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STATUTORY RULES OF NORTHERN IRELAND

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**1997 No. 62**

**Magistrates' Courts (Licensing) Rules (Northern Ireland) 1997**

**Part XI**

**Miscellaneous**

**Plans**

- 15.** Any plan which is required to be served must:—
- (a) be to scale on substantial paper or other material;
  - (b) show each floor of the premises on a separate page measuring approximately 18 inches (46 centimetres) by 18 inches (46 centimetres);
  - (c) be certified as true and correct by an architect, surveyor or other person considered by the court to be competent to do so;
  - (d) show the parts of the premises on 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.

**Costs**

**16.** Article 163 of the Magistrates' Courts (Northern Ireland) 1981(1) (costs) shall apply to an application under Schedules 4, 5, 6, 7, 8, 9 or 10 as if any objector were a respondent.

**Register of licences**

**17.—(1)** Where premises were licensed for which plans were deposited in the office of the chief clerk and have been sent to the clerk of petty sessions or plans were in the possession of the clerk of petty sessions before 3rd May 1971(2), those plans should be indexed as relating to the register and kept as plans duly sent to such clerk under Article 34(3).

(2) Where by reason of any change in the boundaries of the petty sessions district or otherwise, premises should be registered in the register of another district, a certified copy of the relevant entry in the register and any plans relating thereto shall be sent by the clerk for the first-mentioned district to that of the other for inclusion in the register and he shall so inform the person holding the licence for the premises.

(3) In this rule the expression “chief clerk” has the meaning assigned to it by Article 2(2) of the County Courts (Northern Ireland) Order 1980(3).

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(1) S.I. 1981/1675 (N.I. 26)

(2) The commencement date of section 34(3) of the Licensing Act (Northern Ireland) 1971 (c. 13 (N.I.))

(3) S.I. 1980/397 (N.I. 3)

### **Copies of notices for sub-divisional commander**

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

(2) Notwithstanding anything in Article 2(9), where the applicant is a body corporate paragraph (1) shall have effect as if for the reference to the police sub-division in which the applicant resides there was substituted a reference to that in which the body has its principal or registered office.

### **Mode of service of documents**

**19.**—(1) Any notice, document or copy thereof such as is referred to in rule 18 or which is required by the Order or these Rules to be served on the clerk of petty sessions or any other person or body may be served by the applicant, his solicitor or a member of the staff in the solicitor's office over the age of 16 years by sending it by registered post or by the recorded delivery service in an envelope addressed to the intended recipient:—

- (a) rule 18 applies, at the police station specified in that rule;
- (b) where service is to be on the clerk of petty sessions or a local or official body, at the address of his or its office;
- (c) in any other case, his residence.

(2) A notice of application or any other document required by the Order or these Rules to be served on the clerk of petty sessions and also required to be served on any other person or body shall be endorsed with a note of the mode and date of service of such document on such other person or body.

(3) Production of the Post Office advice of delivery shall be evidence of such posting.