



# Licensing Act 1964

## 1964 CHAPTER 26

### PART VII

#### LICENSING PLANNING AREAS

#### 126 Temporary premises

- (1) A licensing planning committee may, on the application of a person intending to make an application under subsection (2) of this section in respect of a justices' licence for premises in its area, certify, in the prescribed form, that for such period as may be specified in the certificate the committee has no objection to the business of the holder of the licence being carried on in such temporary premises in the area as may be so specified.
- (2) Where such a certificate is given, then, subject to the following provisions of this section.—
  - (a) an application may be made to the licensing justices for the removal of the licence to the temporary premises so specified, and
  - (b) a subsequent application may be made to licensing justices for the removal of the licence from those premises to premises on the site of the premises to which the licence related before the removal to the temporary premises,in all respects as if those removals (in this Act referred to as "temporary premises removals") were planning removals for which proposals had been confirmed under this Part of this Act; and section 122 of this Act shall apply accordingly.
- (3) Where, before such a certificate is given, proposals for the planning removal of the licence have been confirmed under this Part of this Act, but the licence has not been removed, paragraph (b) of subsection (2) of this section shall have effect as if for the reference to premises on the site of the premises to which the licence related before the removal to the temporary premises there were substituted a reference to the premises to which the licence is to be removed in pursuance of the planning removal.
- (4) Subject to section 141(6) of this Act, where a licence is removed to temporary premises by virtue of a temporary premises removal, the licence shall, at the expiry of the period

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*Status: This is the original version (as it was originally enacted).*

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specified in the certificate of the licensing planning committee, or such longer period, if any, as the committee may allow, become void unless it has previously been removed to other premises.

- (5) Where a certificate is given under subsection (1) of this section, the temporary premises specified in the certificate shall be treated for the purposes of section 5 of this Act as structurally adapted to the licence; but nothing in this subsection shall require justices to grant a removal to, or to renew a licence for, any premises which in their opinion are not proper to be used, for the period specified in the certificate or, as the case may be, for the further period allowed by the committee, for the purposes of the business of the holder of the licence.
- (6) Nothing in this section shall limit the powers conferred by this Part of this Act as to the granting of planning removals ; and in the provisions of this Part of this Act conferring those powers, and in the preceding provisions of this section, references to removals include references to removals to or from temporary premises from or to other premises on the same site.
- (7) In this section " temporary premises" includes all premises, whether temporary in their nature or not, which it is not intended to use permanently for the purposes of the business in question.