



# Civic Restaurants Act 1947

1947 CHAPTER 22 10 and 11 Geo 6

An Act to empower local authorities to establish and carry on restaurants, and otherwise provide for the supply to the public of meals and refreshments, and for purposes connected with the matters aforesaid. [2nd April 1947]

**Modifications etc. (not altering text)**

- C1 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)
- C2 Act repealed (S.) by [Local Government and Planning \(Scotland\) Act 1982 \(c. 43, SIF 81:2\)](#), [Sch. 4 Pt. I](#)

**1 Power of local authorities to establish restaurants.**

- (1) The following authorities, that is to say—
- [<sup>F1</sup>(a) in Greater London, the council of a London borough or the Common Council of the City of London;]
  - (b) elsewhere in England and Wales, the council of a . . . <sup>F2</sup> district,
  - (c) in Scotland, [<sup>F3</sup>an islands area or district council],
- may establish and carry on restaurants and otherwise provide for the supply to the public of meals and refreshments, and may carry on such activities as are reasonably incidental or ancillary to the activities aforesaid:
- Provided that—
- (i) . . . . . <sup>F4</sup>
  - (ii) this subsection shall not authorise the grant of a certificate under the Licensing (Scotland) Acts, 1903 to 1934, for the sale of exciseable liquor in any such restaurant in Scotland; and
  - (iii) . . . . . <sup>F5</sup>
  - (iv) such a licence shall not be granted in respect of any such restaurant established in premises forming part of, or used for the purposes of, any church, chapel or other place of religious worship or used for the purposes of any religious organisation except with the consent of the incumbent, minister, or other person in charge of the church, chapel or place of worship or, as the case may be, the consent of the religious organisation.

*Changes to legislation: There are currently no known outstanding effects for the Civic Restaurants Act 1947. (See end of Document for details)*

- (2) ..... <sup>F6</sup>
- (3) An authority exercising powers under this section, . . . <sup>F7</sup>, is hereafter in this Act referred to as a “civic restaurant authority”.
- (4) A civic restaurant authority shall, in carrying on any activities under this section, be subject to all enactments and rules of law relating thereto, including, in England and Wales, [<sup>F8</sup>the Licensing Act 2003 and any other enactment relating to the sale of intoxicating liquor], in like manner as other persons carrying on the like activities.

**Textual Amendments**

**F1** S. (1)(a) substituted by [London Government Act 1963 \(c. 33\)](#), **Sch. 17 para. 9(a)**

**F2** Words repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

**F3** Words substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 27 Pt. II para. 85**

**F4** S. 1(1) proviso para. (i) repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 29**

**F5** S. 1(1) proviso para. (iii) repealed by [Licensing Act 1961 \(c. 61\)](#), **Sch. 9 Pt. II**

**F6** Ss. 1(2), 2 repealed (E.W.) by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30** and (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 29**

**F7** Words repealed (E.W.) by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30** and (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 29**

**F8** Words in s. 1(4) substituted (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), **Sch. 6 para. 18** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)

2 ..... <sup>F9</sup>

**Textual Amendments**

**F9** Ss. 1(2), 2 repealed (E.W.) by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30** and (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 29**

**3 Financial provisions.**

- (1) Every civic restaurant authority shall keep an account of their income under this Act and their expenditure under this Act on income account, . . . <sup>F10</sup>
- (2) Every civic restaurant authority shall use their best endeavours to ensure that their income under this Act is sufficient to defray their expenditure thereunder . . . <sup>F10</sup>
- (3) ..... <sup>F11</sup>
- (4) ..... <sup>F12</sup>
- (5) Any expenses incurred under this Act by a civic restaurant authority in Scotland shall, in so far as they cannot be defrayed out of the receipts of the authority under this Act, be defrayed by the authority, . . . <sup>F13</sup>
- (6) ..... <sup>F14</sup>
- (7) A civic restaurant authority in Scotland who incur expenditure under this Act . . . <sup>F13</sup> may, . . . <sup>F13</sup>, borrow such sums as may be required to meet any expenditure of a capital nature, or the cost of executing any work, or providing any plant or equipment, or

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doing any other thing where, having regard to the nature of the work, plant, equipment or thing, the cost ought to be spread over a period of years:

Provided that—

- (a) sums so borrowed shall be repaid within such period not exceeding sixty years as the Secretary of State may determine;
- (b) nothing in this subsection shall authorise the exercise of the power of borrowing money thereby conferred otherwise than in compliance with the provisions of the <sup>M1</sup>Local Authorities Loans Act, 1945, of any Defence Regulation within the meaning of the <sup>M2</sup>Supplies and Services (Transitional Powers) Act, 1945, for the time being having effect by virtue of that Act, and of any orders for the time being in force, made by the Treasury under section one of the <sup>M3</sup>Borrowing (Control and Guarantees) Act, 1946.

#### Textual Amendments

**F10** Words repealed (E.W.) by [Local Government Act 1974 \(c. 7\)](#), s. 35, [Sch. 6 para. 4](#), [Sch. 8](#) and (S.) by [Local Government \(Scotland\) Act 1975 \(c. 30\)](#), [Sch. 6 Pt. II para. 11](#), [Sch. 7](#)

**F11** [S. 3\(3\)](#) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

**F12** [S. 3\(4\)](#) repealed by [London Government Act 1963 \(c. 33\)](#), s. 93(1), [Sch. 18 Pt. II](#)

**F13** Words repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#)

**F14** [S. 3\(6\)](#) repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#)

#### Marginal Citations

**M1** 1945 c. 18.

**M2** 1945 c. 10 (9 & 10 Geo. 6).

**M3** 1946 c. 58.

#### 4 Short title, extent, and interpretation.

(1) This Act may be cited as the Civic Restaurants Act, 1947.

(2) This Act shall not extend to Northern Ireland.

(3) ..... <sup>F15</sup>

#### Textual Amendments

**F15** [S. 4\(3\)](#) repealed (E.W.) by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#).

**Changes to legislation:**

There are currently no known outstanding effects for the Civic Restaurants Act 1947.