

Licensing in Northern Ireland

OPPORTUNITIES FROM UPCOMING
LEGISLATION REFORM

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Key areas for local producers to consider ahead of April 2022

There will be significant commercial and tourism opportunities for breweries, distilleries and cideries arising out of the modernisation of Northern Ireland's licensing laws.

The Department for Communities has confirmed that the local producers licence section of the legislation will be implemented in April 2022 meaning that local producers can apply to the Court for the licence from that date.

Court process and timescales

Local producers should be aware that in order to apply for a licence a court application will be required.

This court application is made to the relevant court in which the brewery, distillery or cidery is located.

The court application takes approximately 6 weeks. A hearing will take place in which the judge will then consider whether to grant the licence.

At TLT we are regularly appearing before the courts in NI on licensing matters and can manage this process for businesses from start to finish.

HMRC

Local producers should ensure they have proof of compliance with HMRC excise rules as this will be required for the court application.

Architect plans

When considering the application for a local producers licence the Court will consider the suitability of the premises for on or off sales.

Prior to lodging the court application local producers will require plans of the premises to be licensed to be certified by a suitably qualified architect.

These plans will identify the areas or the premises in which alcohol is to be sold, consumed and stored. The architect who prepares the plans will also attend the court hearing.

We work with a number of architects who have experience in preparing plans suitable for licensing applications and can provide introductions.

Planning

Local producers who wish to take advantage of the on or off sales opportunities should check there are no onerous conditions in their current planning permissions which would prevent them applying for a licence.

At TLT we have a specialist planning team which can provide advice in advance of any court application.

Property

Businesses applying for the licence will have to show the court that they have the appropriate rights over the premises in order to make an application.

At TLT we can help businesses by providing advice in relation to any property needs to ensure they have the required legal interest and be able to evidence this to the court.

Statutory proofs

Building control and other statutory proofs such as fire and electrical certificates are required to be provided to the court before a court will consider granting a licence. Local producers should ensure these are in place and up to date.



About TLT's licensing team

TLT's national licensing team provides strategic, commercial and practical advice on all licensing matters affecting our clients in Northern Ireland, Scotland, England and Wales.

Our clients range from national breweries, distilleries and large supermarkets to local, craft and independent entities, including start-ups and established brands.

Our breadth of service and client base means that we have significant experience in Northern Ireland of dealing with all types of licensing applications in the county court. We guide and assist our clients through the process of new licence applications, licence transfers, alterations and renewals.

Our licensing lawyers have provided evidence to the Committee for Communities on new legislation on behalf of the Institute of Licensing.

Our approach to working with clients is modern and integrated, so clients view us as a part of their extended team. Our clients appreciate the seamless service we provide together with our innovative solutions.

To find out more, please visit www.tltsolicitors.com/licensing



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