1988 No. 234

COUNTY COURTS

County Court (Amendment No. 3) Rules (Northern Ireland) 1988

Made	*27th June 1988*
Coming into operation . .	*1st July 1988*

We, the County Court Rules Committee, appointed by the Lord Chancellor under Article 46 of the County Courts (Northern Ireland) Order 1980(**a**), in exercise of the powers conferred by; Article 47 of that Order; section 86(1) of, paragraphs 2 and 10 of Schedule 1, paragraph 2 of Schedule 3 and paragraph 3 of Schedule 8 to, the Licensing Act (Northern Ireland) 1971(**b**); section 47(1) of, and paragraph 2(1) of Schedule 2 to, the Registration of Clubs (Northern Ireland) Order 1987(**c**); and all other powers enabling us in that behalf, hereby make the following rules:—

Citation

1. These Rules may be cited as the County Court (Amendment No. 3) Rules (Northern Ireland) 1988.

Interpretation

2. In these Rules a reference to an Order or an Appendix by number is a reference to that Order or Appendix as numbered in the County Court Rules (Northern Ireland) 1981(**d**).

Amendment of the County Court Rules (Northern Ireland) 1981

3.—(1) For Order 48 there shall be substituted the Order set out in Schedule 1.

(2) In Appendix 1;

(*a*) for Forms 194 to 211 there shall be substituted the Forms set out in Schedule 2;

(*b*) after Form 304 there shall be inserted the Forms set out in Schedule 3.

Saving for previous application of pre-existing rules

4. Nothing in these Rules shall affect any application in respect of which notice has been given before the coming into operation of these Rules.

(a) S.I. 1980/397 (N.I. 3)
(b) 1971 c. 13 (N.I.), as amended by S.I. 1978/1044 (N.I. 14) and S.I. 1987/1277 (N.I. 13)
(c) S.I. 1987/1278 (N.I. 14)
(d) S.R. 1981 No. 225

We, the undersigned members of the County Court Rules Committee, having by virtue of the powers vested in us in this behalf made the foregoing rules, do hereby certify the same under our hand and submit them to the Lord Chancellor accordingly.

John K. Pringle
J. F. B. Russell
Barry Valentine
S. D. Massey

After consultation with the Lord Chief Justice, I allow these rules which shall come into operation on 1st July 1988.

Dated 27th June 1988. *Mackay of Clashfern,* C.

SCHEDULE 1 Rule 3(1)

Rules to be inserted as Order 48

ORDER 48

Licensing and Registration of Clubs

PART I

GENERAL

Interpretation

1.—(1) In this Order—

"the Act" means the Licensing Act (Northern Ireland) 1971(**a**); and a reference to a section is a reference to that section as numbered in the Act;

"the chief clerk" means the chief clerk for the county court division in which the application is being made;

Notwithstanding Rule 1 of Order 58,

"the Order" means the Registration of Clubs (Northern Ireland) Order 1987(**b**); and a reference to an Article is a reference to an Article as numbered in the Order.

(2) The notes appended to the forms do not form any part thereof and are so appended only for the purpose of assisting their proper completion.

PART II

APPLICATIONS FOR THE GRANT OF LICENCES

Notices of application

2.—(1) Notice of application in accordance with section 4 or 7 of and Schedule 1 to the Act for the grant or, as the case may be, for the provisional grant of a licence shall be in one of Forms 194 to 201 as may be appropriate; so, however, that the notice required by paragraph (1)(*a*) of that Schedule to be inserted in the newspapers referred to in that paragraph and the notice required by paragraph (1)(*aa*) of that Schedule to be displayed for the time and in the manner specified by that paragraph, may omit to specify the address of the applicant for the licence where the notice gives the address of the solicitor for the applicant.

(2) A person intending to make an application for the grant or declaration of the final grant of a licence shall, in addition to complying with paragraph 1 of Schedule 1 to the Act, serve a copy of the notice upon the clerk of petty sessions for the petty sessions district in which the premises are situated.

(3) Where it is intended to apply to the court which grants a licence or declares a licence provisionally granted to be final for an order under—

(*a*) section 29 specifying any part of the premises as suitable for functions such as are mentioned in section 49(6) (functions for which extension licences may be granted); or

(*b*) section 44 directing that the permitted hours for part of such premises of a kind mentioned in section 3(1)(*a*) for which the court imposes a condition under section 44(2) shall be the hours mentioned in section 42(2),

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(**a**) 1971 c. 13 (N.I.), as amended by S.I. 1978/1044 (N.I. 14) and S.I. 1987/1277 (N.I. 13)
(**b**) S.I. 1987/1278 (N.I. 14)

such intention shall be stated in the notice of application for the grant or in the notice of application for the provisional grant, as the case may be; and the plan attached to the notice in accordance with paragraph 3 of Schedule 1 to the Act shall particularly delineate or distinguish the part of the premises for which the order is sought.

(4) Where notice is given of an application for the grant or provisional grant of a licence for premises on a site approved by declaration under section 8 the notice shall refer to the fact that the premises are of a kind approved for that site by the declaration.

(5) A notice of application for a declaration that the grant of a licence is final in accordance with section 7(7) shall be in Form 202 and the applicant shall attach the licence to the notice for the purpose of section 7(10).

(6) A person intending to apply for the consent of the court under section 7(6) to the modification of plans at any time before a licence provisionally granted has been declared final shall:

(*a*) not less than three weeks before the time of the opening of the court sittings at which the application is to be heard, serve notice in Form 203 on the chief clerk and serve copies of that notice on the sub-divisional commander of the police sub-division in which the premises are or are to be situated and on the district council for the district in which the premises are or are to be situated;

(*b*) attach to such notice and copy notices copies of the modified plans complying with Rule 6 and clearly showing the proposed modifications.

(7) A notice of intention to object in accordance with paragraphs 4 and 6 or 11 and 12 of Schedule 1 to the Act to the grant, provisional grant or grant of the licence being declared final, as the case may be, shall be in Form 204.

(8) A notice published in the newspapers as required by paragraph 1(*a*) of Schedule 1 to the Act and a notice displayed at the premises as required by paragraph 1(*aa*) of that Schedule shall:

(*a*) include a reference to the requirement that any person owning or residing or carrying on business in premises in the vicinity of the premises for which the licence is sought who intends to object to the grant of the licence must, in accordance with paragraph 6 of Schedule 1 to the Act, serve notice of his intention to object upon the applicant and the chief clerk, not less than one week before the time of the opening of the court sitting specified in the notice so published;

(*b*) state that the permissible grounds of objection are such as are specified in paragraph 4 of that Schedule, namely, unfitness of applicant, unsuitability of premises and, where the premises are of a kind mentioned in section 3(1)(*a*) or (*b*) only and section 5(3) or paragraph 6 of Schedule 3 does not apply, that the number of licensed premises of that kind in the vicinity is or will be adequate;

(*c*) where appropriate, state that a subsisting licence is to be surrendered to the court and give particulars thereof.

(9) A notice of intention to object, under paragraph 5 of Schedule 1 to the Act, to the surrender of a subsisting licence shall be in Form 205.

Documents to be produced at hearing of application

3.—(1) Where the application is for the grant or declaration of the final grant of a licence for an hotel, evidence that the premises comply with section 84(1) as being registered in the register of hotels maintained by the Northern Ireland Tourist Board under section 10 of the Development of Tourist Traffic Act (Northern Ireland) 1948(**a**) shall be given at the hearing of the application by production of a certificate to that effect purporting to be authenticated in the manner provided by section 2 of that Act.

(**a**) 1948 c. 4 (N.I.)

(2) Where the application is for the grant or declaration of the final grant of a licence for a restaurant, the certificate from the said Board referred to in the said section 84(1) (as to registration and compliance by the premises with certain requirements) and purporting to be so authenticated shall be produced at the hearing of the application.

(3) Where application is made for an order under section 29, the certificate from the Northern Ireland Tourist Board stating that the premises are registered in the register of restaurants maintained by the Board under section 10 of the Development of Tourist Traffic Act (Northern Ireland) 1948 shall be produced at the hearing of the application.

(4) Where the application is made for a licence under the Act for any place of entertainment, any licence required by a council under Schedule 1 to the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985(a) shall be produced at the hearing of the application.

PART III

APPLICATIONS FOR DECLARATIONS OF APPROVED SITES UNDER SECTION 8 OF THE ACT

4.—(1) Notice of application in accordance with paragraph 3 of Schedule 3 to the Act for a declaration under section 8 of the Act shall be in Form 206.

(2) Notice of intention to object in accordance with the said paragraph 3 shall be in Form 207.

(3) Such a declaration shall be in Form 208.

PART IV

MISCELLANEOUS

Application under section 31(1)(i)

5.—(1) Notice of application in accordance with paragraph 2 of Schedule 8 to the Act for an order under section 31(1)(i) for the consent of the court to such alterations as are referred to in section 31(1)(*a*) to (*d*) shall be in Form 209.

(2) Notice of intention to object under paragraph 5 of Schedule 8 to the Act shall be in Form 210.

(3) An order consenting to such alterations shall be in Form 211.

Requirements for plans to be attached to notice of application

6.—(1) The plan required by paragraph 3(2) of Schedule 1 to the Act to be attached to a notice of application for the grant of a licence shall be to scale on substantial paper or material and shall show each floor of the premises on a separate page measuring, where practicable, approximately eighteen inches by eighteen inches and certified by an architect, surveyor or any other person considered by the court to be competent to do so.

(2) The plan shall show the parts of the premises in which intoxicating liquor is sold, or in which it is intended that intoxicating liquor should be sold, by clearly distinguishing in bold hatched or shaded colour between that and other parts of the premises.

(3) Where the application relates to an hotel, each of the following parts shall be clearly distinguished (by shading in separately each part in a different colour from the others) namely, the part—

(a) S.I. 1985/1208 (N.I. 15)

(*a*) in which customers who are not residents or the guests of residents may be served with intoxicating liquor;

(*b*) in which only residents may be so served;

(*c*) set apart for the service of main table meals only to residents and their guests;

(*d*) set apart for the service of main table meals whether to the public or to residents or their guests;

(*e*) set apart for the service of intoxicating liquor and other beverages to diners before or after such meals.

Copies of notices for sub-divisional commander to be lodged at police station within police sub-division

7.—(1) Any notice, document or copy thereof required by the Act or this Order to be served upon the sub-divisional commander of a police sub-division shall be served, unless the sub-divisional commander otherwise directs, by being lodged with the member of the Royal Ulster Constabulary for the time being in charge of a police station within the police sub-division in which the premises to which the document relates are or are to be situated; or, as the case may be, in which the applicant resides.

(2) Notwithstanding anything in section 84(8), where the applicant is a body corporate, paragraph (1) shall have effect as if for the reference to the police sub-division in which the applicant resides there were substituted a reference to that in which the body has its principal or registered office.

PART V

REGISTRATION OF CLUBS

Application for the registration of a club

8.—(1) An application for the grant of registration of a club shall be made to the county court for the county court division in which the club premises are situated.

(2) Notice of application in accordance with Article 6 and paragraph 1(1)(*a*) of Schedule 2 to the Order shall be in Form 305.

(3) Notice of application in accordance with Article 6 and paragraphs 1(1)(*b*)(*c*) and (*d*) of Schedule 2 to the Order shall be in Form 306.

(4) A person intending to make an application for the grant of registration of a club shall, in addition to complying with paragraph 1(1)(*b*)(*c*) and (*d*) of Schedule 2 to the Order, serve a copy of the notice upon the clerk of petty sessions for the petty sessions district in which the club premises are situated.

(5) A notice published in the newspapers as required by paragraph 1(1)(*b*) of Schedule 2 to the Order shall—

(*a*) include a reference to the requirement that any person owning or residing or carrying on business in, premises in the vicinity of the premises of the club for which the registration is sought who intends to object to the grant of registration must, in accordance with paragraph 4 of Schedule 2 to the Order, serve notice of his intention to object on the club and the chief clerk, not less than one week before the time of the opening of the court sittings at which the application is to be made;

(*b*) state that the permissible grounds of objection are any of the grounds specified in Article 6(5) and (6) of the Order.

Objection to the registration of a club

9. Notice of intention to object in accordance with paragraphs 3 and 4 of Schedule 2 to the Order shall be in Form 307.

Abridgement of time

10. Schedule 2 to the Order shall have effect as if after paragraph 4 thereof there was added the following paragraph—

"5.—(1) Where a person fails to comply with paragraph 1(1)(*a*)(ii) of this Schedule the court may, if it is satisfied that sufficient reason exists for such failure, on an application made in accordance with sub-paragraph (2), order the time for serving any notice under that paragraph to be abridged.

(2) A person intending to apply for an order under sub-paragraph (1) shall, not less than one week before the time of the opening of the court sittings at which the application is to be made, serve notice of his intention to apply to the chief clerk and at the same time serve a copy of the notice upon the sub-divisional commander of the police sub-division in which the premises of the club are situated and the district council for the district in which the premises of the club are situated.

(3) The notice required by sub-paragraph (2) shall contain a statement of the reason for the failure on which the applicant intends to rely.

(4) The sub-divisional commander of the police sub-division in which the premises of the club are situated and the district council for the district in which the premises of the club are situated shall be entitled to appear and be heard at the hearing of an application for an order under sub-paragraph (1).

(5) A court which makes an order abridging time under sub-paragraph (1) shall record its reasons for making the order.".

SCHEDULE 2 Rule 3(2)(*a*)

Forms to be inserted in Appendix 1

FORM 194

Licensing Act (Northern Ireland) 1971
(Sections 3(1)(a), 4, 7 and Schedule 1)

Notice of application for [provisional] grant of licence for premises in which only or principal business is selling intoxicating liquor by retail for consumption either in or off the premises

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that I/we (*full name(s) of applicant(s)*) [1] of (*full address(es) of applicant(s)*) [1] intend to apply to the County Court/Recorder's Court sitting at (*specify courthouse, place of sitting etc.*) for the above Division commencing at o'clock in the noon on the day of 19 for the [provisional] grant of a licence for the premises [to be] situated at (*full address of premises for which licence sought*), being such premises as are specified in section 3(1)(*a*) of the Licensing Act (Northern Ireland) 1971; namely, premises in which it is intended to carry on only or principally the business of selling intoxicating liquor for consumption either in or off the premises.

I/We will be the owner of such business. [1]
The owner of the premises is (*full name*).

In accordance with Schedule 1 to the said Act of 1971 and Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981, I/we attach to this notice a plan of the premises delineating—

(*a*) the part or parts thereof in which intoxicating liquor is to be sold; and

(*b*) the extent of the premises which are or are to be extended, used or demolished. [2]

There is in force planning permission to use the premises as premises of the kind specified in this notice for the period during which the licence would be in force and a copy of the planning permission is attached; or [3]

The premises may be used as premises of the kind specified in this notice for the period during which the licence would be in force without planning permission. [3]

[FURTHER TAKE NOTICE that I/we intend to apply under section 29 of the said Act of 1971 for an order of the above-named court specifying the part of the premises particularly delineated on the said plan as being suitable for functions such as are referred to in section 49(6) of the said Act, namely those—

(*a*) organised by any body established for social, charitable or benevolent purposes or for furthering the common interest of persons associated with any trade, profession, educational or cultural activity or any game or sport; or

(*b*) (not exceeding six in number in any year) organised by the licence holder, on the grounds that—

(i) the part so delineated is structurally adapted and used or intended to be used for the purpose of providing for the accommodation of persons frequenting it substantial refreshment to which the sale of intoxicating liquor is ancillary; and

(ii) suitable means of access to that part of the premises otherwise than through any other part of the premises which is used for the sale of intoxicating liquor, are available for customers.] [4]

[FURTHER TAKE NOTICE that I/we intend to apply under section 44 of the said Act of 1971 for an order of the above-named court directing that the permitted hours for the part of the premises distinguished on the said plan as being—

(*a*) structurally adapted for the sale of intoxicating liquor for consumption off the premises; and

(*b*) not connected by any internal means of passage open to customers with the part of the premises used for the sale of intoxicating liquor for consumption in the premises,

shall be the hours mentioned in section 42(2) of the said Act of 1971 subject to a condition to be inserted in the licence granted for the premises that the last-mentioned part thereof shall not be used for the sale of intoxicating liquor for consumption therein.] [5]

[FURTHER TAKE NOTICE that I/we intend to apply under section 5(5C) of the said Act of 1971 for a direction that on Sundays there shall be no permitted hours on the premises.] [6]

A subsisting licence as defined in Schedule 2 to the said Act of 1971 for premises such as are specified in section 3(1)[(*a*)] [(*b*)] situated at (*address*) will be surrendered to the court. [7]

Dated this day of 19 .

Signature of applicant(s) or
his/their Solicitor

To: The Chief Clerk at (*address of courthouse*)

Copy to:—

(i) the clerk of petty sessions for the petty sessions district of at (*being the petty sessions district in which the premises are [to be] situated*);

(ii) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the premises are [to be] situated*);

(iii) (if different from (ii)) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the applicant resides*) [8];

(iv) the district council at (*district council for the district in which the premises are [to be] situated*);

(v) the Northern Ireland Tourist Board [9].

Notes:

[1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business, surrender of a licence or applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate, its full title and the names and addresses of the directors, secretary and any other persons who have executive control of it should be stated for the purposes of section 2(4) of the Act.

[2] Paragraph (*b*) should only be included where the subsisting licence, if any, proposed to be surrendered under section 5(2)(*c*)(iii) is for premises which are or are to be extended, used or demolished as mentioned in paragraph 2(*a*), (iv) to (vi) of Schedule 2.

[3] Delete if inapplicable.

[4] This paragraph is to be added only where applicant is applying for an order specifying the suitability of the premises for the possible grant of extension licences under section 49 of the Act.

[5] This paragraph is to be added only where the applicant is also applying for an order that a specified part of the premises is to be licensed for the sale of liquor for consumption off the premises during the alternative permitted hours.

[6] This paragraph is to be added only where the applicant is applying for a declaration under section 5(5C) of the Act.

[7] This paragraph should be omitted where section 5(4) of the Act applies.

[8] Delete if application is made by a housing authority for a provisional grant of a licence.

[9] Delete if application is not for a provisional grant of a licence.

FORM 195

Licensing Act (Northern Ireland) 1971

(Sections 3(1)(b), 4, 7 and Schedule 1)

Notice of application for [provisional] grant of licence for premises in which only or principal business is selling intoxicating liquor by retail for consumption off the premises

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that I/we (*full name(s) of applicant(s)*) [1] of (*full address(es) of applicant(s)*) [1] intend to apply to the County Court/Recorder's Court sitting at (*specify courthouse, place of sitting etc.*) for the above Division commencing at o'clock in the noon on the day of 19 for the [provisional] grant of a licence for the premises [to be] situated at (*full address of premises for which licence sought*), being such premises as are specified in section 3(1)(*b*) of the Licensing Act (Northern Ireland) 1971; namely premises in which I/we intend to carry on only or principally the business of selling intoxicating liquor for consumption off the premises.

I/we will be the owner of such business. [1]

The owner of the premises is (*full name*).

In accordance with Schedule 1 to the said Act of 1971 and Rule 6 of Order 48 of the County Rules (Northern Ireland) 1981, I/we attach to this notice a plan of the premises delineating;

(*a*) the part or parts thereof in which intoxicating liquor is to be sold and

(*b*) the extent of the premises which are to be extended, used or demolished. [2]

There is in force planning permission to use the premises as premises of the kind specified in this notice for the period during which the licence would be in force and a copy of the planning permission is attached;[3] or

The premises may be used as premises of the kind specified in this notice for the period during which the licence would be in force without planning permission. [3]

A subsisting licence as defined in Schedule 2 to the said Act of 1971 for premises such as are specified in section 3(1) [(*a*)] [(*b*)] situated at (*address*) will be surrendered to the Court. [4]

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor

To: The Chief Clerk at (*address of courthouse*).

Copy to:—

(i) the clerk of petty sessions for the petty sessions district of at (*being the petty sessions district in which the premises are [to be] situated*);

(ii) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the premises are [to be] situated*);

(iii) (if different from (ii)) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the applicant resides*) [5];

(iv) the district council at (*district council for the district in which the premises are [to be] situated*).

Notes:

[1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business, surrender of a licence or applicant's resident must be omitted. Where the application is for the grant of the licence to a body corporate, its full title and the names and addresses of the directors, secretary and of any other persons who have executive control of it should be stated for the purpose of section 2(4) of the Act.

[2] Paragraph (*b*) should only be included where the subsisting licence, if any, proposed to be surrendered under section 5(2)(*c*)(ii) is for premises which are or are to be extended used or demolished as mentioned in paragraph 2(*a*)(iv) to (vi) of Schedule 2.

[3] Delete if inapplicable.

[4] This paragraph should be omitted where section 5(4) of the Act applies.

[5] Delete if application is made by a housing authority for a provisional grant of a licence.

FORM 196

Licensing Act (Northern Ireland) 1971

(Sections 3(1)(c), 4, 7, 84 and Schedule 1)

Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in an hotel

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that I/we (*full name(s) of applicant(s)*) [1] of (*full address(es) of applicant(s)*) [1] intend to apply to the County Court/Recorder's Court sitting at (*specify courthouse, place of sitting etc.*) for the above Division commencing at o'clock in the noon on the day of 19 for the [provisional] grant of a licence for the premises [to be] situated at (*full address of premises for which licence sought*), being hotel premises such as are specified in section 84 of the Licensing Act (Northern Ireland) 1971; namely premises which are [or it is intended should be] registered in the register of hotels maintained by the Northern Ireland Tourist Board under section 10 of the Development of Tourist Traffic Act (Northern Ireland) 1948.

I/we will be the owner(s) of the business carried on under the licence. [1]

The owner of the premises is (*full name*) and a plan of the premises separately delineating each part or parts of the premises as specified in Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981 is attached to this notice in accordance with Schedule 1 to the said Act of 1971.

There is in force planning permission to use the premises as premises of the kind specified in this notice for the period during which the licence would be in force and a copy of the planning permission is attached; [2] or

The premises may be used as premises of the kind specified in this notice for the period during which the licence would be in force without planning permission. [2]

[FURTHER TAKE NOTICE that I/we intend to apply under section 29 of the said Act of 1971 for an order of the above-named court specifying the part of the premises particularly delineated on the said plan as being suitable for functions such as are referred to in section 49(6) of the said Act, namely those—

(*a*) organised by any body established for social, charitable or benevolent purposes or for furthering the common interest of persons associated with any trade, profession, educational or cultural activity or any game or sport; or

(*b*) (not exceeding six in number in any year) organised by the licence holder, on the grounds that—

(i) the part so delineated is structurally adapted and used or intended to be used for the purpose of providing for the accommodation of persons frequenting it substantial refreshment to which the sale of intoxicating liquor is ancillary; and

(ii) suitable means of access to that part of the premises otherwise than through any other part of the premises which is used for the sale of intoxicating liquor, are available for customers.] [3]

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor

To: The Chief Clerk at (*address of courthouse*).

Copy to:—

(i) the clerk of petty sessions for the petty sessions district of at (*being the petty sessions district in which the premises are [to be] situated*);

(ii) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the premises are [to be] situated*);

(iii) (if different from (ii)) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the applicant resides*) [4];

(iv) the district council at (*district council for the district in which the premises are [to be] situated*);

(v) the Northern Ireland Tourist Board [5].

Notes:

[1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business and to the applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate its full title and the names and addresses of the directors, secretary and of any other persons who have executive control of it should be stated for the purposes of section 2(4) of the Act.

[2] Delete if inapplicable.

[3] This paragraph is to be added only where the applicant is applying for an order specifying the suitability of the premises for the possible grant of extension licences under section 49 of the Act.

[4] Delete if application is made by a housing authority for a provisional grant of a licence.

[5] Delete if application is not for a provisional grant of a licence.

FORM 197

Licensing Act (Northern Ireland) 1971

(Sections 3(1)(d), 4, 7, 84 and Schedule 1)

Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in a restaurant

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that I/we *(full name(s) of applicant(s))* [1] of *(full address(es) of applicant(s))* [1] intend to apply to the County Court/Recorder's Court sitting at *(specify courthouse, place of sitting etc.)* for the above Division commencing at o'clock in the noon on the day of 19 for the [provisional] grant of a licence for the premises [to be] situated at *(full address of premises for which licence sought)* being restaurant premises such as are specified in section 84 of the Licensing Act (Northern Ireland) 1971; namely premises—

(*a*) which are [to be] structurally adapted and used, or intended to be used, for the purpose of providing persons frequenting the premises with a customary main meal at mid-day or in the evening, or both; and

(*b*) for which there is [or it is intended that there should be] in force a certificate from the Northern Ireland Tourist Board stating—

(i) that the restaurant for which the certificate is in force is registered in the register of restaurants maintained by the Board under section 10 of the Development of Tourist Traffic Act (Northern Ireland) 1948;

(ii) that in the opinion of the Board the restaurant—

(*aa*) is well equipped and well furnished and provides comfortable seating in the dining-room or rooms;

(*bb*) is operated by a competent management and staff; and

(*cc*) provides a high standard of catering; and

(iii) that the restaurant conforms to the requirements (if any) prescribed by regulations made by the Department of Health and Social Services with the concurrence of the Department of Economic Development.

The said certificate will be produced to the Court at the hearing of the application [for a declaration that the grant of the licence is final].

I/we will be the owner(s) of the business carried on under the licence. [1]

The owner of the premises is *(full name)* and a plan of the premises delineating the part or parts thereof in which intoxicating liquor is to be sold is attached to this notice in accordance with Schedule 1 to the said Act of 1971 and Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981.

There is in force planning permission to use the premises as premises of the kind specified in this notice for the period during which the licence would be in force and a copy of the planning permission is attached; [2] or

The premises may be used as premises of the kind specified in this notice for the period during which the licence would be in force without planning permission. [2].

[FURTHER TAKE NOTICE that I/we intend to apply under section 29 of the said Act of 1971 for an order of the above-named court specifying the part of the premises particularly delineated on the said plan as being suitable for functions such as referred to in section 49(6) of the said Act, namely those—

(*a*) organised by any body established for social, charitable or benevolent purposes or for furthering the common interest of persons associated with any trade, profession, educational or cultural activity or any game or sport; or

(*b*) (not exceeding six in number in any year) organised by the licence holder, on the grounds that—

(i) the part so delineated is structurally adapted and used or intended to be used for the purpose of providing for the accommodation of persons frequenting it substantial refreshment to which the sale of intoxicating liquor is ancillary; and

(ii) suitable means of access to that part of the premises otherwise than through any other part of the premises which is used for the sale of intoxicating liquor, are available for customers.] [3]

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor

To: The Chief Clerk at (*address of courthouse*).

Copy to:—

(i) the clerk of petty sessions for the petty sessions district of at (*being the petty sessions district in which the premises are [to be] situated*);

(ii) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the premises are [to be] situated*);

(iii) (if different from (ii)) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the applicant resides*) [4];

(iv) the district council at (*district council for the district in which the premises are [to be] situated*);

(v) the Northern Ireland Tourist Board [5].

Notes:

[1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business and to the applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate its full title and the names and addresses of the directors, secretary and of any other persons who have executive control of it should be stated for the purposes of section 2(4) of the Act.

[2] Delete if inapplicable.

[3] This paragraph is to be added only where the applicant is applying for an order specifying the suitability of the premises for the possible grant of extension licences under section 49 of the Act.

[4] Delete if application is made by a housing authority for a provisional grant of a licence.

[5] Delete if application is not for a provisional grant of a licence.

FORM 198

Licensing Act (Northern Ireland) 1971

(Sections 3(1)(e), 4, 7, 84 and Schedule 1)

Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in a place of public entertainment

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that I/we *(full name(s) of applicant(s))* [1] of *(full address(es) of applicant(s))* [1] intend to apply to the County Court/Recorder's Court sitting at *(specify courthouse, place of sitting etc.)* for the above Division commencing at o'clock in the noon on the day of 19 for the [provisional] grant of a licence for the premises [to be] situated at *(full address of premises for which licence sought)*, being a place of public entertainment such as is specified in section 84 of the Licensing Act (Northern Ireland) 1971, namely premises:—

(*a*) used as a theatre; [2] [3];

(*b*) used as a ballroom; [2] [3];

(*c*) on a licensed track within the meaning of the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985; [2] [3]; or

(*d*) [name such other premises used for the purposes of such entertainments, in accordance with such conditions as are for the time being prescribed by regulations made by the Department of Health and Social Services under section 84 of the Act.] [2] [3]

I/we will be the owner(s) of the business carried on under the licence. [1]

The owner of the premises is *(full name)* and a plan of the premises delineating the part or parts thereof in which intoxicating liquor is to be sold is attached to this notice in accordance with Schedule 1 to the said Act of 1971 and Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981.

There is in force planning permission to use the premises as premises of the kind specified in this notice for the period during which the licence would be in force and a copy of the planning permission is attached; [4] or

The premises may be used as premises of the kind specified in this notice for the period during which the licence would be in force without planning permission. [4]

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor

To: The Chief Clerk at *(address of courthouse)*.

Copy to:—

(i) the clerk of petty sessions for the petty sessions district of at (*being the petty sessions district in which the premises are [to be] situated*);

(ii) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the premises are [to be] situated*);

(iii) (if different from (ii)) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the applicant resides*) [5];

(iv) the district council at (*district council for the district in which the premises are [to be] situated*).

Notes:

[1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business, surrender of a licence or applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate its full title and the names and addresses of the directors, secretary and of any other persons who have executive control of it should be stated for the purposes of section 2(4) of the Act.

[2] Delete as applicable.

[3] Where premises are kept or used for public entertainment any licence required by a council under Schedule 1 to the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 must be produced at the hearing of the application for the grant or, as the case may be, for a declaration that the grant of the licence is final.

[4] Delete if inapplicable.

[5] Delete if application is made by a housing authority for a provisional grant of a licence.

FORM 199

Licensing Act (Northern Ireland) 1971

(Sections 3(1)(f), 4, 7, 84 and Schedule 1)

Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in a refreshment room in public transport premises

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that I/we (*full name(s) of applicant(s)*) [1] of (*full address(es) of applicant(s)*) [1] intend to apply to the County Court/Recorder's Court sitting at (*specify courthouse, place of sitting etc.*) for the above Division commencing at o'clock in the noon on the day of 19 for the [provisional] grant of a licence for the premises [to be] situated at (*full address of premises for which licence sought*), being a refreshment room in public transport premises; namely, at a railway station [or airport] [or harbour terminal] [or bus station] as defined by section 84 of the Licensing Act (Northern Ireland) 1971.

I/we will be the owner(s) of the business carried on under the licence. [1]

The owner of the premises is (*full name*) and a plan of the premises delineating the part or parts thereof in which intoxicating liquor is to be sold is attached to this notice in accordance with Schedule 1 to the said Act of 1971 and Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981.

There is in force planning permission to use the premises as premises of the kind specified in this notice for the period during which the licence would be in force and a copy of the planning permission is attached; [2] or

The premises may be used as premises of the kind specified in this notice for the period during which the licence would be in force without planning permission. [2]

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor

To: The Chief Clerk at (*address of courthouse*).

Copy to:—

(i) the clerk of petty sessions for the petty sessions district of at (*being the petty sessions district in which the premises are [to be] situated*);

(ii) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the premises are [to be] situated*);

(iii) (if different from (ii)) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the applicant resides*) [3];

(iv) the district council at
(*district council for the district in which the premises are [to be] situated*).

Notes:

[1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business and to the applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate its full title and the names and addresses of the directors, secretary and of any other persons who have executive control of it should be stated for the purposes of section 2(4) to the Act.

[2] Delete if inapplicable.

[3] Delete if application is made by a housing authority for a provisional grant of a licence.

FORM 200

Licensing Act (Northern Ireland) 1971

(Sections 3(1)(g), 4, 7, 75, 84 and Schedule 1)

Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in a seamen's canteen

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that the applicant body (*name of body providing the seamen's canteen*) of (*address*) intend to apply to the County Court/Recorder's Court sitting at (*specify courthouse, place of sitting, etc.*) for the above Division commencing at o'clock in the noon on the day of 19 for the [provisional] grant of a licence for the premises situated at (*full address of premises for which licence sought*) namely, premises such as are specified in section 84 of the Licensing Act (Northern Ireland) 1971 provided by the applicant, being a body approved by the Secretary of State. The premises—

(*a*) are [to be] structurally adapted and used, or intended to be used, for the purpose of providing persons frequenting the premises with food and/or drink whether or not the food or drink is separately paid for; and

(*b*) are [to be] situated in a place for which there is in force a certificate granted by the Secretary of State after consultation with the Merchant Navy Board stating there is need for a seamen's canteen.

The said certificate will be produced at the hearing of the application.

As required by section 75 of the said Act of 1971 a copy of the draft rules prepared by the applicant as to the persons entitled to use the canteen is attached to this notice.

The applicant body will be the owner of the business carried on under the licence.

The owner of the premises is (*full name*) and a plan of the premises delineating the part or parts thereof in which intoxicating liquor is to be sold is attached to this notice in accordance with Schedule 1 to the said Act of 1971 and Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981.

There is in force planning permission to use the premises as premises of the kind specified in this notice for the period during which the licence would be in force and a copy of the planning permission is attached; [1] or

The premises may be used as premises of the kind specified in this notice for the period during which the licence would be in force without planning permission. [1]

To: The Chief Clerk at (*address of courthouse*).

Copy to:—

(i) the clerk of petty sessions for the petty sessions district of at (*being the petty sessions district in which the premises are [to be] situated*);

(ii) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the premises are [to be] situated*);

(iii) (if different from (ii)) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the applicant resides*) [2];

(iv) the district council at (*district council for the district in which the premises are [to be] situated*).

Notes:

[1] Delete if inapplicable.

[2] Delete if application is made by a housing authority for a provisional grant of a licence.

FORM 201

Licensing Act (Northern Ireland) 1971

(Sections 4, 79 and Schedule 1)

Notice of application for grant of licence for non-seagoing vessel

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that I/we (*full name(s) of applicant(s)*) of (*full address(es) of applicant(s)*) intend to apply to the County Court/Recorder's Court sitting at (*specify courthouse, place of sitting, etc.*) for the above Division commencing at o'clock in the noon on the day of 19 for the [provisional] grant of a licence for the vessel being a vessel other than a seagoing vessel plying from (*place from which vessel plies*).

I/we will be the owner of the business of selling intoxicating liquor for consumption in the vessel under such licence.

The owner of the vessel is (*full name*) and a plan of the vessel delineating the part or parts thereof in which intoxicating liquor is to be sold is attached to this notice.

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor

To: The Chief Clerk at (*address of courthouse*).

Copy to:

(i) the clerk of petty sessions for the petty sessions district of at (*being the petty sessions district in which the place from which the vessel plies is situated*);

(ii) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the place from which the vessel plies is situated*);

(iii) (if different from (ii)) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the applicant resides*);

(iv) the district council at (*district council for the district in which the place from which the vessel plies is situated*).

FORM 202

Licensing Act (Northern Ireland) 1971

(Section 7(7) and Schedule 1)

Notice of application for declaration of final grant of licence where grant has been provisional

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that I/we (*full name(s) of Applicant(s)*) of (*full address(es) of applicant(s)*) intend to apply to the County Court/Recorder's Court sitting at (*specify courthouse, place of sitting, etc.*) for the above Division commencing at o'clock in the noon on the day of 19 for a declaration that the grant of a licence for the premises situated at (*full address of premises*) granted provisionally by the above-named court on the day of 19 be declared final.

The licence was granted provisionally to the housing authority and I/we have been nominated as the applicant(s). [1]

I/we will be the owner of the business.

The owner of the premises is (*full name*) and the premises have been completed in accordance with the plans deposited in court upon the application for the provisional grant of the licence [as modified with the consent of the court given on the day of 19 under section 7(6) of the said Act of 1971 [2]].

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor

To: The Chief Clerk at (*address of courthouse*).

Copy to:—

(i) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the premises for which the licence was provisionally granted are situated*);

(ii) (if different from (i)) the sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the applicant resides*);

(iii) the district council at (*district council for the district in which the premises for which the licence was provisionally granted are situated*).

Note:

[1] Delete except where provisional grant of a licence was to a housing authority.

[2] Delete if inapplicable.

FORM 203

Licensing Act (Northern Ireland) 1971
(Section 7(6))

Notice of application for consent to modification of plans of premises for which licence provisionally granted

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that I/we *(full name(s) of applicant(s))* of *(full address(es) of applicant(s))* intend to apply to the County Court/Recorder's Court sitting at *(specify courthouse, place of sitting, etc.)* for the above Division commencing at o'clock in the noon on the day of 19 for its consent to the modification of plans deposited under Schedule 1 to the Licensing Act (Northern Ireland) 1971 in respect of premises [to be] situated at *(full address of premises for which licence sought)* for which the court on the day of 19 provisionally granted a licence under section 7 of the said Act for premises of the kind specified in paragraph of section 3(1) thereof.

A copy of the modified plans clearly showing the proposed modifications is attached to this notice.

I/we intend to have the licence declared final when the premises are completed in accordance with the modified plans if they are approved by the court.

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor

To: The Chief Clerk at *(address of courthouse)*.

Copy to:

(i) the sub-divisional commander at
(sub-divisional headquarters for the police sub-division in which the premises are [to be] situated);

(ii) the district council at
(district council for the district in which the premises are [to be] situated).

FORM 204

Licensing Act (Northern Ireland) 1971

(Sections 6, 7 and Schedule 1 paras. 6 and 11)

Notice of intention to object to [grant] [provisional grant] [declaration of final grant] of licence

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that I (*full name*) of (*full address*) being:—

(*a*) the sub-divisional commander of the police sub-division in which the premises are [to be] situated; [1] or

(*b*) (if different from (*a*)) the sub-divisional commander of the police sub-division in which the applicant for the licence resides; [1] or

(*c*) a member of the district council for the district in which the premises are [to be] situated; [1] or

(*d*) a person owning, or residing or carrying on business in, premises in the vicinity of the premises for which the licence is sought, [1] [2]

intend at the hearing of the application for the [grant] [provisional grant] [declaration of final grant] of a licence for the premises at (*address*) to be heard at the sitting of the above court commencing on at to appear and object to such grant on grounds specified in Schedule 1 to the above Act of 1971.

(*state briefly and precisely grounds of objection*).

Dated this day of 19 .

Signature of Objector or his Solicitor

To: (*full name(s) of applicant(s) for grant of licence*) of (*full address(es) of applicant(s)*)

Copy to the Chief Clerk at (*address of courthouse*).

Notes:

[1] Delete if inapplicable.

[2] Under Schedule 1, paragraph 11 of the Act, a person within category (*d*) has no right of objection to the declaration of the final grant of a licence.

FORM 205

Licensing Act (Northern Ireland) 1971
(Schedule 1 para. 5)

Notice of intention to object to surrender of licence under section 5(2)(*c*)(ii)

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that I (*full name*) of (*full address*) having an estate in the premises at (*full address of premises*) specified in a licence for the sale by retail of intoxicating liquor, which (*name of applicant for licence*) of (*address*) proposes to surrender under section 5(2)(*c*)(ii) of the above Act of 1971 to the clerk of the above-named court before the licence is issued for the premises at (*address of premises for which new licence is to be issued*), intend at the hearing of the application for the grant of the last-mentioned licence at the sitting of the court commencing on at to appear and object to such surrender on the following grounds—

(*state briefly and precisely grounds of objection*).

Dated this day of 19 .

Signature of Objector or his Solicitor

To: (*full name of applicant for grant of licence*) of (*full address of applicant*)

Copy to the Chief Clerk at (*address of courthouse*).

FORM 206

Licensing Act (Northern Ireland) 1971

(Section 8 and Schedule 3 paras. 3 and 4)

Notice of application for declaration of approved sites

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

WHEREAS the housing authority, of which the principal office is situated at (*address*) [having under Article 48 of the Housing (Northern Ireland) Order 1981 submitted to the Department of the Environment for Northern Ireland a re-development scheme in respect of the area described in the Schedule hereto] [1], has under paragraph 2 of the Schedule 3 to the above Act of 1971 submitted to the Department of the Environment for Northern Ireland proposals relating to the number and situation of sites for licensed premises and as to the kind of premises to be erected on those sites as described in the Schedule:

AND WHEREAS the said Department has approved those proposals with/without modification and has approved (*number*) sites in the said area:

TAKE NOTICE that the said housing authority intends to apply under the provisions of section 8 of and Schedule 3 to the above Act of 1971 to the County Court/Recorder's Court sitting at (*specify courthouse, place of sitting, etc.*) for the above division commencing at o'clock in the noon on the day of 19 for a declaration in the terms of those provisions.

Signed and sealed on behalf
of the Applicant

(L.S.)

Dated this day of 19 .

.... Chairman
..... Secretary or Clerk.

SCHEDULE

(Description of area and situation of approved sites)

To: The Chief Clerk at (*address of courthouse*).

Copy to:—

(i) the sub-divisional commander(s) at (*sub-divisional headquarters for the police sub-division(s) in which the area, or any part of it, is situated*);

(ii) the district Council(s) at (*district council(s) for the district(s) in which the area, or any part of it, is situated*).

Note:

[1] Delete if inapplicable.

FORM 207

Licensing Act (Northern Ireland) 1971

(Section 8 and Schedule 3 para. 3(3) and (4))

Notice of intention to object to issue of declaration with respect to approved site

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that on the hearing of the application of (*full title of housing authority*) under section 8 of and Schedule 3 to the above Act of 1971 at the sitting of the court commencing on at I (*full name*) of (*full address*) being:—

(*a*) a sub-divisional commander of a police sub-division in which the area, or a part of the area, is situated; [1] or

(*b*) a member of a district council for a district in which the area, or a part of the area, is situated; [1] or

(*c*) a person owning, or residing or carrying on business in premises in the vicinity of the area (*state full address of such premises*); [1]

intend to appear and object to the issue of the declaration with respect to that site on the following grounds—

(*state briefly and precisely grounds of objection*).

Signature of Objector or
his Solicitor

Dated this day of 19 .

To: (*full title of housing authority*) at
(*full address*)

Copy to the Chief Clerk at
(*address of courthouse*).

Note:

[1] Delete as applicable.

FORM 208

Licensing Act (Northern Ireland) 1971

(Section 8 and Schedule 3 para. 4)

Declaration of approved sites

BY THE COUNTY COURT JUDGE/RECORDER
IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

UPON AN APPLICATION made on the day of 19 by the housing authority under section 8 of and Schedule 3 to the above Act of 1971

AND UPON READING the notice of application

AND UPON HEARING

THE COURT DOTH DECLARE that, the court will grant licences for the sale of intoxicating liquor respectively specified in the First Schedule hereto in respect of the premises erected or to be erected on the several sites so specified, being sites situated in the area described in the Second Schedule hereto and approved by the Department of the Environment for Northern Ireland under paragraph 2 of the said Schedule 3.

[This declaration shall remain in force for the period of from the date of issue]. [1]

Dated this day of 19 .

Chief Clerk.

(Seal)

FIRST SCHEDULE

Description of site	*Description of licence which may be issued in respect of premises erected or to be erected on site*
1.	1.
2.	2.
3.	3.
4.	4.

Note:

[1] Delete where the Court does not specify duration of declaration.

FORM 209

Application for consent to alterations to licensed premises

Licensing Act (Northern Ireland) 1971

(Section 31(1)(i) and (2) and Schedule 8)

Notice of application for consent to alteration to licensed premises

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that I/we (*full name(s)*) of (*full address(es)*), the holder(s) of a licence of the kind specified in section 3(1) [(*a*)] [(*b*)] [(*c*)] [(*d*)] [(*e*)] [(*f*)] [(*g*)] [1] of the above Act of 1971 for the premises situated at (*full address*) intend to apply to the County Court/ Recorder's Court sitting at (*specify courthouse, place of sitting, etc.*) for the above Division commencing at o'clock in the noon on the day of 19 for an order consenting to a proposed alteration in those premises, being an alteration of the kind specified in section 31(1) [(*a*)] [(*b*)] [(*c*)] [(*d*)] [1] of the said Act, namely—

(*give brief particulars of alterations*) details of which are shown on the plan of the premises attached to this notice.

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor

To: The Chief Clerk at (*address of courthouse*).

Copy to:—

(i) sub-divisional commander at (*sub-divisional headquarters for the police sub-division in which the premises are situated*).

(ii) (*full name of person who is recorded in the register of licences as the owner of the premises*).

Note:

[1] Delete reference to paragraphs which are inapplicable.

FORM 210

Licensing Act (Northern Ireland) 1971
(Schedule 8, paras. 5 and 6)

Notice of intention to object to consent to alterations to licensed premises

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that on the hearing of the application of under section 31 of the above Act of 1971 at the sitting of the court commencing on at I (*full name*) of (*full address*) being:—

(*a*) the sub-divisional commander of the police sub-division in which the premises are situated; [1] or

(*b*) the person whose name is recorded in the register of licences as the owner of the premises, [1]

intend to object to the court's consenting to the proposed alteration to the licensed premises at (*address*) to which such application relates.

Signature of Objector or
his Solicitor

Dated this day of 19 .

To: (*full name of applicant*) of (*full address*).

Copy to the Chief Clerk at (*address of courthouse*).

Note:

[1] Delete as applicable.

FORM 211

Licensing Act (Northern Ireland) 1971
(Section 31(1)(i))

Order consenting to alteration to licensed premises

BY THE COUNTY COURT JUDGE/RECORDER
IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

UPON AN APPLICATION made on the day of 19
by (*full name*) of
(*full address*) under section 31 of the above Act of 1971.

AND UPON READING the notice of application

AND UPON HEARING

THE COURT HEREBY ORDERS that consent be given to the alteration in the licensed premises at (*address*), being an alteration of the kind specified in section 31(1) [(*a*)] [(*b*)] [(*c*)] [(*d*)] [[1]] of the said Act, namely—

(*particulars of alterations*) details of which are shown on the plan of the premises attached to this Order.

Dated this day of 19 .

(Seal) Chief Clerk

Note:
[[1]] Delete reference to paragraphs which are inapplicable.

SCHEDULE 3 Rule 3(2)(*b*)

Forms to be inserted in Appendix 1

FORM 305

Registration of Clubs (Northern Ireland) Order 1987

(Article 6: Schedule 2, paragraph 1(1)(a))

Preliminary Notice of Application for the registration of a club

TAKE NOTICE that I, (*full name*) of (*full address*), Secretary, intend to apply to the County Court/Recorder's Court sitting for the above Division at a time not less than [two years] [one year] [1] from the date of this Notice for a grant of registration of (*full name of club*) of (*full address of club premises*).

The objects of the club are (*state objects of club*)

Dated this day of 19 .

Signature of Secretary/
Solicitor

To: The Chief Clerk at (*address of courthouse*).

Copy to :

(i) the sub-divisional commander at (*police sub-division in which the premises of the club are situated*);

(ii) the district council at (*district council for the district in which the premises of the club are situated*);

Note:

[1] Insert as applicable. Under paragraph 1(1)(*a*) of Schedule 2 to the Order the preliminary notice of the application is required to be served not less than one year (in the case of an application in respect of a club the registration of which has been cancelled under Article 11 and the premises of which have not been disqualified under Article 13(1)(*b*)) or two years (in any other case) before the time of the opening of the court sittings at which the application is to be heard.

FORM 306

Registration of Clubs (Northern Ireland) Order 1987
(Article 6; Schedule 2, paragraphs 1(1)(b), (c) and (d)

Notice of application for the registration of a club

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that I, (*full name*) of (*full address*), Secretary, intend to apply to the County Court/Recorder's Court sitting at (*specify courthouse and address*) for the above Division at o'clock in the noon on the day of 19 for a grant of registration of (*full name of club*) of (*full address of club premises*).

Preliminary notice of this application was given by Notice dated day of 19 . [1]

The owner of the premises is (*full name*) of (*full address*).

The objects of the club are (*state objects of club*).

All of the information, particulars and documents required under paragraph 2(2) of Schedule 2 to the Registration of Clubs (Northern Ireland) Order 1987 are attached. [2]

The club is a [night-workers club] [sporting club]. [1]

Dated this day of 19 .

Signature of Secretary/
Solicitor

To: The Chief Clerk at (*address of courthouse*).

Copy to:

(i) the sub-divisional commander at (*police sub-division in which the premises of the club are situated*);

(ii) the district council at (*district council for the district in which the premises of the club are situated*).

Notes:

[1] Delete if inapplicable.

[2] Paragraph 2(2) of Schedule 2 to the Order requires an applicant for registration to attach such information, particulars and documents with respect to the clubs, its officers and members, its objects and activities, its accounts and financial standing as may be required by regulations made by the Department of Health and Social Services to the notice served on the Chief Clerk and the copy notices served on the sub-divisional commander and district council.

FORM 307

Registration of Clubs (Northern Ireland) Order 1987
(Schedule 2, paragraphs 3 and 4)

Notice of intention to object to the grant of registration of a club

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that I (*full name*) of (*full address*) being [sub-divisional commander for the police sub-division in which] [1] [the district council for the district in which] [1] [a person owning, residing or carrying on business in premises in the vicinity of which] [1] the premises of the club are situated intend at the hearing of the application for the grant of registration at (*place of hearing*) on (*date of hearing*) to appear and object to such grant on the following grounds (being grounds specified in Article 6(5) or (6) of the above Order).

(state briefly and precisely the grounds of objection)

Dated this day of 19 .

Signature of Objector or
his Solicitor

To: (*full name of club*) at (*full address of club*).

Copy to the Chief Clerk at (*address of courthouse*).

Note:
[1] Insert as applicable.

EXPLANATORY NOTE

(This note is not part of the Rules.)

These Rules amend the County Court Rules (Northern Ireland) 1981 by the insertion of a revised Order 48 providing for the procedure to be followed in connection with applications to the county court under the Licensing Act (Northern Ireland) 1971 (as amended) and the Registration of Clubs (Northern Ireland) Order 1987 (Schedule 1). The necessary forms for use in such applications are also prescribed (Schedules 2 and 3).