



Licensing Act 1964

1964 CHAPTER 26

PART I

THE GENERAL LICENSING SYSTEM

Old on-licences

14 Compensation on refusal to renew or transfer an old on-licence

- (1) If the compensation authority refuse to renew or transfer an old on-licence, they shall pay as compensation to the persons interested in the licensed premises the difference between the value of those premises as licensed and their value as unlicensed.
- (2) For the purposes of subsection (1) of this section the licence shall be assumed to be subject to the same conditions of renewal as were applicable immediately before 15th August 1904; and there shall be assumed to be included in the value of the licensed premises the amount of the depreciation of the trade fixtures arising by reason of the refusal to renew or transfer the licence.
- (3) The amount to be paid as compensation shall, in default of agreement between the several persons appearing to the compensation authority to be interested in the licensed premises and the authority, be determined by the Commissioners of Inland Revenue in the same manner, and subject to the same appeal under section 10 of the Finance Act 1894 to the High Court, as on the valuation of an estate for the purpose of estate duty; and the amount of compensation shall be divided among the persons interested in the licensed premises, including the holder of the licence, in such shares as the compensation authority may determine.
- (4) For the purposes of subsection (3) of this section regard shall be had not only to the legal interest of the holder of the licence in the premises or trade fixtures, but also to his conduct and the length of time that he has held the licence; and, notwithstanding any agreement to the contrary, a tenant who is the holder of a justices' licence shall not receive less than he would be entitled to as tenant from year to year of the licensed premises.

Status: This is the original version (as it was originally enacted).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

- (5) The compensation authority may refer to the county court any question arising on the division of the compensation that the authority consider can be more conveniently determined by that court.
- (6) Any costs incurred by the Commissioners of Inland Revenue on an appeal from their decision to the High Court under this section shall be paid out of the amount of the compensation unless the High Court orders those costs to be paid by some other party to the appeal.