

SCHEDULES

SCHEDULE 9

Section 102.

THE CARLISLE DISTRICT

PART I

EXTENT OF THE DISTRICT

The City of Carlisle, the petty-sessional division of Cumberland Ward (except so much of the old parish of Castle Sowerby as is comprised in the parish of Dalston), so much of the old parish of Dalston as is comprised in the parish of Skelton in the petty-sessional division of Penrith, the petty-sessional division of Mary-port, so much of the petty-sessional division of Wigton as lies to the north-west of a line drawn parallel to and one-quarter of a mile south-east of the main road from Carlisle to Coekermouth, the petty-sessional division of Longtown (except the parishes of Nichol Forest, Solport, and Bewcastle, and the old parish of Bellbank), and the parishes of Bothel and Threapland, Plumbland, Gilcrux and Broughton Moor and the old parishes of Tallentire and Dovenby, in the petty-sessional division of Coekermouth, all in the county of Cumberland.

In this Part of this Schedule the expression " old parish " means a parish as existing immediately before the coming into operation of the Cumberland Review Order 1934.

PART II

ANCILLARY FUNCTIONS EXERCISABLE BY SECRETARY OF STATE

- 1 The provision and maintenance in the Carlisle district of hotels and inns where accommodation and meals are provided and intoxicating liquor is sold.
- 2 The provision and maintenance in the Carlisle district of premises where meals and refreshments may be obtained, whether or not intoxicating liquor is sold in the premises.
- 3 The provision of entertainment or recreation at premises in the Carlisle district provided by the Secretary of State for the sale of intoxicating liquor, meals or refreshments.
- 4 The brewing of beer (as defined in section 307 of the Customs and Excise Act 1952), the blending, reducing or bottling of any intoxicating liquor and the manufacture of table waters, that is to say, aerated waters and beverages sold or kept for sale in bottles, other than—
 - (a) liquors for the sale of which an excise licence is required, or
 - (b) syrups or other liquors intended to be consumed only in a diluted form, for sale in, or to persons in, the Carlisle district.

Status: This is the original version (as it was originally enacted).

- 5 The provision and maintenance of storage accommodation, and the provision of transport, in connection with the carrying on of any activity referred to in the preceding provisions of this Part of this Schedule.
- 6 The carrying on of any business which, by reason of being carried on outside the Carlisle district, does not fall within section 102 of this Act or the preceding provisions of this Schedule, so long as the business is carried on in the premises in which immediately before 30th July 1949 it was being carried on on behalf of the Secretary of State in pursuance of any of the provisions of Part II of the Licensing Act 1921 or Schedule 3 to that Act.
- 7 The carrying on of such activities and the doing of such things (including, without prejudice to the generality of this paragraph, the purchase of the whole or any part of any business and the assets and liabilities thereof) incidental to any of the activities specified in section 102 of this Act and the preceding provisions of this Schedule as appear to the Secretary of State expedient.

PART III

SUPPLEMENTAL PROVISIONS AS TO THE EXERCISE OF FUNCTIONS OF SECRETARY OF STATE

- 8 Notwithstanding anything in the enactments relating to the sale and supply of intoxicating liquor, to the sale of tobacco and to entertainment and recreation, any of the activities specified in section 102 of this Act and Part II of this Schedule may be carried on by or on behalf of the Secretary of State, in premises occupied by him, without the need for any licence, and shall not be subject to any restrictions imposed by law on the carrying on of such activities ; but any person engaged in any such activity on behalf of the Secretary of State shall be subject to any statutory provisions affecting the holders of licences, and the occupiers of premises licensed, for that activity in like manner as if he were the holder of the appropriate licence, and to any restrictions imposed by law on persons carrying on that activity.
- 9 (1) Any instrument in connection with the acquisition, management or disposal of any land or other property in the exercise of the functions of the Secretary of State relating to the Carlisle district, being an instrument to which the Secretary of State is expressed to be a party, shall be deemed to be validly executed by him if it is executed on his behalf by an Under-Secretary of State or any other person authorised in that behalf by the Secretary of State ; and any such instrument purporting to have been executed as aforesaid on behalf of the Secretary of State shall, until the contrary is proved, be deemed to have been so executed on his behalf.
- (2) The method provided by sub-paragraph (1) of this paragraph for the execution of such an instrument as is mentioned in that sub-paragraph shall be in addition to any other method available by law for the execution of such an instrument on behalf of the Secretary of State; and this paragraph shall not be construed as affecting the validity of any method by which other instruments may be executed on behalf of the Secretary of State.