

## Licensing in Northern Ireland<sup>1</sup>

The sale by retail of intoxicating liquor under licence is governed by:-

- [The Licensing \(Northern Ireland\) Order 1996](#); and
- [Magistrates' Courts \(Licensing\) Rules \(Northern Ireland\) 1997](#).

### New Licences – Grant or Provisional Grant

The county court where the premises are located will deal with applications for new liquor licences, namely:-

- An application for a *full licence* for premises that have never held one before (also known as a *grant*); and
- An application for a *provisional licence* for premises that already have one but either a new building is being constructed or an old building is being altered/extended (also known as a *provisional grant*).

### Register of Licensed Premises

Once granted, the Clerk of Petty Sessions (CPS) for each petty sessions district is responsible for maintaining a *register of licensed premises* within their area.

Registers are normally hardcopy card indexes containing all of the licence information. The register may be inspected and copies of any entry taken (there is a fee for both inspection and copies of entries). The CPS makes returns to the Department of Social development on the number and nature of licensed premises within their petty sessions district on a periodical basis.

### Administration of Renewals

Applications for the renewal of liquor licenses are made to the CPS normally in September and are usually for a period of 5 years. The CPS must arrange for an advertisement to be placed in two newspapers giving the details of the renewal date.

Provided the renewal application is lodged within the legislative timescales, and is not objected to, it can be granted by the CPS. In all other circumstances the application must be considered by the magistrates' court.

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<sup>1</sup> This is a general high level overview of the implementation of liquor licensing in Northern Ireland and not a full representation of the law or practices.



## **Occasional Licences & Extension Licences**

An *occasional licence* enables a licence holder to sell intoxicating liquor at premises other than the licensed premises, and an *extension licence* enables a licence holder to sell intoxicating liquor in part of the premises that his licence does not cover.

Provided the applications are lodged within the legislative timescales, and are not objected to, both can be granted by the CPS. In all other circumstances the applications must be considered by the magistrates' court.

## **Additional Permitted Hours**

An application for *additional permitted hours* enables a licence holder to sell intoxicating liquor at their premises on a specific date and time not already provided for in their licence.

Provided the application is lodged within the legislative timescales, and is not objected to, it can be granted by the Sub-Divisional Commander of the PSNI, for the relevant area. In all other circumstances the application must be considered by the magistrates' court.

## **Closure Orders**

The PSNI may apply to the magistrates' court to close licensed premises at or near the location of public disorder or anticipated public disorder (a *closure order*) for a maximum period of 24 hours.

A senior police officer can make a closure order for specific identified licenced premises but this must be reviewed by the magistrates' court as soon as possible after being made. The closure is limited to a maximum 24 hour period but may be extended by the PSNI for a further 24 hours. The court has a range of powers that can be exercised at the review hearing including ordering further closure up to a maximum of 28 days.

## **Prosecutions**

The magistrates' court will deal with any criminal prosecutions brought by a prosecuting authority in relation to licenced premises, with a subsequent right of appeal to the county court.