



Committee for Communities

Minutes of Proceedings

Thursday 15 April 2021

Meeting Location: Room 29, Parliament Buildings, Belfast

Present: Ms Paula Bradley MLA (Chairperson)
Mr Andy Allen MLA

Present by Video or Teleconference:

Ms Kellie Armstrong MLA (Deputy Chairperson)
Mr Mark Durkan MLA
Ms Karen Mullan MLA
Ms Sinéad Ennis MLA
Mr Fra McCann MLA
Mr Alex Easton MLA

Apologies: Mr Robin Newton MLA

In Attendance: Dr Janice Thompson (Assembly Clerk)
Mr Sean McCann (Assistant Assembly Clerk)

In Attendance by Video or Teleconference:



Mr Neal Flanagan (Assistant Assembly Clerk)
Ms Antoinette Bowen (Clerical Supervisor)
Mr Oliver Bellew (Clerical Officer)
Ms Claire McCanny (Assembly Clerk, Bill Office)

The meeting commenced at 9.22 am in open session.

1. Apologies

Apologies as above.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 1 April 2021.

3. Chairperson's Business

The Chairperson congratulated fellow Committee Member Mr Fra McCann on his recent wedding and welcomed Mr Neal Flanagan as a new member of the Committee Secretariat.

The Committee discussed the recent success of the Northern Ireland Women's Football Team in qualifying for Euro 2022.

Agreed: The Committee agreed to write to the Northern Ireland Women's Football Team to congratulate them on their achievement and to wish them success at Euro 2022.



The Chairperson informed Members that she had been contacted by representatives from leisure centres and gyms seeking clarity on re-opening dates for general sports facilities. Members noted that this issue was due to be discussed at the Executive meeting on 15 April 2021.

The Chairperson informed Members that the legal dispensation to allow Councils to hold meetings virtually was due to run out mid-May.

Agreed: The Committee agreed to write to the Department to seek clarification on this issue.

4. Committee Deliberations on the Clauses of the Licensing and Registration of Clubs (Amendment) Bill

The Chairperson informed Members that the Committee would continue its deliberations on the Licensing and Registration of Clubs (Amendment) Bill.

The following Departmental Officials joined the meeting:

Mr Liam Quinn

Ms Carol Reid

Clause 2: In relation to 'Permitted Hours' on Sundays

The Chairperson informed Members that the Committee had discussed the issue of late licences on Sundays and had agreed that the Minister should now take forward an amendment to bring the legislation relating to an Article 44 'Permitted hours' (late licence) on Sundays into line with the 'Permitted Hours' for the other late nights granted for premises.

The Chairperson informed Members that the Minister would be taking forward the Committee's proposal as Departmental amendments.

Members indicated that they were content with this but would need to see the text of the amendments to complete their deliberations.



Clause 4

The Chairperson informed Members that the Committee had asked Officials, during the meeting on 25 March 2021, to bring an amendment that would increase the number of times provided for in the Bill that small pubs can apply for late opening, from 85 to 104.

The Chairperson raised concerns that although the Minister had agreed to take forward a Departmental amendment, further clarification is needed on whether the extension is for all pubs and clubs.

Departmental Officials confirmed that the amendment included all pubs and clubs.

Members indicated that they were content with this but would need to see the text of the amendments to complete their deliberations.

Clause 7: Licensed race tracks: Sunday sales

The Chairperson informed Members that the Committee had discussed this clause in detail with Officials at its meeting on 1 April 2021 and that they would be considering later a Statutory Rule which will designate Drumbo Park as a stadium of importance to the whole of Northern Ireland.

The Chairperson informed Members that this will allow Drumbo Park to apply to the courts for a liquor licence as an outdoor stadium and, that Outdoor Stadia are permitted to apply to the courts for extension licences to hold functions until 1am.

The Chairperson asked Members to note that Drumbo Park may have other options available as it has a restaurant, rather than changing primary legislation.

Members indicated that they were content with this clause.

Clause 8: Licence for off-sales

The Chairperson informed Members that the Committee had previously given considerable time to the deliberations on clause 8 in closed session on 1 April 2021, including proposals for amendments from the Bill Office.

The Chairperson informed Members that the Committee had agreed to forward the proposed amendments to the Department for informal comment.



The Chairperson informed Members that the Committee has not yet reached an agreed position on clause 8 and the Committee agreed to discuss the clause further during closed session.

Clause 9: Requirement for Off-licence

The Chairperson informed Members that at the meeting on 1 April 2021 the Committee noted that the wording of the PSNI proposed amendment was not suitable and had agreed to request that the Minister provides a suitably worded amendment to deal with the issue.

The Chairperson informed Members that the Minister was not content to take forward an amendment on this issue.

The Committee agreed to discuss the clause further during closed session.

Clauses 19 and 32: Code of Practice

The Chairperson informed Members that Departmental Officials had confirmed that the clause as drafted allows for the existence of a number of codes of practices, written by different sectors and approved by the Department.

Members indicated that they were content with this clause.

Clauses 12 and 28, 11 and 27: Underage Functions and Private Functions

The Chairperson informed Members that they had been waiting for clarification from Counsel on the supervision of children at private functions and on the time that under 18's must leave the venue.

The Chairperson informed Members that advice had confirmed that the current draft of the Bill would mean that the licence holder would be committing an offence if under 18s are still on the premises, albeit in the process of leaving, after 1am.

The Chairperson informed Members that the Minister had informed Officials to clarify the policy intent of the provisions and to table an amendment allowing a young person to remain on the premises while in the process of leaving/waiting to be collected.



Members indicated that they were content with this but would need to see the text of the amendments to complete their deliberations.

Clauses 12 and 18: Private Functions

The Chairperson informed Members that the Committee was awaiting clarification from Counsel on the supervision of children.

The Chairperson informed Members that the Department raised concerns about relaxing the provisions so much that it provides a loophole in the legislation, or about tightening the definition so much that it makes it impossible to implement.

The Chairperson informed Members that the Minister had informed Officials to clarify the policy intent of the provisions and to table an amendment allowing a young person to be in the company of a “parent” of another child attending the function.

Members indicated that they were content with this but would need to see the text of the amendments to complete their deliberations.

Clause 9: Requirement for Off-licence

The Chairperson returned to clause 9 to discuss the reasoning behind the Minister’s intention not take forward an amendment on this issue.

Following further clarification from the Officials, the Members were content that the issue was one of enforcement.

Mark Durkan joined the meeting at 9.37 am

Clause 29

The Chairperson informed Members that they had requested that the Minister make an amendment to extend the time period in 29(1) from 1st May to 30th September and the number of nights in 29(3) to “not more than three”.

The Chairperson informed Members that the Minister accepted both requests and will take forward as Departmental amendments.

The Committee discussed the potential need for regulations to be added to the Bill to ensure these issues can be amended in future if necessary.



Agreed: The Committee agreed to request an addition to the amendment to include such regulations.

Members indicated that they were content with this but would need to see the text of the amendments to complete their deliberations.

Clause 22

The Chairperson informed Members that they had previously noted that the Minister was minded to consider amendments and that the Committee had agreed to request that the Minister make amendments to address the anomaly identified between clubs and other licensed premises and to clarify 1-day memberships.

The Chairperson informed Members that the Minister accepted both requests and will take forward as Departmental amendments.

Members indicated that they were content with this but would need to see the text of the amendments to complete their deliberations.

New Clauses

Duty to Produce Guidance:

The Chairperson informed Members that the Committee were of the view that a clause regarding the duty to produce guidance had merit and that they had agreed to request that the Minister makes a suitable amendment to the Bill.

The Chairperson informed Members that the Minister was content to take forward a Departmental amendment.

Members indicated that they were content with this but would need to see the text of the amendments to complete their deliberations.

Review Clause:

The Chairperson informed Members that the Committee remained of the view that it wished to see a separate 'Review' clause in the Bill and that they had agreed to request that the Minister drafts a clause which contains a review of the implementation of the provisions of the Bill.



The Chairperson informed Members that they also requested that there was a subsequent report to the Northern Ireland Assembly by the end of three years of the Bill getting Royal Assent and, following that first review, subsequent reviews and a report should happen within five years of the previous report.

The Chairperson informed Members that the Minister would be willing to take forward an amendment where subsequent reviews are carried out as and when the Department thinks appropriate.

The Committee agreed to discuss the issue further during closed session.

Additional Measures:

Entertainment Venues:

The Chairperson informed Members that, at the meeting on 1 April 2021, the Committee discussed the potential for an amendment regarding cinemas and that the Assembly Bill Office had presented a proposal to the Committee regarding a potential amendment in relation to cinemas.

The Chairperson informed Members that the Committee had agreed to forward the proposed amendment to the Department for comment.

The Chairperson informed Members that the Department had raised a number of concerns regarding an amendment allowing, in primary legislation, alcoholic drinks to be sold in cinemas without having carried out any public consultation.

The Chairperson informed Members that the Department believe that there may be an opportunity in current legislation to include cinemas within the definition of a “place of public entertainment” via regulations, and have sought legal advice. It confirmed the Department proposes to carry out a public consultation on this issue.

The Committee agreed to discuss the issue further during closed session.

Minimum Unit Pricing:

The Chairperson informed Members that, at the meeting on 1 April 2021, the Assembly Bill Office presented a proposal to put on the face of the Bill in terms of the



possibility of placing a statutory duty on the Department of Health to legislate for minimum unit pricing within 3 years of this Act receiving Royal Assent.

The Committee agreed to discuss the issue further during closed session.

The Chairperson thanked the Officials for their attendance.

5. SL1: Domestic Energy Efficiency Grants (Amendment) Regulations 2021

The Chairperson informed Members that the proposed regulations would introduce a revised income threshold of £23,000 for eligibility to access the Department's Affordable Warmth Scheme.

Agreed: The Committee agreed that it was content for the Department for Communities to proceed to make the Statutory Rule

A Member raised the issue of the Department for the Economy Energy Efficiency Strategic Plan.

Agreed: The Committee agreed to write to the Department to ask if it has considered the Energy Efficiency Strategic Plan and if it was considering other measures beyond Domestic Energy Efficiency Grants.

6. SL1: Social Security Coronavirus (Miscellaneous Amendments) Regulations (NI) 2021

The Chairperson informed Members that the proposed regulations would amend a number of social security related Statutory Rules to further extend the expiry date to accommodate the continuing provision of financial support to those affected by the COVID-19 pandemic.

Agreed: The Committee agreed that it was content for the Department for Communities to proceed to make the Statutory Rule.



7. SR 2021/67: The Universal Credit (Extension of Coronavirus Measures) Regulations (NI) 2021

The Committee considered SR 2021/67: The Universal Credit (Extension of Coronavirus Measures) Regulations (NI) 2021 which extends the temporary uplift of £86.67 per month (equivalent to £20 per week) to the Universal Credit (UC) Standard Allowances for those who are making a new claim for or have been awarded UC for a further 6 months and to extend the relaxation of the minimum income floor requirements for a further three months for those who are self-employed.

Agreed: The Committee considered SR 2021/67: The Universal Credit (Extension of Coronavirus Measures) Regulations (NI) 2021 and, subject to the Examiner of Statutory Rules Report, had no objection to the Rule.

The Committee discussed the potential for DWP to extend measures further and if the Department would also extend to ensure NI remains in parity with GB.

Agreed: The Committee agreed to write to the Department to seek clarification on whether it would be its intention to extend the time period further and, if so, to ask that the Committee receives notification well in advance.

8. SR 2021/70: The Housing Benefit (Persons who have attained the qualifying age for state pension credit) (Amendment) Regulations (NI) 2021

The Committee considered SR 2021/70: The Housing Benefit (Persons who have attained the qualifying age for state pension credit) (Amendment) Regulations (NI) 2021 which adds new personal allowance rates into the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006. These rates will be used to assess entitlement to Housing Benefit for people who reach state pension age on or after 1 April 2021.

Agreed: The Committee considered SR 2021/70: The Housing Benefit (Persons who have attained the qualifying age for state pension credit)



(Amendment) Regulations (NI) 2021 and, subject to the Examiner of Statutory Rules Report, had no objection to the Rule.

9. SR 2021/81: The Licensing (Designation of Outdoor Stadia) Regulations (NI) 2021

The Committee considered SR 2021/81: The Licensing (Designation of Outdoor Stadia) Regulations (NI) 2021 which will designate the Drumbo Park Stadium at, 57 Ballyskeagh Road, Lisburn, BT27 5TE, as a stadium of importance to the whole of Northern Ireland. In doing so it allows Drumbo Park Stadium to apply to the courts for a liquor licence for the above venue.

Agreed: The Committee considered SR 2021/81: The Licensing (Designation of Outdoor Stadia) Regulations (NI) 2021 and, subject to the Examiner of Statutory Rules Report, had no objection to the Rule.

10. SR 2021/82: The Social Security Benefits Up-rating Order (Northern Ireland) 2021

The Committee considered SR 2021/82: The Social Security Benefits Up-rating Order (NI) 2021 which is one of a series of statutory rules relating to the annual uprating of social security benefits, provides for the rates of certain social security benefits, pensions and allowances from April 2021.

Agreed: The Committee considered SR 2021/82: The Social Security Benefits Up-rating Order (NI) 2021 and recommended that it be confirmed by the Assembly.



11. SR 2021/83: The Social Security Benefits Up-rating Regulations (Northern Ireland) 2021

The Committee considered SR 2021/83: The Social Security Benefits Up-rating Regulations (NI) 2021 which contains only provisions in consequence of the Social Security Benefits Up-rating Order (Northern Ireland) 2021 (“the Up-rating Order”) and are one of a series of statutory rules relating to the annual uprating of social security benefits and pensions.

Agreed: The Committee considered SR 2021/83: The Social Security Benefits Up-rating Regulations (NI) 2021 and recommended that it be confirmed by the Assembly.

12. Matters Arising

Response from the Department of Justice in relation to the Women Involved in Community Transformation Programme

The Committee noted the response.

Agreed: The Committee agreed to write to the Department for further information and to ask if there was going to be a tender process for new partners.

Response from National Museums NI (NMNI) in relation to the Relocation of the Model Engineers’ Society

The Committee expressed disappointment with the response as Members had been previously informed that NMNI would assist in the costs for the relocation of the Model Engineers Society (MES).

Agreed: The Committee agreed to write to the Department asking for a breakdown of the NMNI capital funding bid and to ask if the Department is willing to provide funding for the MES to relocate.



Agreed: The Committee agreed to write to NMNI asking what Business Plans do they have in place to deal with the issue if the costs of the relocation are unable to be met by either MES or the NMNI.

Agreed: The Committee agreed to forward a copy of the NMNI response to MES for information.

Ministerial response in relation to Mitigation Measures for Terminal Illness

The Committee thanked the Department for its work in relation to mitigation measures for terminal illness

Agreed: The Committee agreed to write to the Department for Work and Pensions(DWP) in support of the Minister and to encourage that the changes be implemented as quickly as possible.

Ministerial response in relation to the Proposed Departmental Legislative Timetable

The Committee was supportive of the proposed timetable but agreed to seek further information in relation to the Local Government Amendment Bill.

Agreed: The Committee agreed to write to the Department seeking clarification on the Local Government Amendment Bill, specifically whether regeneration powers will be extended to councils and for a breakdown of the measures that will be contained in this bill.

Response from the Minister for the Economy in relation to Awards for Postgraduate Study

A Member raised concerns in relation to Covid funding for local students studying outside Northern Ireland.

Agreed: The Committee agreed to request a copy of the application form for Covid payment to those in further education in Northern Ireland only.



Departmental response in relation to SL1 - The Social Security (Claims and Payments) Telephone and Video Assessment Regulations

The Committee were concerned that the appeals process does not meet the required standards, particularly for those with disabilities, and that this issue needs to be addressed from a consumer point of view, not an operational point of view.

Agreed: The Committee agreed to write to the Department to ask if they have carried out any work with individuals and their representatives on the appeals process and the stress that this causes, particularly for those that are non-verbal.

Agreed: The Committee agreed to write to the Department to seek confirmation that Departmental correspondence is emphasising that this process is not compulsory.

Departmental response in relation to Post Office Card Accounts

A Member raised concerns regarding the closure of Post Office Card Accounts during the current Covid pandemic and questioned the viability of extending the current DWP contract.

The Committee raised a number of concerns around the introduction of the new Payment Exception Service.

Members questioned how the Department will deem that an individual is unable to open or manage a bank account and why this is an issue as, if an individual does not open an account, they will be automatically moved to the Payment Exception Service anyway.

A Member discussed the impact of opening new bank accounts for older people living in rural communities and in particularly older women and individuals with disabilities.

Agreed: The Committee agreed to write to the Department to ask if they have had any engagement with DWP in relation to extending the current contract.

Agreed: The Committee agreed to write to the Department asking for further information in relation to the Payment Exception Service and how this operates in practice.



Agreed: The Committee agreed to write to the Commissioner for Older People in Northern Ireland to seek their views on this issue, in particular the impact on older women and people with disabilities of the strict identification requirements for opening bank accounts.

Departmental response in relation to the Discretionary Support Fund

The Committee agreed that it was imperative that the Department continues to promote the Fund to ensure all new claimants who require this service are fully informed.

Agreed: The Committee agreed to write to the Department requesting that it continues to promote the Fund and to ask if there are plans to review the Fund.

A Member raised concerns in relation to the Covid Self Isolation payment, particularly as the economy gradually opens up and with current Public Health Covid-19 guidelines.

Agreed: The Committee agreed to write to the Department to highlight its concerns and to ask for a written update on the Covid Self Isolation Fund.

Departmental response in relation to a Deaf Hub for Northern Ireland

The Committee noted the response.

Departmental response in relation to Funding for the Voluntary and Community Sector

Andy Allen declared an interest as a Charity Trustee.

A Member highlighted that the Community and Voluntary Sector receives funding from a range of Departments including the Department for Health.

Agreed: The Committee agreed to write to the Executive Office to ask for a cross departmental update on all funding received by the Community and Voluntary Sector.

Agreed: The Committee agreed to write to CO3 and NIVCA for an update on impact of Covid on the Community and Voluntary Sector.



Andy Allen left the meeting at 10.25 am.

Departmental response in relation to Assisting Young People into Employment

The Committee noted the response.

Departmental response in relation to Pension Schemes Bill Amendments

The Committee noted the response.

Departmental response in relation to Labour Market Interventions

The Committee welcomed the Departmental response, in particular the launch of the Jobstart Scheme on 1 April 2021.

A Member raised concerns regarding employment opportunities for young people, in particular those that live in rural areas.

Agreed: The Committee agreed to write to the Department to seek clarification that Jobstart opportunities will be available across all counties of Northern Ireland.

Correspondence in relation to the Disability Action Plan

The Committee noted the correspondence.

Departmental response in relation to the City of Culture Competition 2025

The Committee noted the response.

Andy Allen re-joined the meeting at 10.29am.

Departmental response in relation to Welfare Reform Mitigation Measures

The Committee welcomed confirmation that payments in respect of the current welfare mitigation schemes will continue to be made under the sole authority of the relevant Budget Act.

Members raised concerns regarding the outstanding Bedroom Tax and Benefits Cap loopholes.



Agreed: The Committee agreed to write to the Minister to ask for clarification on the loopholes that have not yet been addressed through legislation.

Departmental response in relation to the Sub Regional Stadia Programme

The Committee again expressed disappointment with the response which did not include any dates, or indicative timeline, as to when the funding for this important programme will be released.

Agreed: The Committee agreed to write to the Department to express their disappointment and to ask if there is a target date for the money to be released, or at the very least, when will the Advisory Working Group be forwarding its report to the Minister.

13. Correspondence

- i. The Committee considered correspondence from the Justice Committee on their Call for Evidence on the Damages (Return on Investment) Bill.

Agreed: The Committee agreed to write to the Committee for Justice to advise that there will be no response from the Committee.

- ii. The Committee considered correspondence seeking information in relation to the Caravan Act NI 2011.

Agreed: The Committee agreed to forward correspondence to the Department for a response.

- iii. The Committee considered further correspondence regarding the Review of the Charity Commission NI.



Agreed: The Committee agreed to forward a copy of the correspondence to the Department for information.

- iv. The Committee considered correspondence from the Speaker regarding a Public Petition entitled 'Call for a Review of the Burial Grounds Regulations (NI)'.

Agreed: The Committee agreed to write to the Minister in support of the petition and to encourage the need for a Review of the Burial Grounds Regulations (NI).

The Committee noted the following:

- i. Letter from the Chair of the Independent Review Panel of Charity Regulation in NI accepting the Committee's invitation to brief at the meeting on 27 May.
- ii. Copy of letter from the Committee for Finance seeking evidence from the Department in respect of 2021-22 budget. Response due by 6 May.
- iii. Copy of letter from the Committee for Education to the Department seeking an update on the work of its expert panel on Relationship and Sexuality Education (RSE).
- iv. Copy of Investing Activity Report for Department for Communities 28 March 2021.
- v. Departmental letter re OFCOM Devolution Measures for NI.
- vi. Departmental Letter re Public Consultation Sport and Physical Activity.
- vii. Departmental letter regarding DWP Social risks and opportunities by occupational pension schemes consultation outcome.
- viii. Translink and HSENI Retention and Disposal Schedules.



14. Forward Work Programme

Members noted that, at its meeting on 22 April 2021, the Committee will continue its deliberations on the Licensing and Registration of Clubs (Amendment) Bill.

15. Any Other Business

A Member informed the Committee that they had been contacted by a range of sporting bodies and individuals regarding concerns at current Covid regulations that allow for 15 people, including coaches, to train if part of a recognised affiliated body.

Agreed: The Committee agreed to write to the Executive Office and to the Department for Health to ask if they had consulted with any sporting body/Group on the number of people allowed to train, to ask for an explanation of how the number 15 was arrived at and to ask if they would consider increasing the number to 20.

16. Date, Time and Place of the next meeting

The next meeting will be held on Thursday 22 April 2021 at 9.15 a.m. in Room 29, Parliament Buildings.

The meeting moved into closed session at 10.42 am to allow the Committee to be briefed by an Official from the Northern Ireland Assembly Bill Office.

Fra McCann left the meeting at 10.42 am

The meeting was suspended at 10.42 am and restarted at 10.49 am.

The Chairperson informed Members that they would continue on from their deliberations at the meeting on 1 April 2021.



The Chairperson informed Members that the Bill Office Official had made minor alterations to her proposals for Committee amendments based on Committee discussions and that these had been issued to Members before Easter.

The Chairperson informed Members that the Committee needed to consider a number of potential decisions in the closed session.

Taprooms:

The Committee agreed, in principle, to take forward an amendment in relation to taprooms.

The Assembly Bill Office Official discussed the minor alterations made to proposals regarding taprooms following Committee discussions during its meeting on 1 April 2021.

Members discussed a range of issues in connection with taprooms and considered a range of options proposed by the Bill Office and agreed to seek clarification from Departmental Officials during the closed session.

Members agreed to discuss the taprooms issue further during its meeting on 22 April 2021.

Licence for Cinemas:

The Chairperson informed Members that they had discussed the Department's concerns about cinemas earlier in the meeting.

The Committee were largely content with the Department's response, however, Members raised concerns regarding the lack of timeframe regarding the Department's proposed consultation.

The Committee agreed to seek clarification from Departmental Officials during the closed session.

Minimum Unit Pricing:

The Assembly Bill Office Official provided Members with an update on the Department's thinking around the proposed amendment.



Members discussed a range of issues and agreed to discuss further during its meeting on 22 April 2021.

Review Clause:

The Chairperson informed Members that they had discussed the Department's response earlier in the meeting.

The Committee considered two proposed amendments in relation to a Review clause and discussed a range of potential dates for future reviews of the licensing law.

The following Departmental Officials re-joined the meeting during closed session to provide clarification on a range of issues discussed during the earlier part of the closed session:

Mr Liam Quinn

Ms Carol Reid

The Committee was content with the clarification provided by the Departmental Officials and agreed to return to deliberate all the outstanding issues at its next meeting

The Chairperson thanked the Officials for their attendance.

The meeting was adjourned at 12.51 pm.

Paula Bradley MLA
Chairperson, Committee for Communities