

ELIZABETH II



1976 CHAPTER xxxi

An Act to confirm a Provisional Order made by the Secretary of State under the Local Government Act 1972 relating to the Royal County of Berkshire.

[15th November 1976]

WHEREAS the Provisional Order set forth in the Schedule annexed hereto has been made by the Secretary of State under the Local Government Act 1972 and it is requisite 1972 c. 70. that the said Order be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The Order of the Secretary of State which as amended is set out in the Schedule to this Act is hereby confirmed. Confirmation of Order in Schedule.

2. This Act may be cited as the Royal County of Berkshire Short title, (Public Entertainment) Provisional Order Confirmation Act 1976.

*Royal County of Berkshire (Public
Entertainment) Provisional Order
Confirmation Act 1976*

SCHEDULE

ROYAL COUNTY OF BERKSHIRE (PUBLIC ENTERTAINMENT)

Provisional Order to extend throughout the Royal County of Berkshire the provisions of the Berkshire County Council Act 1953 relating to the control of public entertainment; and for related purposes.

1972 c. 70. In exercise of the powers conferred upon me by section 262(8) and (10) of the Local Government Act 1972 I, the Right Honourable Roy Jenkins, One of Her Majesty's Principal Secretaries of State, do hereby make the following Order:—

Citation and commencement. 1. This Order may be cited as the Royal County of Berkshire (Public Entertainment) Order 1976 and shall come into operation on the date of confirmation.

Interpretation. 2. In this Order—
 “ the date of confirmation ” means the date on which the Act of Parliament confirming this Order is passed;
 “ the 1953 Act ” means the Berkshire County Council Act 1953;
 “ the 1890 Act ” means the Public Health Acts Amendment Act 1890.

Extension of music and dancing control. 3.—(1) Subject to Article 4 below, sections 74 and 76 to 83 of the 1953 Act (control of public dancing singing music and other public entertainment of the like kind) shall extend throughout the area of the Royal County of Berkshire.

1936 c. 49. (2) For the purposes of the provisions extended by paragraph (1) above the following provisions of the 1953 Act shall also extend throughout the said area, namely, sections 4 (Interpretation), 196 (Restriction on right to prosecute), 200 (Appeals) and 202 (Application of provisions of the Public Health Act 1936).

Exclusion of section 51 of the 1890 Act. 4. The provisions extended by Article 3 above shall have effect in the Borough of Reading to the exclusion of section 51 of the 1890 Act (an enactment for purposes which correspond with purposes of the provisions extended by Article 3(1) above) as applied to the said Borough by paragraph 24 of Schedule 14 to the Local Government Act 1972.

Modification of the application of section 76 of the 1953 Act. 5. Notwithstanding anything contained in section 76(1) of the 1953 Act the provisions of section 74 of that Act shall come into force in the Boroughs of Reading and Slough and the parishes of Datchet, Eton, Horton and Wraysbury in the Royal Borough of Windsor and Maidenhead on the expiration of a period of two months beginning with the date of confirmation and—

(a) in the said section 74 the expression “ the commencement of this section ” shall be construed accordingly;

(b) the requirements of subsections (2), (3) and (4) of the said section 76 as to notice shall, where applicable, be deemed to have been complied with.

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6.—(1) Subject to paragraph (2) below, a licence granted under Transitional section 51 of the 1890 Act that is in force in respect of any premises in the Borough of Reading immediately before the date of confirmation shall not be invalidated by the exclusion of the said section 51 but shall have effect as from the date of confirmation as if granted under section 74 of the 1953 Act on and subject to the terms, conditions and restrictions (if any) subject to which it is held immediately before that date. provisions.

(2) A licence to which paragraph (1) above applies shall remain in force for so much of the period for which it was originally granted as falls on or after the date of confirmation or for a period of six months beginning with that date, whichever is the longer.

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