



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

23 Discharge of closure orders by the court

- (1) Where a closure order has been made—
 - (a) any person on whom the closure notice concerned was served under section 19; or
 - (b) any person who has an interest in the premises in respect of which the closure order was made but on whom no closure notice was served,may make a complaint to a justice of the peace^{F1} . . . for an order that the closure order be discharged.
- (2) The court may not make an order under subsection (1) unless it is satisfied that the need for the closure order has ceased.
- (3) Where a complaint has been made to a justice of the peace under subsection (1), the justice may issue a summons directed to such constable as he considers appropriate or (as the case may be) the local authority concerned requiring that person to appear before the magistrates' court to answer to the complaint.
- (4) Where a summons is served in accordance with subsection (3), 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 concerned was served under section 19 (other than the complainant).

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Police Act 2001, Section 23. (See end of Document for details)

- (5) The procedure on a complaint for an order under this section shall (except as otherwise provided) be in accordance with the Magistrates' Courts Act 1980 (c. 43).

Textual Amendments

- F1** Words in s. 23(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](#)

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