Criminal Justice and Police Act 2001

2001 CHAPTER 16

PART 1

PROVISIONS FOR COMBATTING CRIME AND DISORDER

CHAPTER 2

PROVISIONS FOR COMBATTING ALCOHOL-RELATED DISORDER

Closure of unlicensed premises

20 Applications for closure orders

(1) Where a closure notice has been served under section 19(3), a constable or (as the case may be) the local authority concerned may make a complaint to a justice of the peace [F1]. . . for an order under section 21 (a "closure order").

(2) A complaint under subsection (1) shall be made not less than seven days, and not more than six months, after the service of the closure notice under section 19(3).

(3) No complaint shall be made under subsection (1) if the constable or (as the case may be) the local authority is satisfied that—

(a) the use of the premises for the **[**[F2]unauthorised sale of alcohol**]** for consumption on, or in the vicinity of, the premises has ceased; and

(b) there is no reasonable likelihood that the premises will be so used in the future.

(4) Where a complaint has been made to a justice of the peace under subsection (1), the justice may issue a summons to answer to the complaint.

(5) The summons shall be directed to—

(a) the person on whom the closure notice was served under section 19(3); and

(b) any other person on whom the closure notice was served under section 19(5)(a).

(6) Where a summons is served in accordance with subsections (4) and (5), a notice stating the date, time and place at which the complaint will be heard shall be served on all persons on whom the closure notice was served under section 19(4) and (5)(b).

(7) The procedure on a complaint for a closure order shall (except as otherwise provided) be in accordance with the Magistrates' Courts Act 1980 (c. 43).

Textual Amendments

F1 Words in s. 20(1) omitted (1.4.2005) by virtue of The Courts Act 2003 (Consequential Provisions) Order 2005 (S.I. 2005/886), art. 2, **Sch. para. 88**

F2 Words in s. 20(3)(a) substituted (24.11.2005) by Licensing Act 2003 (c. 17), ss. 198, 201, **Sch. 6 para. 126(b)** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, **art. 2(2)**

Changes to legislation:
There are currently no known outstanding effects for the Criminal Justice and Police Act 2001, Section 20.