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Dear Janice

DELIBERATIONS ON THE LICENSING AND REGISTRATION OF CLUBS (AMENDMENT) BILL

Thank you for your letter dated 23 April in which you refer to issues raised during the Committee's deliberations on the Licensing and Registration of Clubs (Amendment) Bill, at its meeting on 22 April.

Please see attached responses to the questions raised by the Committee.

I hope you find this helpful and I would be grateful if you could share with Committee Members.

Yours sincerely

Diane Mulligan
Departmental Assembly Liaison Officer
Private Office

DELIBERATIONS ON THE LICENSING AND REGISTRATION OF CLUBS (AMENDMENT) BILL

Clause 29 - Young people prohibited from bars

The Committee is pleased to note that the Minister is now taking forward its request to ensure that the Bill contains regulation making powers in order to be able to amend the number of months referred to in 29(1) and to the number of prize-giving ceremonies referred to in 29(3), as a Departmental amendment.

The Committee looks forward to receiving the text of the amendment as soon as possible.

Department's response

The Department confirms that work is ongoing on the drafting of amendments accepted by the Minister. These will be shared with the Committee promptly as and when they are finalised.

Cinemas

The Committee noted that the Minister has confirmed in writing that (i) her legal advice has confirmed that cinemas could be included in the definition of “place of public entertainment” by regulations and that (ii) officials will carry out a short focused public consultation over the summer months, will consider the responses to the consultation and, subject to no serious concerns being raised, regulations will be brought to the Assembly in the autumn.

The Committee is satisfied that this deals with the issue and look forward to seeing the results of the consultation in the autumn.

Department's response

The Department confirms that preparatory work has commenced to carry out a consultation over the summer months.

Clause 8 – Local Producers

The Committee is continuing its deliberations on Clause 8 and the NI Assembly Bill Office is producing a revised set of amendments for next week's meeting.

The Committee is now focusing on two areas:

- (i) a potential enhancement to the current Bill provisions around a tour and the samples that are able to be provided at the end of such a tour; and
- (ii) a potential separate ‘taproom licence’ (in addition to the producer’s licence) that would allow small producers to apply to the courts for such a licence to run a ‘taproom’ on their premises with limitations in a number of potential areas – sales limited to their own produce, number of days in the year, set permitted hours on those days.

No Committee decisions have yet been finalised on Clause 8.

Department's response

The Department notes that the Committee continues its deliberations on Clause 8.

Review Clause

The Committee noted the most recent position of the Minister on a Review clause, which is that she would be willing to:

- (i) take forward an amendment where the first review is carried out as soon as practicable after three years following commencement of the provisions and that; and
- (ii) she would also be willing to take forward an amendment where subsequent reviews are carried out as and when the Department thinks appropriate.

The Committee decided that it could agree to part (i) above regarding the first review and requested that the conclusions of the review were set out in a report laid before the Northern Ireland Assembly and then published.

However, it did not support part (ii) and has requested that the Minister reconsiders that the subsequent Reviews reports would take place no later than five years after the last report.

If the Minister was minded to support the latter, the Committee supported the inclusion of a 'sunset' subsection to provide an end date for these providing the Department with the power to bring forward regulations to cease these reviews but not before the end of the period of 10 years beginning with the date of Royal Assent. That should comfortably allow for the initial review, plus one subsequent, to be commenced and reported on.

The Committee will await the Minister's response to the above before making a final decision on a Committee amendment in this regard.

Department's response

The Minister accepts the Committee's request for subsequent reviews to take place no later than five years after the last report, and that a 'sunset' subsection be include. This will be taken forward as a Departmental amendment.

Minimum Unit Pricing

The Committee accepts that the Minister will not make an amendment on this issue and is still minded to bring forward its own amendment to place a statutory duty on the Department of Health to legislate for Minimum Unit Pricing within 3 years of this Act receiving Royal Assent.

Department's response

The Department notes the Committee's position.

27 April 2021