



London Local Authorities Act 2004

2004 CHAPTER i

PART 5

MISCELLANEOUS

19 Night café licensing

- (1) In section 4 (Interpretation of Part II) of the [London Local Authorities Act 1990 \(c. vii\)](#), in the definition of “night café”, for paragraphs (a) and (b) there shall be substituted—
 - “(a) any premises in a borough which are kept open, for public refreshments, at any time between 11pm and 5am; or
 - (aa) any premises in a borough which—
 - (i) are kept open, for public refreshment on the premises, at any time between 5am and 11pm; and
 - (ii) are also open, but not for that purpose, at any time between 11pm and 5am; or
 - (b) any premises in a borough where meals or refreshments are supplied, for consumption exclusively off the premises, at any time between midnight and 5am; or”.
- (2) The said section 4 as so amended shall be renumbered as subsection (1) of that section and after that provision as so renumbered there shall be inserted—
 - “(2) Paragraph (aa) of the definition of “night café” in subsection (1) above does not apply to any premises solely because persons are allowed to remain in the premises in order to finish the consumption of refreshment provided to them before 11pm, at any time between 11pm and 11.20pm.”.
- (3) Section 17 (which makes provision about powers of entry in respect of night cafés) of the said Act of 1990 applies in the area of a borough council as if, after subsection (1) (b), the following paragraph were inserted—
 - “(c) An authorised officer may at all reasonable times enter upon, inspect and examine premises which are licensed under this Part of this Act

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to ascertain whether conditions attached to the licence by virtue of section 6 (Licensing) of this Act are being complied with.”.