



2014 CHAPTER 9

Supplementary

Definitions

30.—(1) In this Act—

“the area covered by the licence”, in relation to a pavement café licence, has the meaning given by section 5(2) or, where the licence relates to more than one public area, the meaning given by section 5(4)(b);

“authorised officer” means a person authorised by a council for the purposes of this Act;

“business” includes any business whether or not carried on for profit;

“council” means a district council;

“the Department” means the Department for Social Development;

“furniture” has the meaning given by section 1(3);

“intoxicating liquor” has the same meaning as in the Licensing Order;

“licensed under the Licensing Order”, in relation to premises, has the meaning given by subsection (2);

“the Licensing Order” means the Licensing (Northern Ireland) Order 1996;

“market area” means a place where a person has a right (exercisable at particular times) to hold a market or fair; and in this definition “right” means a right acquired by virtue of a grant (including a presumed grant) or acquired or established by virtue of a statutory provision;

“pavement café licence” has the meaning given by section 1(1);

“the period allowed for representations”, in relation to an application, has the meaning given by section 10(5);

Changes to legislation: There are currently no known outstanding effects for the Licensing of Pavement Cafés Act (Northern Ireland) 2014, Section 30. (See end of Document for details)

“place”, when used as a verb, is to be read in accordance with section 1(7);

“premises” includes any place other than a public area, and any stall, moveable structure, vehicle or vessel;

“prescribed” means prescribed by regulations;

“public area” has the meaning given by section 1(2);

“regulations” means regulations made by the Department;

“sale of intoxicating liquor by retail” is to be read in accordance with Article 2(6) of the Licensing Order;

“statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954;

“supplied”, in relation to food and drink, is to be read in accordance with section 1(6);

“temporary”, in relation to furniture, is to be read in accordance with section 1(4) and (5);

“variation”—

(a) in relation to conditions specified in a licence under section 6(3), has the meaning given by section 8(8);

(b) in relation to the area covered by a pavement café licence, has the meaning given by section 8(9);

“working day” means a day which is not a Saturday, Sunday or public holiday.

(2) For the purposes of this Act, premises are “licensed under the Licensing Order” if they are premises in which the sale of intoxicating liquor by retail is authorised by a licence under the Licensing Order other than an occasional licence within the meaning of that Order.

(3) References in this Act to a business “involving” the supply of food or drink to members of the public, or of a section of the public, include a business where such supply of food and drink is ancillary to the principal activity of the business.

(4) A stall, moveable structure, vehicle or vessel in or from which food or drink is supplied is to be treated for the purposes of this Act as premises situated at the place where the stall, moveable structure, vehicle or vessel is when being used for the supply of food or drink.

(5) If a stall, moveable structure, vehicle or vessel is used for the supply of food or drink at more than one place, the premises which by virtue of subsection (4) are to be treated as situated at each such place are to be treated as separate premises.

Changes to legislation:

There are currently no known outstanding effects for the Licensing of Pavement Cafés Act (Northern Ireland) 2014, Section 30.