

**2016 No. 377**

**COUNTY COURTS**

**PROCEDURE**

**The County Court (Amendment No. 2) Rules (Northern Ireland)  
2016**

*Made* - - - - - *17th October 2016*

*Coming into operation* - - - - - *7th November 2016*

The County Court Rules Committee makes and the Department of Justice, after consultation with the Lord Chief Justice, allows the following Rules in exercise of the powers conferred by Article 47 of the County Courts (Northern Ireland) Order 1980(a) and paragraph 2 of Schedule 1 to the Licensing (Northern Ireland) Order 1986(b).

**Citation, commencement and interpretation**

1. These Rules may be cited as the County Court (Amendment No. 2) Rules (Northern Ireland) 2016 and shall come into operation on 7th November 2016.

2. In these Rules—

- (a) “the principal Rules” means the County Court Rules (Northern Ireland) 1981(c); and
- (b) a reference to an Order, Rule, paragraph, Appendix or Form is a reference to that Order, Rule, paragraph, Appendix or Form so numbered in the principal Rules.

**Amendments to the principal Rules**

3. The principal Rules are amended as follows—

(1) In Order 48, Rule 3—

- (a) in paragraph (3), for “or indoor arena” substitute “, indoor arena or outdoor stadium”; and
- (b) after paragraph (3), insert—

“(4) Where the application is for the grant or declaration of the final grant of a licence for an outdoor stadium, evidence that the premises comply with Article 2AA(c) of the Licensing (Northern Ireland) Order 1996 as being premises which are designated in Regulations as a stadium which the Department considers to be of importance to the whole of Northern Ireland shall be given at the hearing of the application by production of a copy of the relevant Regulations.”.

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(a) S.I. 1980/397 (N.I. 3); to which the most recent relevant amendments were made by the Constitutional Reform Act 2005 (c.4) and paragraph 33 of Schedule 17 to, and paragraph 118 of Schedule 18 to, the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976)

(b) S.I. 1996/3158 (N.I. 22); as amended by S.I. 2004/1994 (N.I.17) and the Licensing Act (Northern Ireland) 2016 (c. 24)(N.I.)

(c) S.R. 1981 No. 225; to which the most relevant amendments were made by S.R. 2004 No. 463 and S.R. 2016 No. 302

(2) Appendix 1 shall be amended as follows—

- (a) by inserting after Form 200A, the new Form 200B in the Schedule to these Rules: and
- (b) in Form 209, after “[k]”, insert “[l]”.

*D K McFarland*  
*Alistair F Devlin*  
*Patrick Mullarkey*  
*R Collins*  
*Fiona Fee*

Dated 28th September 2016

In exercise of the powers conferred by Article 47(4) of the County Courts (Northern Ireland) Order 1980, I allow these Rules.

Sealed with the Official Seal of the Department of Justice on 17th October 2016

*Claire Sugden*  
Minister of Justice

SCHEDULE

Rule 3(2)(a)

Form 200B

LICENSING (NORTHERN IRELAND) ORDER 1996

(Articles 2AA, 5(1)(1), 7, 9 and Schedule 1)

**Notice of application for [provisional] grant of a licence authorising the sale of intoxicating liquor by retail in an outdoor stadium**

IN THE COUNTY COURT

TAKE NOTICE that [I][we] (*full name(s)*)[1] of (*full address(es)*) intend to apply to the County Court sitting at (*specify courthouse*) for the [provisional] grant of a licence for the premises situated at (*full address of premises for which licence is sought*) which is an outdoor stadium within the meaning of Article 2AA of the Licencing (Northern Ireland) Order 1996.

AND take notice that this application will be dealt with by the court on the    day of 20    commencing at    o'clock.

I/We will be the owner of such business.

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

A plan of the premises delineating the part(s) thereof in which intoxicating liquor is to be sold is attached in accordance with Schedule 1 to the said 1996 Order and Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981.

[There is in force planning permission to use the premises as premises of the kind specified in this notice for the period during which the licence would be in force and a copy of the planning permission is attached.] [The premises may be used as premises of the kind specified in this notice without planning permission for the period during which the licence would be in force.]

[FURTHER TAKE NOTICE that [I][we] intend to apply under Article 48 of the 1996 Order for an order specifying the part(s) of the premises particularly delineated on the said plan as being suitable for functions referred to in Article 47(5) of the 1996 Order.]

Dated this    day of    20    .

Signed:

[Applicant] [Applicant's Solicitor]

To: The Chief Clerk at [*insert address*]

Copy to:

- (i) The clerk of petty sessions at
  
- (ii) The district commander (for the police district in which the premises are situated at *(address of police station at which the copy is lodged)*)
  
- (iii) *(if different from (ii))*, the district commander (for the police district in which the applicant resides) at *(address of police station at which the copy is lodged)*
  
- (iv) the district council at *(address of district council for the local government district in which the premises are situated)*

*Note:*

[1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business, surrender of a licence or applicant's residence shall be omitted. Where the application is for the grant of a licence to a body corporate, its full title and the names and addresses of the directors, secretary and any other person who has executive control of it should be stated for the purposes of Article 4(4) of the 1996 Order.

## **EXPLANATORY NOTE**

*(This note is not part of the Rules)*

These Rules amend the County Court Rules (Northern Ireland) 1981 (S.R. 1981 No. 225) to make provision relating to an application for the grant of a liquor licence for an outdoor stadium.

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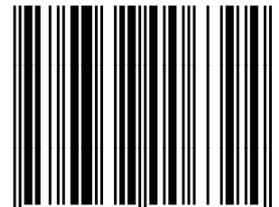


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