

London Metropolitan Archives

Information Leaflet Number 45

Licensed Victuallers records



A brief history of licensing

Although the Public House, or alehouse as it was commonly known, has been a part of English life since Roman times, its development cannot fully be traced until the mid-sixteenth century when a national system of licensing was first introduced.

In 1552 the crown sought to regulate all alehouses as a measure against perceived increases in levels of drunkenness and social disorder. In many areas instances of regulation certainly predated the 1550's. Evidence from manorial records, for example, suggests that local controls were being implemented throughout the medieval period. However, the Alehouse Act 1552 (5 and 6 Edw.VI c.25) was the first attempt to co-ordinate these existing controls and embody them in statute.

Under this act no-one was allowed to sell beer or ale without the consent of the local Justices of the Peace which could be granted either before the full sessions of the peace or before two justices. Each person licensed by the justices had to enter into a recognizance, or bond, to ensure that good behaviour was maintained in each alehouse and the licensee pledged to abide by the court's terms or risk payment of a fine or even the loss of the licence. Such recognizances had to be certified at Quarter Sessions and were kept on record.

An act of 1729 gave formal approval to the practice of only granting licences annually at special licensing sessions known as Brewster Sessions, and in the City of London and Middlesex these were generally held in March. It was also ordered that justices should only grant licences to alehouses within their division, thus formalising the shift of responsibility from county to local level.

The Licensing Act of 1753 (26 Geo.II c.31) did not radically change existing legislation. New licences could only be granted by persons producing certificates of good character usually signed by parish notables. However, from 1660's it had in fact been common practice in Middlesex to require victuallers to attend their parish church and receive the sacrament before being granted licences.

Most importantly, however, the 1753 act ordered that full registers of victuallers and their recognizances were to be kept by the Clerk of the Peace at Quarter Sessions. Thus began a more thorough recording of the licensing business.

The legislation passed in 1830's largely reversed the main thrust of licensing policy developed in the preceding centuries. While the Licensing Act of 1828 (9 Geo.IV c.61) had confirmed that the grant of a full licence by justices was necessary to sell any kind of excisable liquor by retail, the Beer Act of 1830 (1Wm.IV c.64) disbanded many of the controls introduced under previous acts. By this act it was now possible for any householder assessed to the poor rate to sell beer, ale and cider without a licence from local justices by taking out an excise licence granted by the Excise authorities.

This piece of legislation, together with the fact that the act of 1828 had failed to make provision for the keeping of licensing records by the Clerk of the Peace, means that the history of licensing for the period 1828-1872 is not satisfactorily recorded.

The situation initiated by the 1830 act barely lasted four decades. The 1869 Wine and Beerhouse Act (32 and 33 Vic c.27) re-introduced the stricter controls of the previous century. It was now necessary for retailers selling beer and wine to obtain their licences from justices, and in addition, it was also necessary to obtain similar licences to sell alcohol off the premises.

The Intoxicating Liquor (licensing) Act 1872 re-enforced this legislation and importantly obliged the clerks of the licensing divisions to keep a register of all licences granted. In general, the new licensing divisions constituted the areas formed by the Petty Sessional Divisions. In inner London licensing was the responsibility of the Petty Sessions while the Police Courts set up in 1792 dealt with minor criminal cases as well as matrimonial problems, bastardy, small debts concerning income tax and local rates, and landlord and tenant matters. In 1965 the inner London Police Courts and the Petty Sessions were amalgamated to form the inner London Magistrates' Courts. In Middlesex the predecessors of the Magistrates' Court were the Petty Sessions which dealt with licensing as well as exercising a criminal jurisdiction.

While most of the business was carried out at a local level in these licensing divisions, a County Licensing Committee was set up by Quarter Sessions to confirm the granting of all new licences. After 1889 similar committees were formed for the newly constituted counties of London and Middlesex respectively. Two other pieces of legislation, namely The Licensing Act 1902 and The Licensing Act 1904, obliged applicants for new licences to submit plans of the premises to the licensing justices and allowed for the payment of financial compensation to persons who were refused renewal of a licence on the grounds that the licence was unnecessary. This was in response to public pressure to reduce the number of licensed premises.

Since 2005 licensing has been the responsibility of local authorities rather than the courts.

Surviving records in London Metropolitan Archives (LMA)

In general the records relating to licensed victuallers contain only limited information. Consisting largely of registers of victuallers the records only give the name of the licensee, the parish and sometimes the sign of the public house. Similarly original recognizances and certificates of good character, when they survive, follow a standardised format giving only the name, parish, details of sureties and the sign.

They are nevertheless a valuable source for tracing the history of a given public house, for locating ancestors who were licensees, or more generally for studying the development of the licensing trade in London and Middlesex.

The records held by LMA fall into five groups: (A) records of the City of London c.1626-1982; (B) records of the Borough of Southwark 1743-1791; (C) records for Middlesex and Westminster 1552-1829, produced under the 1552 and 1753 legislation described above, and forming part of the Middlesex and Westminster Sessions Records; (D) records of the County of Middlesex and County of London Licensing Committees and Compensation Authorities 1872-1961, part of the Middlesex and County of London Sessions Records; (E) records produced by individual Licensing Sessions 1774- 2001.

A. City of London Records c.1626-1982

The main series of records before the mid nineteenth century form part of the records of the City of London Sessions. As a result of the 1872 Licensing Act the records of the Guildhall Justice Room include registers of licences from 1873. Many of the records are arranged by ward. It may therefore be helpful to refer to Streets, Parishes and Wards in the City of London by Cliff Webb (West Surrey Family History Society 1991). A copy is available on the reference shelves in the Information Area (R61.2 WES).

Papers relating to victuallers c.1626-1686, including a return of taverns (giving sign and street but not usually victuallers' names) March 1663 (COL/AC/06/008 Alchin Box H/103 no.11)

List of Vintners' Recognizances c.1660/1-1663/4 (CLA/047/LR/04/004)

Returns of victuallers (giving names and usually livery company and parish, but not inn sign) approved by the Alderman etc. of the ward to be licensed for the ensuing year 1683/4-1857, but very few survive after the mid eighteenth century. They are arranged by ward. (CLA/047/LR/03/1683-1857)

Guildhall Justice Room: licensing registers (usually arranged alphabetically by ward) 1873-1963 (CLA/005/05/01)

Guildhall Justice Room: special sessions books giving details of new and discontinued licences 1858-1936 (CLA/005/04)

City of London Licensing Committee and Confirming Authority. Minutes 1930-1951, and reports and registers relating to approval of plans 1953-1982 (CLA/005/05/02-04)

City of London Surveyor's Approval Plans. Over 850 plans of licensed premises relating to new licences or alterations to licenses premises submitted to the City of London Surveyor who was surveyor to the licensing justices from 1873-1982. 1866-1982 (COL/SVD/PL/02)

B. Borough of Southwark

The City of London had jurisdiction over the Borough of Southwark. The records of the Southwark Sessions include rolls of victuallers recognizances 1785-1791 and a book recording the granting and refusal of licences also dating from 1785-1791 as well as miscellaneous papers 1743-1768 (CLA/046/04/014-024).

From 1792 the licensing of victuallers in Southwark was left entirely in the hands of the Surrey Justices. The Surrey Sessions Records are in the care of the Surrey History Centre, but the records of the Newington Petty Sessions (which had jurisdiction over Southwark) are held by LMA. See Section E below.

C. Middlesex records 1552-1829

These records relate to the ancient county of Middlesex including Westminster.

1. Recognizance roll, 1552, recording name, parish and sureties for a limited number of parishes (MR/LV/1 - index of places included with catalogue)
2. Original recognizances, lists of recognizances, registers of victuallers, 1690-1829 (many gaps) (MR/LV, WR/LV)

Before you consult the records for a particular public house in Middlesex or the County of London you will need to know the licensing division into which the establishment would have fallen. Keys to the divisions can be found at the beginning of the general guide to licensed victuallers records amongst the catalogues of the Middlesex Sessions Records (MR/LV) on the open shelves in the Information Area. For the period before 1829 for Middlesex the key to the licensing divisions is by parish. Once you know the division you will need to locate the list for that area and order any relevant material using the references quoted.

D. County Licensing Committees and Compensation Authorities 1872-1961

In 1889 the County of London was created out of the metropolitan parts of the Counties of Middlesex, Surrey and Kent and the County of London Sessions were established. From 1889 the Middlesex Sessions were only responsible for the remaining part of the county known as the Administrative County of Middlesex.

Middlesex Sessions. Confirmation papers for the granting of new licences 1873-1888 (MA/C/L/1873-1888)

County of London Sessions (from 1965 Inner London Sessions). Minutes of the County Licensing Committee 1872-1951, reports, papers, copies of original licences 1953-1954, court registers 1907-1956, and registers of licences referred 1905-1936 relating to the confirmation of the granting of new licences and compensation for refusal to renew. These records relate to the ancient county of Middlesex up to the end

of March 1889 and to the County of London thereafter. (ILS/C/16-18, ILS/D/09-13,17)

Administrative County of Middlesex 1889-1965. Minutes of the County Licensing Committee, copies of licences confirmed 1896-1961, and application and confirmation papers 1890-1961. (MXS/D/01)

E. Records of licensing sessions: licensing registers

Until 1965 licensing in inner London was the responsibility of the Courts of Petty Sessions. On 1 April 1965 the inner London Petty Sessions and Magistrates' Courts were amalgamated. Most licensing registers for the inner London area before 1965 are listed under the relevant Petty Sessions. The only inner London Magistrates' court for which we have licensing records is the West London Magistrates' Court. The licensing records which we hold for each petty sessional division and magistrates' court are summarised below. Where records are held in LMA, the reference number of the collection is given in the right-hand column. This should be used as a guide to the correct list or catalogue of these records.

Access

Under section 32 of the Freedom of Information Act court records which are less than 30 years are closed to public access.

Blackheath Division

(Deptford, Greenwich, Lewisham and Woolwich)

No records held in LMA. Apply to the Centre for Kentish Studies and the Greenwich Local Studies Library

Brentford Division

(Brentford, Ealing, Hanwell, Hounslow, Isleworth, Southall and Twickenham)

No licensing registers deposited in LMA

Edmonton Division

(Edmonton, Enfield, Southgate, Tottenham and Wood Green; it also included Stoke Newington from 1853 to 1890)

Register of licences 1869-1870 PS/E/E/02/003; no later registers deposited

Finsbury Division

(Clerkenwell, St Luke, Old Street, and Islington, also Stoke Newington until 1853, and Finchley, Friern Barnet and Hornsey until 1890. In 1956 it became part of the New River Petty Sessional Division.)

Registers of licences 1851, 1854, 1875-1955 PS/FIN/03

Gore Division

(Harrow, Edgware, Hendon, Pinner, Stanmore and Wembley)

Registers of licences 1873-1986 PS/G/H/C/01

Hampstead Division

(Hampstead, part of Holborn Division until 1923)

Registers of licences 1922-1959 PS/HAM/G

Highgate

(Finchley, Friern Barnet and Hornsey, created 1890 from part of the Finsbury Division)

Registers of licences 1876-1949 PS/H/03

Holborn Division

(St Andrew, Holborn above bars, St George the Martyr, St Giles in the Fields, and St George, Bloomsbury; until 1853 it also included St Marylebone and St Pancras and until 1923 Hampstead. In 1956 it became part of the New River Petty Sessional Division.)

Registers of licences 1873-1956 PS/HOL/03

Kensington Division

(Kensington, Chelsea, Fulham and Hammersmith: this moved from Kensington Town Hall to Walton Street in 1971. It closed in 1996 and amalgamated with West London Magistrates' Court.)

Registers of licences 1873-1948 PS/KEN/F

For later records see West London Magistrates' Court.

Newington Division

(Bermondsey, Camberwell, Clapham, Lambeth, Newington, Rotherhithe, Southwark and Streatham)

Calendars of licences 1774-1915 PS/NEW/02; Registers of licences 1869-1953 PS/NEW/03

Paddington Division

(Paddington)

No records held in LMA except for a registers of licences: renewals 1941 (PS/WLN/A/11/026). For other records apply to City of Westminster Archives Centre

St Marylebone Division

(St Marylebone, formed 1853 from the Holborn Division)

No records held in LMA. Apply to City of Westminster Archives Centre

St Pancras Division

(St Pancras was in the Holborn Division until 1853, but the St Pancras Justices had started meeting together informally especially for licensing from the early nineteenth century. In 1956 it became part of the New River Petty Sessional Division.)

Registers of licences 1886-1956 PS/PAN/03

South Mimms

(Potters Bar)

Registers of licences 1872-1938 deposited in Hertfordshire Archives & Local Studies

Spelthorne Division

(Feltham, Hampton, Shepperton, Staines, Sunbury and Teddington)

Registers of licences 1873-1935 PS/S/10

Stoke Newington Division

(Stoke Newington was in the Finsbury Division until 1853 when it was transferred to Edmonton; it became a separate division in 1890.)

Registers of licences 1890-1956 PS/STO/03

Tower Division

(Bethnal Green, Bow, Bromley, Hackney, Poplar, Shoreditch, and Stepney)

No licensing records pre-1950 known to have survived.

No records held in LMA

Uxbridge Division

(Hayes, Hillingdon, Northolt, Ruislip, Uxbridge, West Drayton)

No registers deposited in LMA

Wandsworth Division

(Battersea, Putney, Tooting and Wandsworth)

Registers of licences 1875-1911 PS/WAN/03; Registers of transfers of licences 1923-1961 PS/WAN/04

West London Magistrates Court (including Walton Street)

Registers of licences for Hammersmith and Fulham 1949-1959 and of surrendered licences 1942-1994 - PS/WLN/A/11/001, 003-008

Registers of licences for Kensington and Chelsea 1950-1992 and surrendered licences 1943-1994 - PS/WLN/A/11/002, 009-020

Registers of licences: renewals 1995, 2001 – PS/WLN/A/11/027-031

Registers of licensing meetings 1984-1994 –PS/WLN/W/05/001-008

Registers of licensing meetings 1994-1996 – PS/WLN/A/11/032-037

Westminster Division

No records held in LMA. Apply to City of Westminster Archives Centre

Willesden Division

(Acton, Chiswick and Willesden)

Registers of licences 1873-1922 PS/W/W/04

Additional sources

Should you find that particular registers of victuallers do not survive for the period in which you are interested, it is possible that material may be found in other sources listed below:

1. Post Office London Directories

Public houses are listed in the trade directory section of the London Directories under the sign of the pub and in the street index by address. Entries under the name of the landlord are sometimes to be found in the commercial directory section. Directories are invaluable for the period during the nineteenth century for which licensing records are not available. Directories can be consulted on microfilm on the Information Area. Information given is much the same as in victuallers registers.

2. City of London Freedom Records

Until 1853 licensed victuallers within the City of London had to be freemen of the City. The records of admissions to the Freedom which survive from 1681 (with a few gaps) are far more complete and often give more information about the individuals than the licensed victuallers returns for the City.

3. Other quarter sessions material

Although the main series of records relating to victuallers for Middlesex does not begin until the eighteenth century, entries for the granting of licences can sometimes be located in the Middlesex sessions registers (ref MJ/SBR) and sessions books (ref MJ/SBB) for the seventeenth century. These entries, where they exist, are, however, written in Latin and are mixed in with the main business of the court. Nevertheless they can illuminate a period which is otherwise largely undocumented. Lists of these records can be found among the sessions lists.

Some references to licensed victuallers can be found in the orders of quarter sessions, orders upon appeal, minute books and sessions papers of the City of London Sessions.

4. Petty Sessions Minute Books

19th century Petty Sessions minute books often predate the registers of licensees which form part of the same series of records. They are a useful, though generally less reliable, means of tracing a licensee in the nineteenth century as some minute books contain references to the granting of new licences in and amongst the general business of the session. Lists of surviving minute books can be found in the finding aids for each Petty Sessions which are found on the shelves on the Information Area (reference PS/...).

5. Other victuallers' organisations

The Society of Licensed Victuallers began in 1793 as a friendly society for the mutual benefit of publicans, and the relief of members of the licensed victualling trade and their families. It was incorporated by royal charter in 1836. A daily newspaper, the Morning Advertiser, was soon established to promote its interests. In 1802 the Society set up a school in Kennington Lane for boys and girls of deceased or impoverished fellow traders. Its aim was to prepare the children for good apprenticeships or household positions. The school moved to its present site in Ascot in the 1980s.

The Society's records comprise rules and bye-laws, correspondence, plans and property records, and related papers (Ms 21439-54). For the School there is correspondence, accounts and an address to subscribers with a list of pupils dated 1865 (Ms 21455-57).

The Licensed Victuallers' Asylum was formed in 1826 to relieve poor and aged members of the licensed victualling trade and their wives or widows. Almshouses were built shortly afterward in the Old Kent Road, Camberwell. The asylum was renamed the Licensed Victuallers' Benevolent Institution in 1921 and it appeared in Post Office directories until 1960. Its later history is unknown. The records comprise papers relating to the charter of incorporation; rules, ordinances and by-laws; and property (Ms 21458-60).

The records of the National Licensed Victuallers Association and its predecessors amongst which are the Licensed Victuallers' Protection Society, the Licensed Victuallers Society of London, the London and Home Counties Licensed Victuallers League, the Licensed Victuallers Defence League and the National Federation of Licensed Victuallers (ACC/3122) include minute books starting in 1833 and reports dating from 1837.

Reading list

Clark, P. *The English Alehouse, a social history 1200-1830*. Longman, 1983 (42.0 CLA)

Epstein, A.J. *The Social function of the alehouse in early modern London* Ph.D. thesis - New York : New York University, 1976 (42.1 EPS)

Gibson, J. & Hunter, J. *Victuallers' licences : records for family and local historians* Federation of Family History Societies, 1994 (R61.2 GIB)

Jennings, P. *Liquor licensing and the local historian: the 1904 Licensing Act and its administration*, The Local Historian Vol 39 No 1, Feb 2009

Monckton, H.A. *A history of the English Public House*, Bodley Head, 1969 (42.1 MON)

Webb, S. & B *The history of liquor licensing in England principally from 1700 to 1830* Longmans, Green and Co., 1903 (35.14 WEB)

Published in July 1998 updated December 2008 and March 2010 by
London Metropolitan Archives
40 Northampton Road
London
EC1R OHB

11

Telephone: 020 7332 3820
Fax: 020 7833 9136
Email: ask.lma@cityoflondon.gov.uk

© London Metropolitan Archives

Except as otherwise permitted under the Copyright, Designs and Patents Act 1988, this publication may only be reproduced, stored or transmitted in any form or by any means, with the prior permission in writing of the publisher, or in the case of reprographic reproduction, in accordance with the terms of a licence issued by the Copyright Licensing Agency. Enquiries concerning reproduction outside those terms should be sent to the London Metropolitan Archives at the above address.