1971. No. 174 **[C]**

COUNTY COURT RULES

Licensing

RULES, DATED 17TH JUNE 1971, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 146 OF THE COUNTY COURTS ACT (NORTHERN IRELAND) 1959.

I, the Right Honourable Brian Faulkner, D.L., Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by section 146 of the County Courts Act (Northern Ireland) 1959(a), section 86(1) of, paragraph 2 of Schedule 1, paragraph 3(2) of Schedule 3 and paragraph 3 of Schedule 8 to the Licensing Act (Northern Ireland) 1971(b) and all other powers thereunto enabling, on the recommendation of the County Court Rules Committee and after consultation with the Lord Chief Justice, do hereby make the Rules hereinafter set forth.

Dated this 17th day of June 1971.

Brian Faulkner,
Minister of Home Affairs
for Northern Ireland.

The Ministry of Finance hereby concurs in the provisions of Rule 11 as to court fees.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 17th day of June 1971.

(L.S.)

C. F. Darling,
Assistant Secretary.

PART I

GENERAL

Citation

1. These Rules may be cited as the County Court (Licensing) Rules (Northern Ireland) 1971.

Revocation

2. The County Court (Licensing) Rules (Northern Ireland) 1968(c) are hereby revoked.

Interpretation

3.—(1) In these Rules—

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

(2) A reference to a Form by number is a reference to that Form as numbered in the Schedule to these Rules.

(a) 1959. c. 25.
(b) 1971. c. 13 (N.I.).
(c) S.R. & O. (N.I.) 1968, No. 89.

PART II

APPLICATIONS FOR THE GRANT OF LICENCES

Notices of application

4.—(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 the Forms numbered 1 to 8 as may be appropriate.

(2) Where application is to be made at the time of the grant or provisional grant of the licence 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 premises such as are specified in section 3(1)(*b*) or for part of such premises as are specified in section 3(1)(*a*) shall be the alternative permitted hours (for the sale of intoxicating liquor for consumption off the premises or such part thereof); or

(*c*) section 45 directing that on certain weekdays in a specified part or parts of a hotel or restaurant (used for providing entertainment and refreshment) certain additional hours shall be included in the permitted hours,

such intention shall be stated in the notice of application; and, where the application is for an order under section 29, 44(1)(*a*), 44(2) or section 45, 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.

(3) 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 the kind approved for that site by the declaration.

(4) Notice of application for a declaration that the grant of a licence is final in accordance with section 7(7) shall be in Form 9 and the applicant shall attach the licence to the notice for the purposes of section 7(10).

(5) A notice of intention to object in accordance with paragraphs 4 and 6 or 11 of Schedule 1 to the Act to the grant or final grant of a licence shall be in Form 10.

(6) 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 11.

Documents to be produced at hearing of application

5.—(1) Where the application is for the grant or final grant of a licence for an hotel, evidence that the premises comply with section 84(1) of the Act 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(**d**) 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.

(**d**) 1948. c. 4.

(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 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 45 or for a licence under the Act for any place of entertainment any licence required by the sanitary authority under section 31 of the Local Government Act (Northern Ireland) 1934(e) must be produced at the hearing of the application.

(4) Where application is made to the court under section 12 of and Schedule 2 to the Intoxicating Liquor and Licensing Act (Northern Ireland) 1927(f) for the grant of a licence for premises primarily and ordinarily used as a theatre or music hall and also for a licence of the kind referred to in section 3(1)(*e*) of the Licensing Act (Northern Ireland) 1971 for the same premises the applications shall be heard together.

PART III

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

6.—(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 12.

(2) Notice of intention to object in accordance with the said paragraph 3 shall be in Form 13.

(3) Such a declaration shall be in Form 14.

PART IV

APPLICATIONS UNDER SECTION 31(1)(i) OF THE ACT FOR CONSENT TO ALTERATIONS TO LICENSED PREMISES

7.—(1) Notice of application for an order under section 31(1)(i) of the Act for the consent of the court to such alterations as are referred to in section 31(1)(*a*) to (*d*) thereof shall be in Form 15.

(2) Notice of intention to object under paragraph 5 of Schedule 8 to the Act shall be in Form 16.

(3) An order consenting to such alteration shall be in Form 17.

PART V

MISCELLANEOUS

Claims Fund

8. Where an application is made for the grant of a licence for premises of a kind mentioned in section 3(1)(*a*) or (*b*) of the Act and the licence granted is issued before 1st April 1972 or any other date prescribed by order made by the Ministry of Finance such as is referred to in paragraph 15(2) of Schedule 11 to the Act, any receipt issued in the name of the said Ministry for the Claims Fund charge payable in respect of the period during which the licence is valid shall be produced to the court in accordance with section 16 of the Finance Act (Northern Ireland) 1967(g).

(e) 24 & 25 Geo. 5 c. 22 (N.I.). (f) 17 & 18 Geo. 5 c. 21 (N.I.).
(g) 1967, c. 20 (N.I.).

Requirements for plans to be attached to notice of application

9.—(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 linen or substantial paper and shall show each floor of the premises on a separate page measuring, where practicable, approximately eighteen inches by eighteen inches and certified by a competent architect or surveyor.

(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 of the premises shall be clearly distinguished (by shading in separately each part in a different colour from the others) namely, the part:—

(*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 Divisional Commander to be lodged at police station within police division

10.—(1) Any notice, document or copy thereof required by the Act or these Rules to be served upon the Divisional Commander of a police division shall be served, unless the 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 division in which the premises to which the document relates are situated.

(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 division in which the applicant resides there were substituted a reference to that in which the body has its principal or registered office.

Court fees

11. For Part III of Appendix ZM to the County Court Rules (Northern Ireland) 1965 there shall be substituted the following Part:—

No.	Item	Fee
		£
1	On a notice of application in relation to a licence, for a declaration under section 8 of the Licensing Act (Northern Ireland) 1971 or for an order under section 31 of that Act.	1.50
2	Declaration under section 8 of the Licensing Act (Northern Ireland) 1971.	2.00

ARRANGEMENT OF FORMS IN SCHEDULE 1

PART I

APPLICATIONS FOR THE GRANT OF LICENCES

Form No.

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.
2. 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.
3. Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in a hotel.
4. Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in a restaurant.
5. Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in a place of public entertainment.
6. Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in a refreshment room in public transport premises.
7. Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in a seamen's canteen.
8. Notice of application for grant of licence for non-seagoing vessel.
9. Notice of application for declaration of final grant of licence where grant has been provisional.
10. Notice of intention to object to [final] grant of licence.
11. Notice of intention to object to surrender of licence under section 5(2)(*c*)(ii).

PART II

APPLICATIONS FOR DECLARATIONS OF APPROVED SITES

12. Notice of application for declaration of approved sites.
13. Notice of intention to object to issue of declaration with respect to approved site.
14. Declaration of approved sites.

PART III

APPLICATION FOR CONSENT TO ALTERATIONS TO LICENSED PREMISES

15. Notice of application for consent to alteration to licensed premises.
16. Notice of intention to object to consent to alteration to licensed premises.
17. Order consenting to alteration to licensed premises.

SCHEDULE

PART I -

APPLICATIONS FOR GRANT OF LICENCES

Form 1

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)*)* 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 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.*

The owner of the premises is (*full name*) of (*full address*) and a plan of the premises delineating the part or parts thereof in which intoxicating liquor is to be sold *[*and* (where the subsisting licence (if any) proposed to be surrendered under section 5(2)(*c*)(ii) or 7(4)(*c*) 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) the extent of those premises] is attached to this notice in accordance with Schedule 1 to the said Act of 1971 and Rule 9 of the County Court (Licensing) Rules (Northern Ireland) 1971.

**[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.]

***[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 alternative permitted hours within the meaning of the said section 44] [subject to a condition 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]].

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor.

To the clerk of the Crown and peace at (*Courthouse*)
and to the Commander of the Police Division at
(*Divisional Headquarters*) being the Division
in which the premises are [to be] situated *[and (*if different*) to the
Commander of the Police Division at
being the Division in which the applicant
resides].

*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.

**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.

***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.

Form 2

LICENSING ACT (NORTHERN IRELAND) 1971

(*Section* 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)*)* 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 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.*

The owner of the premises is (*full name*) of (*full address*) and a plan of the premises delineating the part or parts thereof in which intoxicating liquor is to be sold *[*and* (where the subsisting licence (if any) proposed to be surrendered under section 5(2)(*c*)(ii) or 7(4)(*c*) 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) the extent of those premises] is attached to this notice in accordance with Schedule 1 to the said Act of 1971 and Rule 9 of the County Court (Licensing) Rules (Northern Ireland) 1971.

**[FURTHER TAKE NOTICE that I/we intend to apply under section 44 of the said Act of 1971 for an order that the permitted hours for the premises shall be the alternative permitted hours within the meaning of the said section 44; namely the hours on weekdays (other than Christmas Day) between 9.30 a.m. and 9 p.m.].

Dated this day of 19 .

Signature of Applicant
or his/their Solicitor.

To the clerk of the Crown and peace at (*Courthouse*)
and to the Commander of the Police Division at (*Divisional Headquarters*) being the Division in which the premises are [to be] situated *[and (*if different*) to the Commander of the Police Division at being the Division in which the applicant resides].

*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.

**This paragraph is to be added only where the applicant is applying for the premises to be licensed for the sale of liquor during the alternative permitted hours under section 44 of the Act.

Form 3

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)*)* 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 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.*

The owner of the premises is (*full name*) of (*full address*) and a plan of the premises (delineating any public or common part or parts of the premises in which intoxicating liquor is to be sold, any part of the hotel which is set apart for the service of main table meals or for the service of intoxicating liquor and other beverages to diners before or after such meals being clearly distinguished in accordance with Rule 9 of the County Court (Licensing) Rules (Northern Ireland) 1971) is attached to this notice in accordance with Schedule 1 to the said Act of 1971.

**[AND FURTHER TAKE NOTICE that I/we intend to apply under section 45 of the said Act of 1971 for an order directing that on the following days, namely, (*specify the applicable weekdays*) other than on Christmas Day or Good Friday, during the period commencing on (*specify period not exceeding one year*) in the part(s) of the hotel distinguished on the said plan (as [intended to be] [*or* being] structurally adapted in accordance with that section and used for the purpose of habitually providing such entertainment as is specified in that section) the hours from 11 p.m. to 1:30 a.m. on the day next following shall be included in the permitted hours for the hotel, subject to the condition that such part(s) shall not during those hours be used for the sale of such liquor for consumption off the premises.].

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor.

To the clerk of the Crown and peace at (*Courthouse*)
and to the Commander of the Police Division at
(*Divisional Headquarters*) being
the Division in which the premises are [to be] situtated

*[and (*if different*) to the Commander of the Police Division at
being the Division in which the applicant
resides].

*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.

**This paragraph is to be added only where the applicant is applying for an order under section 45(1) of the Act that additional permitted hours are to be allowed where entertainment is provided subject to the conditions specified in the section.

Form 4

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/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 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 purposes of providing persons frequenting the premises with a customary main meal at midday 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 furished 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 Ministry of Home Affairs with the concurrence of the Ministry of Commerce.

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.*

The owner of the premises is (*full name*) of (*full address*) 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 9 of the County Court (Licensing) Rules (Northern Ireland) 1971.

**[AND FURTHER TAKE NOTICE that I/we intend to apply under section 45 of the said Act of 1971 for an order directing that on the following days, namely, (*specify the applicable weekdays*) other than on Christmas Day or Good Friday, during the period commencing on (*specify period not exceeding one year*) in the part(s) of the restaurant distinguished on the said plan (as [intended to be] [*or* being] structurally adapted in accordance with that section and used for the purpose of habitually providing such entertainment as is specified in that section) the hours from 11 p.m. to 1.30 a.m. on the day next following shall be included in the permitted hours for the restaurant.]

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor.

To the clerk of the Crown and peace at (*Courthouse*)
and to the Commander of the Police Division at
(*Divisional Headquarters*) being the
Division in which the premises are [to be] situated
*[and (*if different*) to the Commander of the Police Division at
being the Division in which the applicant
resides].

*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.

**This paragraph is to be added only where the applicant is applying for an order under section 45(1) of the Act that additional permitted hours are to be allowed where entertainment is provided subject to the conditions specified in the section.

Form 5

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)*)* 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 of 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 used as a theatre** [or name other premises*** used for purposes of such entertainments in accordance with such conditions as are for the time being prescribed by regulations made by the Ministry of Home Affairs under that section].

I/We will be the owner(s) of the business carried on under the licence.*

The owner of the premises is (*full name*) of (*full address*) 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 9 of the County Court (Licensing) Rules (Northern Ireland) 1971.

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor.

To the clerk of the Crown and peace at (*Courthouse*)
and to the Commander of the Police Division
at (*Divisional Headquarters*)
being the Division in which the premises are [to be] situated
*[and (*if different*) to the Commander of the Police Division at
being the Division in which the applicant resides].

*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.

**Where the premises to be licensed are those of theatre or music-hall the licence required under section 12 of and Schedule 2 to the Intoxicating Liquor and Licensing Act (Northern Ireland) 1927 obtained from the County Court must be produced.

***Where premises are kept or used for public dancing, singing, music, boxing or other public entertainment, the licence required by the sanitary authority under section 31 of the Local Government Act (Northern Ireland) 1934 must be produced to the court 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.

Form 6

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)*)* 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 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 bus station] [or harbour terminal] 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.*

The owner of the premises is (*full name*) of (*full address*) 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 9 of the County Court (Licensing) Rules (Northern Ireland) 1971.

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor.

To the clerk of the Crown and peace at (*Courthouse*)
and to the Commander of the Police Division at (*Divisional Headquarters*) being the Division in which the premises are [to be] situated
*[and (*if different*) to the Commander of the Police Division at (*Divisional Headquarters*) being the Division in which the applicant resides].

*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.

Form 7

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 DIVISON 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 which:—

(*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 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 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*) of (*full address*) 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 9 of the County Court (Licensing) Rules (Northern Ireland) 1971.

Signature on behalf of
or Solicitor for
Applicant Body.

To the clerk of the Crown and peace at (*Courthouse*)
and to the Commander of the Police Division
at (*Divisional Headquarters*)
being the Division in which the premises are [to be] situated.

Form 8

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*) of (*full address*) 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 clerk of the Crown and peace at (*Courthouse*)
and to the Commander of the Police Division
at (*Divisional Headquarters*)
being the Division in which the place from which the vessel plies is situated
[and (*if different*) to the Commander of the Police
Division at being the
Division in which the applicant resides].

Form 9

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

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 licecne 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).].

I/We will be the owner of the business.

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

Dated this day of 19 .

Signature of Applicant(s) or his/their Solicitor.

To the clerk of the Crown and peace at (*Courthouse*)
and to the Commander of the Police Division
at (*Divisional Headquarters*)
being the Division in which the premises for which the licence was provisionally granted are situated [and (*if different*) to the Commander of the Police Division at
being the Division in which the applicant resides].

*Delete except where provisional grant of licence was to a housing authority.

Form 10

LICENSING ACT (NORTHERN IRELAND) 1971

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

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

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

TAKE NOTICE that I (*full name*) of (*state rank if member of R.U.C., local body or, if owner of premises in, resident in or carrying on business in premises in vicinity of premises for which licence sought, state in which capacity objection is made and give full address*) intend at the hearing of the application for the grant [*or* declaration of the 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 the following grounds (being grounds specified in Schedule 1 to the above Act of 1971):—

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

Signature of Objector
or his Solicitor

To the Applicant.

To the clerk of the Crown and peace.

[To the Divisional Commander of the Police Division at (*Divisional Headquarters*) being the Division in which the premises to be licensed are situated.]

Form 11

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*).

Signature of Objector or his Solicitor

To the Applicant.

To the clerk of the Crown and peace at (*Courthouse*).

To the Divisional Commander(s) of the Police Division(s) at (*Divisional Headquarters*) being the Division(s) in which the premises concerned are situated.

PART II

APPLICATIONS FOR DECLARATIONS AS TO APPROVED SITES

Form 12

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 siuated at

(*address*)

[having under secion 9 of the Housing (Miscellaneous Provisions) and Rent Restriction Law (Amendment) Act (Northern Ireland) 1956 submitted to the Ministry of Development a re-development scheme in respect of the area described in the Schedule hereto], has under paragraph 2 of Schedule 3 to the above Act of 1971 submitted to the Ministry [of Development] 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 Ministry 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 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 clerk of the Crown and peace at (*Courthouse*) and to the Commander(s) of the Police Division(s) at (*Divisional Headquarters*) being the Division(s) in which the area, or any part of it, is situated.

Form 13

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 member of the Royal Ulster Constabulary for the Police Division/a person/owning/residing in/carrying on business in/premises in the vicinity of a site at (*address*) mentioned in the Schedule to the notice of such application intend to appear and object to the issue of the declaration with respect of that site.

Signature of Objector or his Solicitor.

Dated this day of 19 .

To the said housing authority.

To the clerk of the Crown and peace at (*Courthouse*).

[To the Commander(s) of the Police Division(s) at (*Divisional Headquarters*) being the Division(s) in which the area for which proposals as to sites have been submitted by the authority, or any part of it, is situated.]

Form 14

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, subject to paragraph 14 of Schedule 3 to that Act, 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 Ministry of Development under paragraph 2 of the said Schedule 3.

Dated this day of 19 .

Clerk of the Crown and peace

(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.

SECOND SCHEDULE

(Description of Area)

PART III

APPLICATION FOR CONSENT TO ALTERATIONS TO LICENSED PREMISES

Form 15

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*)] 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*)] 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 .

Applicant(s)
or his/their Solicitor.

To the clerk of the Crown and peace at (*Courthouse*)
and to the Commander of the Police Division at (*Divisional Headquarters*)
being the Division in which the premises are situated.

*Delete reference to paragraphs which are inapplicable.

Form 16

LICENSING ACT (NORTHERN IRELAND) 1971

(*Schedule* 8, *paras.* 5 *and* 6)

Notice of intention to object to consent to alteration 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 names*)

of (*full address*),

being a member of the Royal Ulster Constabulary for the Police Division/the person whose name is recorded in the register of licences as the owner of the licensed premises, intend to object to the court's consenting to the proposed alteration to the licensed premises at (*address*) to which such application relates.

Objector or his Solicitor

Dated this day of 19 .

To the applicant.

To the clerk of the Crown and peace at (*Courthouse*).

[To the Commander of the Police Division at (*Divisional Headquarters*) being the Division in which the premises are situated.]

Form 17

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 names*) 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*)] of the said Act, namely:—

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

Dated this day of 19 .

(Seal) Clerk of the Crown and peace

*Delete reference to paragraphs which are inapplicable.

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

The provisions of Part I of and Schedules 1, 3 and 8 to the Licensing Act (Northern Ireland) 1971 as to the procedure in the county court for the grant of new licences, applications for a declaration of approved sites for and consent to alterations to licensed premises are supplemented by these County Court Rules prescribing the forms to be served and documents to be produced in court.