



# Licensing Act 2003

## 2003 CHAPTER 17

### PART 7

#### OFFENCES

##### *Vehicles and trains*

#### **156 Prohibition on sale of alcohol on moving vehicles**

- (1) A person commits an offence under this section if he sells by retail alcohol on or from a vehicle at a time when the vehicle is not permanently or temporarily parked.
- (2) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £20,000, or to both.
- (3) In proceedings against a person for an offence under this section, it is a defence that—
  - (a) his act was due to a mistake, or to reliance on information given to him, or to an act or omission by another person, or to some other cause beyond his control, and
  - (b) he took all reasonable precautions and exercised all due diligence to avoid committing the offence.

#### **157 Power to prohibit sale of alcohol on trains**

- (1) A magistrates' court [<sup>F1</sup>acting for the local justice area] may make an order prohibiting the sale of alcohol, during such period as may be specified, on any railway vehicle—
  - (a) at such station or stations as may be specified, being stations in that area, or
  - (b) travelling between such stations as may be specified, at least one of which is in that area.
- (2) A magistrates' court may make an order under this section only on the application of a senior police officer.

*Status: Point in time view as at 24/11/2005.*

*Changes to legislation: Licensing Act 2003, Cross Heading: Vehicles and trains is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (3) A magistrates' court may not make such an order unless it is satisfied that the order is necessary to prevent disorder.
- (4) Where an order is made under this section, the responsible senior police officer must, forthwith, serve a copy of the order on the train operator (or each train operator) affected by the order.
- (5) A person commits an offence if he knowingly—
- (a) sells or attempts to sell alcohol in contravention of an order under this section, or
  - (b) allows the sale of alcohol in contravention of such an order.
- (6) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £20,000, or to both.
- (7) In this section—
- “railway vehicle” has the meaning given by section 83 of the Railways Act 1993;
- “responsible senior police officer”, in relation to an order under this section, means the senior police officer who applied for the order or, if the chief officer of police of the force in question has designated another senior police officer for the purpose, that other officer;
- “senior police officer” means a police officer of, or above, the rank of inspector;
- “specified” means specified in the order under this section;
- “station” has the meaning given by section 83 of the Railways Act 1993 (c. 43); and
- “train operator” means a person authorised by a licence under section 8 of that Act to operate railway assets (within the meaning of section 6 of that Act).

#### Textual Amendments

- F1** Words in s. 157(1) substituted (1.4.2005) by [The Courts Act 2003 \(Consequential Provisions\) Order 2005 \(S.I. 2005/886\)](#), art. 2, [Sch. para. 93\(a\)](#)

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