



# Licensing Act 1902

## 1902 CHAPTER 28

### PART II

#### AMENDMENT OF LICENSING LAW

#### **11 Control of justices over structure of licensed premises**

- (1) Where a person is intending to apply for a new licence for the sale of intoxicating liquors by retail to be consumed on the premises, he shall, not less than twenty-one days before the annual licensing meeting, deposit with the clerk to the licensing justices a plan of the premises in respect of which the application is to be made.
- (2) Any alteration in any licensed premises for the sale by retail of intoxicating liquors to be consumed thereon, which gives increased facilities for drinking, or conceals from observation any part of the premises used for drinking, or which affects the communication between the part of the premises where intoxicating liquor is sold and any other part of the premises, or any street or other public way, shall not be made without the consent of the licensing justices assembled either at the general annual licensing meeting or at special sessions under section four of the Alehouse Act, 1828, and the licensing justices may, before giving their consent, require plans of the proposed alterations to be deposited with their clerk at such time as they may determine; and if any such alteration is made, save under the order of some lawful authority, without such consent as aforesaid, a court of summary jurisdiction, on complaint, may by order declare the licence to be forfeited, or direct that, within a time fixed by the order, the premises shall be restored to their original condition.
- (3) Where a licence is forfeited under this section the owner of the premises shall have all the rights conferred on owners by section fifteen of the Licensing Act, 1874.
- (4) On any application for the renewal of a licence for the sale by retail of intoxicating liquors to be consumed on the premises, the licensing justices may require a plan of the premises to be produced before them, and to be deposited with their clerk, and on renewing any such licence they may, by order, direct that, within a time fixed by the order, such alterations as they think reasonably necessary to secure the proper conduct of the business shall be made in that part of the premises where intoxicating liquor is

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sold or consumed, but any such order shall be subject to an appeal to a court of quarter sessions as provided by the Alehouse Act, 1828, and if any such order for structural alteration is made and complied with, no further requisition for the structural alteration of the premises shall be made within the next five years. If the licensed person makes default in complying with any such order, he shall, on summary conviction, be liable to a fine not exceeding twenty shillings for every day during which the default continues.

- (5) Notice of any order under this section shall be forthwith given by the clerk to the owner of the premises in respect of which the order is made.