



London Local Authorities Act 2000

2000 CHAPTER vii

PART IV

LICENSING

25 Cinemas

- (1) The Cinemas Act 1985 applies in the area of a participating council in accordance with the following subsections.
- (2) In section 1(2), the words “grant a licence under this section to such a person as they think fit” are replaced by the words “grant to an applicant and from time to time renew or transfer a licence” and the words “they may determine” are replaced by the words “they may so specify”.
- (3) Subsection 3(5) is left out.
- (4) Subsection 3(6) is replaced by the following subsections:—
 - “(6) Subject to section 3A below, where, before the date of expiry of a licence, an application has been made for the renewal of that licence, the licence shall be deemed to remain in force, notwithstanding that the date of expiry of the licence has passed, until the determination of the application by the licensing authority or the withdrawal of the application.
 - (6A) Subject to section 3A below, where, before the date of expiry of a licence, an application has been made for the transfer of that licence, the licence shall be deemed to remain in force (with any necessary modifications) notwithstanding that the date of expiry of the licence has passed, until the determination of the application by the licensing authority or the withdrawal of the application.
 - (6B) Where an applicant for the transfer of a licence is carrying on at the premises in respect of which the licence was granted the functions to which the licence relates, “any necessary modifications” where those words appear in subsection (6A) above, means the substitution of the name of the licence

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holder by the name of the applicant for the transfer of the licence and any other necessary modifications.

- (6C) Subject to section 4 below, the licensing authority may make regulations prescribing standard conditions applicable to all, or any class of, licences which may be granted by them.
- (6D) Where the licensing authority have made regulations under subsection (6C) above, every licence granted, renewed or transferred by them shall be deemed to have been so granted, renewed or transferred subject to any standard conditions except so far as they are expressly excluded or amended in any particular case.
- (6E) Where application is made to the licensing authority for the grant of a licence in respect of premises which are to be, or are in the course of being constructed, extended or altered and the licensing authority are satisfied that the premises would, if completed in accordance with the requirements of the licensing authority be such that they would grant the licence, the licensing authority may grant the licence subject to a condition that it shall be of no effect until confirmed by them.
- (6F) The licensing authority shall on application being made for the appropriate variation of the licence confirm any licence granted by virtue of subsection (6E) above if and when they are satisfied that the premises have been completed in accordance with the requirements aforesaid or in accordance with those requirements as modified by the licensing authority and that the licence is held by a fit and proper person.”

(5) After section 3, the following section is inserted:—

“3A Renewal and transfer of licence: supplementary

- (1) The following provisions of this section shall have effect as respects cases where, before the date of expiry of a licence an application for renewal of the licence has been made (“a renewal case”) or an application for transfer of the licence has been made (“a transfer case”).
- (2) If the application is not determined before the prospective expiry date, the licence shall not be deemed to remain in force under section 3(6) or section 3(6A) above in a transfer case, after that date and the application shall be deemed to be withdrawn on that date, unless before then the applicant pays the council a continuation fee.
- (3) Where a continuation fee is paid in pursuance of subsection (2) above in a renewal case, the applicant’s application for renewal shall be deemed to be an application for renewal for a period of twelve months starting on the day following the prospective expiry date.
- (4) Where a continuation fee is paid in pursuance of subsection (2) of this section in a transfer case—
 - (a) the applicant shall be deemed to have made an application for the renewal of the licence for a period of twelve months starting on the day following the prospective expiry date;
 - (b) the Council shall determine the application for transfer and deemed application for renewal together; and

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- (c) in the following provisions of this section, references to “the application” in a transfer case are references to the application for transfer and the application for renewal.
- (5) If the application is not determined before the date of the expiry of the renewal period under subsection (3) or (4) above, as the case may be, the licence shall not be deemed to remain in force under section 3(6) or (6A) above, as the case may be, after that date, and the application shall be deemed to be withdrawn on that date, unless before then the applicant pays the council a further continuation fee.
- (6) Where a further continuation fee is paid in pursuance of subsection (5) of this section, then—
- (a) in a renewal case, the applicant’s application for renewal shall be deemed to be an application for renewal for a period starting on the day following the date of the expiry of the renewal period under subsection (3) of this section; and
 - (b) in a transfer case, the applicant’s application so far as it is a deemed application for renewal shall be deemed to be an application for renewal for a period starting on the day following the date of the expiry of the renewal period under subsection (4) of this section.
- (7) A deemed application for renewal under subsection (6) shall be for a period expiring—
- (a) where the application is withdrawn, on the date of withdrawal;
 - (b) where the application is refused, on the date of the refusal;
 - (c) where the application is granted, on one or other of the following:—
 - (i) the date twelve months after the beginning of the period; or
 - (ii) such other date as may be specified by the Council when allowing the application.
- (8) In this section—
- “the prospective expiry date” means—
 - (a) in a transfer case, the date on which the licence would have expired if the application for transfer had not been made; and
 - (b) in a renewal case, the date of the expiry of the period in respect of which the application for renewal of the licence was made;
 - “a continuation fee” is a fee of the same amount as the fee payable in respect of an application for renewal of a licence.”.
- (6) In subsection (2) of section 10 after paragraph (c) the following paragraph is inserted:
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- “(cc) an applicant for the transfer of a licence where he is carrying out the functions to which the licence relates;”.
- (7) In section 16 at the beginning of subsections (4) and (5) the words “Subject to section 16A below” are inserted.
- (8) After the said section 16, the following section is inserted:—

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“16A Appeals: supplementary provisions

- (1) The following provisions of this section shall have effect as respects cases where an appeal under section 16 above is brought, within the period for doing so, against the revocation of a licence (“a revocation case”) or against the refusal of an application for renewal of a licence (“a refusal case”).
- (2) If the appeal is not determined before the prospective expiry date, the licence shall not be deemed to remain in force under section 16(4) or (5) above after that date, and the appeal shall be deemed to be abandoned on that date, unless before then—
 - (a) in a revocation case, the appellant makes an application for the renewal of the licence for a period of twelve months starting on the day following the prospective expiry date;
 - (b) in a refusal case the appellant pays the council a continuation fee.
- (3) Where a continuation fee is paid in pursuance of subsection (2)(b) above, the appellant’s refused application for renewal shall be deemed to be an application for renewal for a period of twelve months starting on the day following the prospective expiry date.
- (4) If the appeal is not determined before the date of the expiry of the renewal period under subsection (2)(a) or (3) above, as the case may be, the licence shall not be deemed to remain in force under section 16(4) or (5) of this Act after that date, and the appeal shall be deemed to be abandoned on that date, unless before then the appellant pays the council a continuation fee or, as the case may be, a further continuation fee.
- (5) Where a continuation fee or a further continuation fee is paid in pursuance of subsection (4) above, the appellant’s application for renewal or, as the case may be, refused application for renewal shall be deemed to be an application for renewal for a period starting on the day following the date of the expiry of the renewal period under subsection (2)(a) above or, as the case may be, subsection (3) above.
- (6) A deemed application for renewal under subsection (5) shall be for a period expiring—
 - (a) where the appeal is withdrawn, on the date of withdrawal;
 - (b) where the appeal is unsuccessful—
 - (i) if a further appeal is available but is not made within the period for doing so, on the date of the expiry of that period;
 - (ii) if no further appeal is available, on the date of the decision of the court;
 - (c) where the appeal is successful, on the day before the date of the next anniversary of the beginning of the period; provided that where the period, at the time of the decision of the court, has been running for more than twelve months, the court may specify an earlier date.
- (7) In this section—

“the prospective expiry date”ns—

 - (a) in a revocation case, the date on which the licence would have expired if it had not been revoked; and

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(b) in a refusal case, the date of the expiry of the period in respect of which the refused application for renewal of the licence was made;

“a continuation fee” is a fee of the same amount as the fee payable in respect of an application for renewal of a licence.”.