



London Local Authorities Act 2007

2007 CHAPTER ii

PART 3

LICENSING

CHAPTER 1

HOSTESS BARS AND NEAR BEER PREMISES

33 Hostess bars

- (1) This section shall come into operation—
 - (a) at the end of the period of two months beginning with the date on which this Act is passed, as regards the City of Westminster;
 - (b) as from the appointed day as regards any other borough, where the borough council have resolved in accordance with subsection (1) of section 12 (amendment of law relating to sex establishments) of the [Greater London Council \(General Powers\) Act 1986 \(c. iv\)](#) that the amendments to Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (c. 30) set out in subsection (4) of that section shall apply in their area.
- (2) The said Schedule 3 shall apply in the area of the borough as follows.
- (3) In paragraph 2, after the words “sex encounter establishment” the words “, a hostess bar” are inserted.
- (4) Paragraph 3A (inserted, as far as that Schedule applies in Greater London, by section 12 of the Greater London Council (General Powers) Act 1986) is renumbered as sub-paragraph 3A(1) and the following sub-paragraph is inserted after it—
 - “(2) In sub-paragraph (1) above, “premises” includes any vehicle, vessel or stall.”.
- (5) After paragraph 3A, the following paragraph is inserted—

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“Meaning of “hostess bar”

- 3B (1) Subject to sub-paragraph (2) below, in this Schedule “hostess bar” means—
- (a) any premises used for a business which consists, whether in whole or in part, of the offering, expressly or by implication, whether on payment of a fee or not, of the provision of companions for customers on the premises; or
 - (b) any premises in respect of which any impression, by whatever means, is given to customers, or potential customers, that a performance, entertainment, service, exhibition or other experience of a sexual nature is available on the said premises; or
 - (c) any premises in respect of which any impression, by whatever means, is given to customers, or potential customers, that alcoholic refreshments are available on the said premises despite the premises not being the subject of a premises licence or a club certificate under the 2003 Act.
- (2) The following premises are not hostess bars for the purposes of this paragraph, namely—
- (a) premises in which the sale to customers for consumption of alcohol is not a licensable activity under or by virtue of the 2003 Act;
 - (b) premises in respect of which there is in force—
 - (i) a licence granted by the council under section 21 (licensing of public exhibitions, etc.) of the [Greater London Council \(General Powers\) Act 1966 \(c. xxviii\)](#);
 - (ii) a premises licence granted under Part 3 of the 2003 Act;
 - (iii) a club premises certificate granted under Part 4 of the 2003 Act;
 - (iv) a temporary event notice given under the 2003 Act, by virtue of which the premises may be used for the supply of alcohol (within the meaning of section 14 of that Act);
 - (v) a licence under Part II of the Gaming Act [1968 \(c. 65\)](#),
- (3) Sub-paragraph (2)(b) applies—
- (a) only during the hours permitted by the licence or notice there mentioned, and
 - (b) only if provided that the premises are in use wholly or mainly and bona fide for the purpose authorised by the licence, notice or certificate.
- (4) In sub-paragraph (1) above, “premises” includes any vehicle, vessel or stall.
- (5) In this paragraph, “the 2003 Act” means the Licensing Act [2003 \(c. 17\)](#).”.
- (6) In paragraphs 13(2)(a) and (b) after the words “sex establishments” there shall be inserted the words “, hostess bars”.
- (7) For paragraph 13(3)(d) there shall be substituted the following sub-paragraph—
- “(d) any change—

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- (i) of a sex cinema to a sex shop, a sex encounter establishment, or hostess bar;
- (ii) of a sex shop to a sex encounter establishment, a sex cinema or a hostess bar;
- (iii) of a sex encounter establishment to a sex cinema, a sex shop or a hostess bar; or
- (iv) of a hostess bar to a sex cinema, a sex shop or a sex encounter establishment.”.

34 Application to existing premises

- (1) This section applies to premises falling within paragraph 3B of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (c. 30), inserted by section 33 (hostess bars) of this Act, which exist on the date on which that section comes into force in the borough in which they are situated.
- (2) Until the period of four weeks commencing with that date has expired, paragraph 6(1) of that Schedule shall not apply to those premises by reason that they fall within the said paragraph 3B.
- (3) If an application for a licence under that Schedule is made in respect of those premises during that period, they may lawfully continue to be used for the purposes mentioned in the said paragraph 3B until the determination or withdrawal of that application, and if an appeal is lodged until the determination or abandonment of the appeal.

35 Near beer premises

On the day that section 33 (hostess bars) of this Act comes into force in a borough, Part IV (near beer premises) of the [London Local Authorities Act 1995 \(c. x\)](#) shall cease to have effect as respects that borough.