

1979 No. 447

JUDICATURE, NORTHERN IRELAND**COUNTY COURTS****County Court (Licensing) Rules (Northern Ireland) 1979***Made* 14th December 1979*Coming into operation* 1st January 1980

We, the County Court Rules Committee, appointed by the Lord Chancellor under section 146 of the County Courts Act (Northern Ireland) 1959(a) hereby, in accordance with that section, 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), make the following Rules:—

PART I**GENERAL***Citation*

1. These Rules may be cited as the County Court (Licensing) Rules (Northern Ireland) 1979.

Revocations

2. The following Rules are hereby revoked—

- the County Court (Licensing) Rules (Northern Ireland) 1971(c);
- the County Court (Licensing) (Amendment) Rules (Northern Ireland) 1975(d);
- the County Court (Licensing) (Amendment) Rules (Northern Ireland) 1976(e);
- the County Court (Licensing) (Amendment) Rules (Northern Ireland) 1977(f); and
- the County Court (Licensing) (Amendment) Rules (Northern Ireland) 1979(g).

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 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.

(3) A reference to the chief clerk is a reference to the chief clerk for the county court division in which the application is being made.

(a) 1959 c. 25 (N.I.) as amended by 1978 c. 23

(b) 1971 c. 13 (N.I.)

(c) S.R. & O. (N.I.) 1971 No. 174 (p. 797)

(d) S.R. 1975 No. 348 (II, p. 1703)

(e) S.R. 1976 No. 209 (II, p. 960)

(f) S.R. 1977 No. 325 (II, p. 1766)

(g) S.R. 1979 No. 116

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; so, however, that the notice required by paragraph (1)(a) of that Schedule to be inserted in the newspapers referred to in that paragraph may omit to specify the address of the applicant for the licence or of the owner of the premises where the notice gives the address of the solicitor for the applicant.

(2) A person intending to make an application for the grant or provisional 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 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.

(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 the kind approved for that site by the declaration.

(5) A person entitled to appear at the hearing of an application and object to the provisional grant to a housing authority of a licence being declared final may, in addition or in the alternative to objecting on the ground specified in paragraph 11 of Schedule 1 to the Act, object on the ground that the premises have not been completed as required by section 7(7)(i) and, accordingly, that paragraph shall be modified by inserting at the end the words "or on the ground that the premises have not been completed as required by section 7(7)(i) or on both such grounds."

(6) 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 9 and the applicant shall attach the licence to the notice for the purposes of section 7(10).

(7) A notice such as referred to in paragraph (6) shall be served by a person specified in section 7(7)(a) on the chief clerk and a copy thereof on the divisional commander of the police division in which the premises for which the licence was provisionally granted are situated and Part III of Schedule 1 to the Act shall, in relation to such person, have effect as if for paragraphs 9 and 11 of that Schedule respectively there were substituted the following paragraphs—

“9. Where a licence has been provisionally granted to a person who proposes to be the owner of the business to be carried on under the licence and he intends to apply to have the grant declared final, he shall, not less than three weeks before the time of the opening of the court sittings at which the application is to be made, serve notice of the application upon the chief clerk and at the same time serve a copy of the notice upon the divisional commander of the police division in which the premises for which the licence was provisionally granted are situated.

11. A divisional commander upon whom notice is required by paragraph 9 to be served (or any other member of the Royal Ulster Constabulary, not below the rank of sergeant, nominated by him) shall be entitled to appear at the hearing of the application and object to the grant of the licence being declared final on the ground that the premises have not been completed as required by section 7(7)(i).”

(8) A person wishing to apply for the consent of the court under section 7(6) to the modification of plans at any time before a licence which has been provisionally granted is declared final shall serve notice in Form 10 on the chief clerk and a copy of the notice on the divisional commander of the police division to which the premises for which the licence was provisionally granted are or are to be situated, not less than three weeks before the time of the opening of the court sittings at which the application for such consent is to be heard, and shall attach to such notice and copy a copy of the modified plans complying with Rule 8 and clearly showing the proposed modifications.

(9) 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 11.

(10) A notice published in the newspapers required by paragraph 1(a) in Schedule 1 to the Act 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, the chief clerk and the divisional commander of the police division in which the premises for which the licence is sought are situated, 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.

(11) 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 12.

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(h) 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.

(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 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(i) must be produced at the hearing of the application.

(5) Where application is made to the court under section 12 of and Schedule 2 to the Intoxicating Liquor and Licensing Act (Northern Ireland) 1927(j) 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 13.

(2) Notice of intention to object in accordance with the said paragraph 3 shall be in Form 14.

(3) Such a declaration shall be in Form 15.

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 16.

(2) Notice of intention to object under paragraph 5 of Schedule 8 to the Act shall be in Form 17.

(3) An order consenting to such alterations shall be in Form 18.

(h) 1948 c. 4 (N.I.)

(j) 17 & 18 Geo. 5 c. 21 (N.I.)

(i) 24 & 25 Geo. 5 c. 22 (N.I.)

Requirements for plans to be attached to notice of application

8.—(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 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) 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

9.—(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.

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.

James A. Brown
J. P. Higgins
Harold McKee
Harry Coll
H. Collen
T. F. Glass

After consultation with the Lord Chief Justice I allow these Rules which shall come into operation on 1st January 1980.

Dated 14th December 1979.

Hailsham of St. Marylebone, C.

ARRANGEMENT OF FORMS IN SCHEDULE

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 an 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 application for consent to modification of plans of premises for which licence provisionally granted.
11. Notice of intention to object to [final] grant of licence.
12. Notice of intention to object to surrender of licence under section 5(2)(c)(ii).

PART II

Applications for declarations of approved sites

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

PART III

Application for consent to alterations to licensed premises

16. Notice of application for consent to alteration to licensed premises.
17. Notice of intention to object to consent to alteration to licensed premises.
18. 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
of applicant(s))* of (full name(s))
applicant(s))* intend to apply to the County Court/Recorder's Court sitting (full address(es) of
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) pro-
posed 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) to the extent of those premises] is attached to this
notice in accordance with Schedule 1 to the said Act of 1971 and Rule 8 of the
County Court (Licensing) Rules (Northern Ireland) 1979.

**[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 are referred to in section 49(6) of the said Act, namely those—

- (a) organised by any body established for social, charitable or benevolent pur-
poses 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 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]].

†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.

Dated this

day of

19

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

To the chief clerk for the county court division of
at

(Courthouse),

the clerk of petty sessions for the petty sessions district of

at being the petty sessions district in which the

premises are situated, 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 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.

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

Form 2

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
of applicant(s)* of (full name(s)
applicant(s))* intend to apply to the County Court/Recorder's Court sitting (full address(es) of
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 8 of the
County Court (Licensing) Rules (Northern Ireland) 1979.

**[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.]

†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.

Dated this day of 19

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

To the chief clerk for the county court division of
at (Courthouse),
the clerk of petty sessions for the petty sessions district of
at being the petty sessions district in which the
premises are situated, 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 purpose 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.

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

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 a 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 8 of the County Court (Licensing) Rules (Northern Ireland)
1979) 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 chief clerk for the county court division of
at
the clerk of petty sessions for the petty sessions district of
at
premises are situated, and to the Commander of the
Division at

(Courthouse),

being the petty sessions district in which the
Police
(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 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 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 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 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 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 Finance with the concurrence of the Department 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 8 of the County Court (Licensing) Rules (Northern Ireland) 1979.

**[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 chief clerk for the county court division of _____ at _____ (Courthouse),
 at _____ the clerk of petty sessions for the petty sessions district of _____
 at _____ being the petty sessions district in which
 the premises are situated, 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 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 entertain-
 ment 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 Department of Finance 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 intoxi-
 cating liquor is to be sold is attached to this notice in accordance with Schedule 1
 to the said Act of 1971 and Rule 8 of the County Court (Licensing) Rules
 (Northern Ireland) 1979.

Dated this day of 19 .

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

To the chief clerk for the county court division of (Courthouse),
 at the clerk of petty sessions for the petty sessions district of
 at being the petty sessions district in which the
 premises are situated, 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 resi-
 dence 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 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
of applicant(s))* of (full name(s))
applicant(s))* intend to apply to the County Court/Recorder's Court sitting (full address(es) of)
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 8 of the County Court (Licensing) Rules (Northern Ireland) 1979.

Dated this day of 19

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

To the chief clerk for the county court division of
at (Courthouse),
the clerk of petty sessions for the petty sessions district of
at being the petty sessions district in which the
premises are situated, 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) 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 DIVISION OF

TAKE NOTICE that the applicant body (name of
(address)
body providing the seamen's canteen) of
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 applicant.

As required by section 75 of the said Act 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
(full address)
name) of
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 8 of the County Court (Licensing) Rules (Northern Ireland) 1979.

Dated this day of 19 .

Signature on behalf of or Solicitor
for Applicant Body.

To the chief clerk of the county court division of
at (Courthouse),
the clerk of petty sessions for the petty sessions district of
at being the petty sessions district in which
the premises are situated, 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
of applicant(s) of (full name(s))
of applicant(s) intend to apply to the County Court/Recorder's Court sitting at (full address(es))
(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 chief clerk for the county court division of
at (Courthouse),
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, 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 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 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
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 (full
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 to 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 chief clerk for the county court division of (Courthouse)
at Police Division
and to the Commander of the (Divisional Headquarters) being the
at Police Division being the Division in
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 a licence was to a housing authority.

Form 10

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 modifi-
cation 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)
_____ 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 is attached to this notice.

I/we intend to have the licence declared final when the premises are com-
pleted 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 for the county court division of _____
at _____
and to the Commander of the _____
at _____
Division in which the premises are [to be] situated.(Courthouse)
Police Division
(Divisional Headquarters) being the

Form 11

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).

Dated this day of 19

Signature of Objector or his
Solicitor.

To the Applicant.

To the chief clerk for the county court division of
at (Courthouse).

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

Form 12

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
(name) of *(full address)*
having an estate in the premises at *(full address)*
address of premises specified in a licence for the sale by retail of intoxicating
liquor, which *(name of applicant for licence)* *(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 the Applicant,

To the chief clerk for the county court division of _____
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 13

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 section 9 of the Housing Act (Northern Ireland) 1956 submitted to the Department of the Environment a re-development scheme in respect of the area described in the Schedule hereto], has under paragraph 2 of the Schedule 3 to the above Act of 1971 submitted to the said Department 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 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 for the county court division of
at
and to the Commander(s) of the (Courthouse)
at Police Division(s)
at (Divisional Headquarters) being the
Division(s) in which the area, or any part of it, is situated.

Form 14

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 chief clerk for the county court division of
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.]

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 under paragraph 2 of the said Schedule 3.

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. |

SECOND SCHEDULE

(Description of Area)

PART III

Application for consent to alterations to licensed premises

Form 16

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 chief clerk for the county court division of
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 17

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 chief clerk for the county court division of
at (Courthouse).

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

Form 18

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) " Chief Clerk

*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.)

These rules consolidate with minor amendments, the County Court (Licensing) Rules (Northern Ireland) 1971 and the amendments made to those Rules in force on 1st January 1980.