



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-01984
Keyword: Operational Policing
Subject: Application/Renewal of Club Licences

Request and Answer:

I write in connection with your request for information dated 15 July 2010, which was received by the Police service of Northern Ireland on 19 July 2010.

Your request for information has now been considered and I am not obliged to supply the information you have requested.

Section 17 of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the information is exempt) to provide the applicant with a notice which:

- (a) states the fact,
- (b) specifies the exemption in question and
- (c) states (if that would not otherwise be apparent) why the exemption applies.

Question 1

Formal written request for all details regarding policy & procedures in full details for the 1st application for a club licence that police would follow.

Answer

Pursuant to the provisions of Section 21 of the Freedom of information Act 2000 it has been decided to refuse access to the information you have requested. Section 21 of the Act provides that information which is reasonably accessible to the applicant by other means is exempt information.

The policy, procedures and documents relating to a 1st application for registration of a club are contained within 'SCHEDULE 2 APPLICATIONS FOR THE GRANT OF REGISTRATION' of the Registration of Clubs (NI) Order 1996 (the 1996 Order). In summary, Schedule 2 of the 1996 Order outlines the process that must be followed by a club in order to make an application to a court for the initial grant of registration.

Schedule 2 and the full 1996 Order is available for viewing within the public domain and can be accessed via the following website address: <http://www.statutelaw.gov.uk/>.

However, I have attached the documents at the end of this correspondence, for your information.

Question 2

Also, complete details regarding Police policy & procedure for checking details for renewal of a club licence.

N.B Exactly what names and addresses are checked eg all names and addresses of club members and also officials eg Hon secretary etc to be checked in detail.

N.B Only club officials' names and addresses to be checked?

All documents relating to the inspection of paperwork and also inspection of club premises.

Reason for request of information is due to a letter sent to me by a Club Solicitor after it was discovered by myself and a member of the District Policing Board, Mr Paul Girvan MLA that some names and addresses were wrong on a renewal licence dated 2008.

eg xxxx xxxx died Dec 2007. He should have not been listed as a member on paperwork dated 2008.

eg xxxx xxxx did not live at xxxxxx, Whitehouse in 2008 due to the fact the property had been demolished some years previously

eg xxxx xxxx did not live at xxxxxx, Whitehouse in 2008 due to the fact the property had been demolished some years previously.

eg xxxx xxxx did not live at xxxxxx, Whitehouse, Newtownabbey.

Please send me all documents, free of charge, regarding Club Drinks Licences including submitting the documents to the magistrates court etc.

All relevant policy and procedures documents are required a.s.a.p.

P.S All necessary policy and procedure that a PSNI Inspector must follow.

Answer

Pursuant to the provisions of Section 21 of the Freedom of information Act 2000 it has been decided to refuse access to the information you have requested. Section 21 of the Act provides that information which is reasonably accessible to the applicant by other means is exempt information.

The policy, procedures and documents relating to the renewal of a club's registration are contained within 'SCHEDULE 3 APPLICATIONS FOR THE RENEWAL OF REGISTRATION' of the 1996 Order. In summary, Schedule 2 of the 1996 Order outlines the process that must be followed by a club in order to make an application to a court for the renewal of their registration.

Schedule 3 and the full 1996 Order is available for viewing within the public domain and can be accessed via the following website address: <http://www.statutelaw.gov.uk/>.

However, I have attached the documents at the end of this correspondence, for your information.

Finally, I can advise that the Social Policy Unit within the Department for Social Development (DSD) are the agency responsible for the policy and maintenance of the legislative provisions contained within the 1996 Order.

DSD Social Policy Unit can be contacted by the following methods:

by writing to the Social Policy Unit at 4th Floor, Lighthouse Building, 1 Cromac Place, Gasworks Business Park, Ormeau Road, Belfast, BT7 2JB or

by telephone: 02890829521, by fax: 02890829539, or by email: social.policy@dndni.gov.uk

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this email.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

The Registration of Clubs (Northern Ireland) Order 1996 (No. 3159 (N.I. 23))

SCHEDULES

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SCHEDULE 2

Articles 5, 42 and 52.

APPLICATIONS FOR THE GRANT OF REGISTRATION

- 1. —** (1) The secretary of a club which intends to make an application for the grant of registration shall—
- (a) subject to sub-paragraph (2), not less than 1 year before the time of the opening of the court sittings at which application is to be made, serve notice of the application upon the chief clerk and at the same time serve a copy of the notice upon—
 - (i) the sub-divisional commander of the police sub-division in which the premises of the club are situated; and
 - (ii) the district council for the district in which the premises of the club are situated;
 - (b) not more than 8 weeks or less than 4 weeks before that time, cause notice of the application to be published at least once in 2 newspapers circulating in the vicinity of the premises of the club for which the grant of registration is to be sought;
 - (c) not less than 4 weeks before that time serve notice of the application upon the chief clerk and at the same time serve a copy of the notice upon the sub-divisional commander mentioned in head (a)(i) and the district council mentioned in head (a)(ii);
 - (d) during the 4 weeks before that time, cause notice of the application to be displayed, in such manner as may be required by regulations, outside the

premises for which the grant of registration is to be sought.

(2) Sub-paragraph (1)(a) shall not apply if the applicant is a registered club.

2. — (1) The notices mentioned in paragraph 1 shall be in such form and shall contain such information as may be prescribed by county court rules.

(2) The applicant shall attach to the notice mentioned in paragraph 1(1)(a) or (c) and to the copy of that notice required to be served on the sub-divisional commander and the district council such information, particulars and documents with respect to the club, its officials and members, its objects and activities, its accounts and financial standing as may be required by regulations.

3. The sub-divisional commander mentioned in paragraph 1(1)(a)(i), the district council mentioned in paragraph 1(1)(a)(ii) or any person owning, or residing or carrying on business in, premises in the vicinity of the premises of the club for which the registration is sought may appear at the hearing of the application and object to the grant of registration of the club on any ground mentioned in Article 5(5) and (6).

4. A person intending to object under paragraph 3 shall, not less than 1 week before the time of the opening of the court sittings at which the application is to be made,—

(a) serve upon the club notice of his intention to object, briefly stating his grounds for so doing;

(b) serve a copy of the notice upon the chief clerk.

5. The secretary of a club which intends to make an application for a children's certificate at the same time as the application for the grant of registration shall include in the notices mentioned in paragraph 1 notice of the application for the children's certificate.

Note: These attributes apply to this level only, lower levels have their own attributes.

Attributes of: SCHEDULE 2 APPLICATIONS FOR THE GRANT OF REGISTRATION					
Version no	Start date	End date	Extent	Confers power	Blanket amendment
> 1	01/01/2006		N.I.	N	N

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The Registration of Clubs (Northern Ireland) Order 1996 (No. 3159 (N.I. 23))

SCHEDULES

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SCHEDULE 3

Articles 7, 8, 9, 42, 52.

APPLICATIONS FOR THE RENEWAL OF REGISTRATION

PART I

GENERAL PROCEDURE

1. The Department shall, during the month of January in each year, cause notice that registrations which expire on 31st March in that year are due for renewal during the month of March to be published at least once in 2 newspapers circulating throughout Northern Ireland.
2. The clerk of petty sessions for each petty sessions district shall, not less than 6 weeks before the renewal date, cause notice of that date and of the provisions of paragraph 6 to be published in 2 newspapers circulating in that district.
3. The secretary of a club which intends to make an application for the renewal of the registration of a club shall—
 - (a) not more than 8 weeks or less than 4 weeks before the renewal date cause notice of the application to be published at least once in 2 newspapers circulating in the vicinity of the premises of the club for which renewal of registration is sought;
 - (b) not less than 4 weeks before the renewal date, serve notice of the application upon the clerk of petty sessions for the petty sessions district in which the premises of the club are situated and at the same time serve a copy of the

notice upon—

- (i) the sub-divisional commander of the police sub-division in which the premises of the club are situated;
- (ii) the district council for the district in which the premises of the club are situated.

4. — (1) The notices mentioned in paragraph 3 shall be in such form and shall contain such information as may be prescribed by magistrates' courts rules.

(2) The applicant shall attach to the notice mentioned in paragraph 3(b) and to the copy of that notice required to be served on the sub-divisional commander and the district council such information, particulars and documents with respect to the club, its officials and members, its objects and activities, its accounts and financial standing as may be required by regulations.

5. The sub-divisional commander mentioned in paragraph 3(b)(i), the district council mentioned in paragraph 3(b)(ii) or any person owning, or residing or carrying on business in, premises in the vicinity of the premises of the club for which the renewal of the registration is sought may appear at the hearing of the application and object to the renewal of registration on any ground mentioned in Article 8(3) and (4).

6. A person intending to object under paragraph 5 shall, not less than 1 week before the renewal date—

- (a) serve upon the club notice of his intention to object, briefly stating his grounds for so doing;
- (b) serve a copy of the notice upon the clerk of petty sessions.

7. Before the renewal date the applicant shall deposit the certificate of registration with the clerk of petty sessions.

PART II

PROCEDURE FOR RENEWALS OUT OF TIME

8. Part I shall apply in relation to an application under Article 9 for the renewal of the registration of a club as if—

- (a) paragraphs 1 and 2 were omitted;

(b)

in paragraphs 3, 6 and 7 references to the renewal date were references to the time of the court sitting at which the application is to be made.

Note: These attributes apply to this level only, lower levels have their own attributes.

Attributes of: SCHEDULE 3 APPLICATIONS FOR THE RENEWAL OF REGISTRATION					
Version no	Start date	End date	Extent	Confers power	Blanket amendment
> 1	01/01/2006		N.I.	N	N

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