned to the premises from which it was seized.
 - (d) Where, at the time at which any apparatus, equipment or thing falls to be returned under paragraph (b) or (c) above, the premises from which it was seized have ceased to be occupied or the occupier of the premises appears to the council to be different from the person who occupied the premises at the time of seizure the council may, instead of returning it to the premises apply

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to a magistrates' court for an order as to the manner in which it should be dealt with.