

*These notes refer to the Licensing Act (Northern Ireland)
2016 (c.24) which received Royal Assent on 12 May 2016*

Licensing Act (Northern Ireland) 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 4: Attachment of conditions to licences

Subsection (1) extends Article 7(12) of the principal Order to include an outdoor stadium. That provision currently provides that a court that grants a licence in respect of a place of public entertainment may attach to the licence such conditions as it thinks fit. A court will have a similar power with respect to licences for outdoor stadia. For example, it will have the discretion to react to concerns about the sale of alcohol at certain events, particularly those aimed at young people.

Subsection (2), in paragraphs (a) and (b), introduces the following amendments to Article 15 of the principal Order in relation to the renewal of licences by a court:

- paragraph (a) adds an outdoor stadium to those premises in Article 15(2)(f) in relation to which, before their licence can be renewed, a court must be satisfied that any conditions attached to the licence are being observed.
- paragraph (b) amends paragraph (6A) of Article 15 thereby permitting a court which renews an outdoor stadium licence to attach to the licence such conditions as it thinks fit.

Subsection (3) amends Article 77A of the principal Order as follows:

- paragraph (a) permits a court of summary jurisdiction, at any time, to attach to a licence for an outdoor stadium such conditions as it thinks fit, or to alter or remove any conditions already attached. Applications to the court for the attachment of conditions may only be made by the district commander for the police district in which the outdoor stadium is situated; but there is no restriction on who may apply for the alteration or removal of conditions.
- paragraph (b) inserts a new paragraph (2A) into Article 77A to provide that a court, when attaching conditions to a licence for an outdoor stadium, shall consider in particular the conditions that would be appropriate where the stadium was being used primarily for events aimed at those under the age of 18.