



Committee for Communities

Minutes of Proceedings

Thursday 18 March 2021

Meeting Location: Room 30, Parliament Buildings, Belfast

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

Present by Video or Teleconference:

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

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

In Attendance by Video or Teleconference:

Ms Antoinette Bowen (Clerical Supervisor)



Mr Oliver Bellew (Clerical Officer)

Ms Claire McCanny (Assembly Clerk, Bill Office)

The meeting commenced at 9.24 am in open session.

1. Apologies

There were no apologies.

2. Chairperson's Business

The Chairperson informed Members that the Committee had received a letter from the Chairpersons' Liaison Group in relation to the Executive's decision to allow a condensed Committee Stage of the Damages (Return on Investment) Bill.

The Committee noted the letter.

The Chairperson informed Members that, due to the timings of Easter Recess and dependent on the progress of the Licensing Bill deliberations, it might be necessary to hold a meeting during recess on 1 April

Agreed: The Committee was content to hold a meeting on 1 April if needed.

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 11 March 2021.



4. Matters Arising

Response from the Minister for Health on the Health and Social Care (HSC) Staff Recognition Payment

The Committee noted the response.

Response from the Royal National Institute Deaf People (RNID) on a Video Relay Service

A Member raised concerns in relation to the Access to Work Grants for deaf people.

The Member advised the Committee that she had been made aware of a number of deaf people being refused support for further education and of costs for interpreting services having to be met from grants.

The Member also raised concerns that the Access to Work budget had remained at the same level for a number of years and questioned if a review of the level of funding had taken place.

Agreed: The Committee agreed to write to the Department for the Economy to ask for clarification on the criteria for Access to Work grants and to also ask when the scheme was last reviewed.

The response from RNID indicated that a feasibility study for a Deaf Hub was being carried out by the Department for Communities.

Agreed: The Committee agreed to write to the Department to ask for a progress update on this study.

Response from National Museums Northern Ireland (NMNI) on the relocation of the Model Engineers' Society (MES)

Members expressed disappointment in the response from NMNI on this issue.

The Committee raised concerns as the response seemed to differ from oral evidence provided by NMNI during its briefing to the Committee.



Agreed: The Committee agreed to write to NMNI expressing its disappointment with the response and to ask for clarification regarding NMNI's apparent change of position in providing financial support to assist MES in relocating its equipment to a new site.

Agreed: The Committee agreed to forward a copy of this letter to the Department.

Robin Newton left the meeting at 9.35 am

Letter regarding the Independent Review Panel of Charity Regulation

Agreed: The Committee agreed to schedule a briefing at a future meeting.

Departmental response on Winter Fuel Payments

The Committee noted the response.

Departmental response in relation to SR 2021/41 - The Private Tenancies (Coronavirus Modifications) Regulations (NI) 2021

The Committee noted the response.

Departmental response in relation to plans to assist young people seeking employment

A Member raised the issue of the Work Experience Programme and queried whether it had been impacted by Covid-19.

Agreed: The Committee agreed to write to the Department to ask if the Work Experience Programme had been affected by the impact of Covid-19 and to ask if there was potential for the programme to be opened up to those impacted by the delays to the commencement of the Jobstart programme.

Departmental letter in relation to the Public Lending Right Scheme

The Committee noted the letter.



5. Correspondence

- i. The Committee considered a Departmental response to the Consultation on the Role and Regulation of the Private Rented Sector.

Agreed: The Committee agreed to schedule a briefing after the Committee Stage of the Licensing and Registration of Clubs (Amendment) Bill has concluded in May.

- ii. Letter to the Committee regarding charity regulation and the Charity Commission.

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

- iii. The Committee considered a letter from Greenwich Leisure Limited in support of the prioritisation of the reopening of leisure when safe to do so.

Agreed: The Committee agreed to forward a copy of the letter to the Department and to write in support of the request.

The Committee noted the following:

- i. National Association of Councillors' NI Region Councillor Equality Presentation.
- ii. Unissu paper on the cancellation of the Jobstart Scheme.
- iii. Copy of Committee Representing Supporting People Providers response to recent budget consultation.
- iv. Details of Newry Mourne & Down District Council Covid-19 Community Support Funding Schemes 2020-2021.
- v. Departmental letter on the replacement of funding for European Social Fund projects.



6. Forward Work Programme

Members noted that, at its meeting on 25 March 2021, the Committee will continue its deliberations on the Licensing and Registration of Clubs (Amendment) Bill.

7. Any Other Business

A Member informed the Committee that letters of offer have been issued to all Departments in relation to funding for tackling paramilitarism and organised crime. However, current delivery partners remain unaware if they will get extensions or will need to reapply for funding.

The Member raised the issue of funding for the Women Involved in Community Transformation Programme (WICT) and how the group still remained unsure of its future as funding was due to end on 31 March 2021.

Agreed: The Committee agreed to write the Department for Communities to request that it raise this issue with the Executive Office and to ask for the numbers, across all Departments, of Community/Voluntary Sector organisations that were still awaiting funding.

Agreed: The Committee also agreed to write the Department for Communities to raise concerns in relation to funding for the Community and Voluntary Sector and to ask for information on when organisations would be made aware of the level of funding post March 2021.

8. SL1: The Housing Benefit (persons who have attained the qualifying age for State Pension Credit) (Amendment) Regulations (NI) 2021

The Chairperson advised Members that the proposed regulations would amend the Housing Benefit Regulations (NI) 2006 to include new rates for Housing Benefit for those not subject to the transitional protection of the removal of the savings credit uplift.



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

9. SR 2021/58: The Social Security Revaluation of Earnings Factors Order (NI) 2021

The Committee considered SR 2021/58: The Social Security Revaluation of Earnings Factors (NI) 2021 which provides that earnings factors relating to National Insurance contributions for historic tax years, used in the calculation of additional State Pension and Guaranteed Minimum Pensions (GMPs), maintain their value in line with the increase in average earnings.

Agreed: The Committee considered SR 2021/58: The Social Security Revaluation of Earnings Factors (NI) 2021 and, subject to the Examiner of Statutory Rules Report, had no objection to the Rule.

10. SR 2021/59: The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (NI) 2021

The Committee considered SR 2021/59: The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (NI) 2021 which amends the Mesothelioma Lump Sum Payments (Conditions and Amounts) Regulations (Northern Ireland) 2008 to increase the amounts payable under the Act from 01 April 2021.

Agreed: The Committee considered SR 2021/59: The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (NI) 2021 and recommended that it be confirmed by the Assembly.



11. SR 2021/60: The Occupational and Personal Pension Schemes (General Levy) (Amendment) Regulations (NI) 2021

The Committee considered SR 2021/60: The Occupational and Personal Pension Schemes (General Levy) (Amendment) Regulations (NI) 2021 which gives effect to a new structure, and to new rates, that will be used to calculate the general levy payable by occupational pension schemes and personal pension schemes.

Agreed: The Committee considered SR 2021/60: The Occupational and Personal Pension Schemes (General Levy) (Amendment) Regulations (NI) 2021 and, subject to the Examiner of Statutory Rules Report, had no objection to the Rule.

12. SR 2021/64: The Social Security (Claims and Payments Employment and Support Allowance PIP and UC) (Telephone and Video Assessment) Regulations (NI) 2021

The Committee considered SR 2021/64: The Social Security (Claims and Payments Employment and Support Allowance PIP and UC) (Telephone and Video Assessment) Regulations (NI) 2021 which will expand the channels for medical examinations and consultations in addition to those methods currently available to the Department. This will enable the Department to tailor the assessments to meet the needs of different claimants and help to ensure the most appropriate method is used.

Agreed: The Committee considered SR 2021/64: The Social Security (Claims and Payments Employment and Support Allowance PIP and UC) (Telephone and Video Assessment) Regulations (NI) 2021 and, subject to the Examiner of Statutory Rules Report, had no objection to the Rule.



13. Committee Deliberations on 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 on a subject matter basis as previously agreed.

The Chairperson informed Members that they had been provided with a note of the recent virtual meeting that the Committee had held with young people to gain their views on the Bill.

Agreed: The Committee agreed to note the paper and to include a copy of it in the final Committee report.

The Chairperson informed Members that they had been provided with correspondence from the Society of Independent Brewers Association in relation to taprooms.

Agreed: The Committee agreed to forward a copy of the correspondence to the Department for an urgent response.

The following Departmental Officials joined the meeting:

Ms Carol Reid

Ms Suzanne Reid

The Officials provided Members with a brief overview of each clause. The Chairperson gave a summary of the key issues raised in evidence to the Committee before asking Members for their views on each clause.

Clauses 10 and 26: Removal of requirement for Children's certificate, etc.

The Chairperson informed Members that there was considerable support for this proposal. However, a number of submissions highlighted that if the requirement for children's certificates is removed, all necessary provisions to protect children should be built into a statutory code of practice.

There was a discussion around the definition of 'responsible adult', however the Officials advised that the definition was not part of that clause.



Robin Newton re-joined the meeting at 10.03a.m.

Clause 11 and 27: Underage Functions

The Chairperson informed Members that there was support from the hospitality industry, the hotel sector and the PSNI to allow young persons under 18 years of age into licensed premises to attend underage functions under the conditions specified.

There was a discussion around drinking-up time and whether young people would need to leave premises at 1a.m. or whether they would be allowed to remain on the premises until they were collected.

Agreed: The Departmental Officials agreed to consider the issues raised by the Committee and to provide a response for consideration at a future meeting.

There was discussion around the consumption of alcohol on buses and party buses.

The Departmental Officials informed the Committee that party buses would not be covered as the Bill relates specifically to licensed premises.

Clause 12 and 28: Private Functions

Mark Durkan declared an interest as family members own licensed premises.

The Chairperson informed Members that these clauses had generally been welcomed by the hospitality industry, hotels and clubs.

There was discussion around the definition of a main meal and around the care of a young person in licensed premises.

Agreed: The Departmental Officials agreed to check with the draftsman as to whether the use of the term 'family member' or 'responsible adult' might be an option.



Clauses 13: Delivery of Intoxicating Liquor to Young Persons

The Chairperson informed Members that there was widespread support for the prohibition of delivery of alcoholic drinks to people under the age of 18 and requiring proof of age to be shown and recorded upon delivery.

Members discussed the age verification processes and the requirement for identification to be recorded upon delivery and the practical difficulties for retailers and their delivery staff.

Members indicated that they were content with this clause.

Clause 29: Young People Prohibited from Bars

Members discussed a range of recommendations raised during evidence sessions, including the call for a more general application of the clause as many sporting competitions and ceremonies are not just confined to summer months.

The Departmental Officials informed the Committee that the Minister recognised that limiting young people being allowed to be on licensed premises to the summer months proposed in the Bill was potentially inadequate. The Minister was willing to consider a proposed Committee amendment on this clause.

The meeting was suspended at 10.53 am and restarted at 11.05 am

Clause 22: Sporting Clubs

The Committee discussed a range of issues including concerns raised by the PSNI in relation to the use of 1-day memberships by clubs to allow wider public access to clubs.

The Departmental Officials informed Members that the Minister was willing to consider a proposed Committee amendment on this clause.

Clause 33: Interpretation

Members indicated that they were content with this clause.



Clause 34: Minor and Consequential Amendments

Members indicated that they were content with this clause.

Clause 35: Repeals

Members indicated that they were content with this clause.

Clauses 36: Commencement and Short Title

Members indicated that they were content with this clause.

Schedule 1: Minor and Consequential Amendments

Members indicated that they were content with this clause.

Schedule 2: Repeals

Members indicated that they were content with this clause.

Suggested Additional Measures

The Chairperson informed Members that they needed to consider a number of issues that were raised during evidence sessions but were outside the scope of the Bill.

Clubs: PSNI Entry

The Chairperson informed Members that The Federation of Registered Clubs had called for an amendment to Article 42 of the 1996 Order so that the PSNI's rights of entry are consistent with those for other licensed premises in Northern Ireland.

The Departmental Officials informed the Committee that there was very little difference between the PSNI's power of entry into clubs and other licensed premises.



Minimum Unit Pricing

The Chairperson reminded Members that Minimum Unit Pricing was outside the scope of the Bill and that the Committee had received assurances from the Minister for Health that there would be a consultation on this matter.

The Committee agreed to include reference to this consultation in its report and to welcome the move towards minimum unit pricing.

Entertainment Venues

The Chairperson informed Members that Omniplex Cinemas, Moviehouse Cinemas and Brunswick Moviebowl had all requested that their premises be allowed to sell alcohol.

The Departmental Officials raised a number of concerns as one of the policy objectives behind the Bill was to control alcohol consumption and increasing the category of on-sale premises would go against this.

Article 31

There was a discussion around possible delays in applications as courts close during the summer.

Agreed: The Departmental Officials to check whether this could cause issues and to provide the Committee with a response.

Public Health: Links to Licence Granting and Renewals

The Committee agreed to make reference in its report to the need to emphasise the public health message in relation to the Bill.

Conference Centre Licences

The Chairperson highlighted concerns raised by the PSNI around the policing of conference centre licences as a number of venues have never, or rarely, held a conference but are hosting weddings.



The Departmental Officials informed the Committee that it had held meetings with Tourism NI and this had never been raised as a major issue.

Surrender Principle

The Committee discussed the surrender principle and whether it prohibited the growth of new businesses. The possibility of introducing a 'community need' licence was also discussed.

The Committee raised the issue of the lack of a centralised list of licence holders not being held by the Department for Communities. The Departmental Officials informed Members that there was no need for the Department to hold a centralised list as the courts issued the licences and if the Department also held a list it would be duplication.

Levy

Andy Allen left the meeting at 11.56 am

The Chairperson informed Members that the potential for a levy raised from the night time economy had been discussed at the meeting on 11 March 2021 and that the Committee noted that the introduction of a levy may not be appropriate as the hospitality sector recovers from the impact of Covid-19. Members agreed that it might be an option to include a levy in a review clause that might come into operation in the future.

Off Licences

The Chairperson informed Members that there were a number of comments regarding the prevalence of off-licences in some communities when there were not adequate grocery shops which highlighted the need for stricter regulations.



Transport

The Chairperson informed Members that a number of submissions had highlighted that the Bill represented a missed opportunity for measures on tackling 'preloading' on transport on the way to venues, licensing of 'party buses' and taxis.

The Chairperson reminded Members that these issues fell outside the remit of the Bill and of the Department for Communities.

Agreed: The Committee agreed to discuss this issue further and to consider including recommendations to other Departments in its report.

Advertising

The Chairperson reminded Members that a lot of aspects in relation to advertising fell outside the scope of this Bill or even the remit of the Department or the Northern Ireland Assembly.

Members welcomed the voluntary ban that sporting organisations, such as the GAA, had introduced on alcohol advertising both in sporting grounds and on kits.

The Chairperson thanked the Officials for their attendance.

14. Date, Time and Place of the next meeting

The next meeting will be held on Thursday 25 March 2021 at 9.15 a.m. in Room 29, Parliament Buildings.

Robin Newton left the meeting at 12.11p.m.

The meeting moved into closed session at 12.12 pm to allow the Committee to be briefed by an Official from the Northern Ireland Assembly Bill Office. The Bill Office Official informed the Committee that she wanted to discuss the options available to Members regarding the Licensing Bill.

Andy Allen re-joined the meeting at 12.44p.m.

Clauses 1 and 23



Agreed: The Committee agreed to wait for the Departmental reply to its queries on these clauses following the meeting on 11 March 2021.

Clause 2

Agreed: The Committee agreed to write to the PSNI to ascertain the additional policing costs if licensed premises were able to open longer.

Clause 4

Agreed: The Committee agreed to write to the Minister to ask that additional hours for small and large pubs are aligned to 104 nights per year.

Agreed: The Committee agreed to write to the Department to ask, in respect of Drumbo Park Stadium, if it would be willing to amend Article 48 to allow Drumbo Park to apply for an Article 47 licence.

Clause 5

Agreed: The Committee agreed to write to the Minister to ask that, within 2 years of operation, a review of the operation of this clause takes place.

Clause 3

Agreed: The Committee is content with the alignment of closing time for liquor and entertainment.

Clause 9

Agreed: The Committee agreed to write to the Department highlighting the suggested PSNI amendment to this clause and to ask if the Department would be willing to consider this proposed amendment.

The meeting was adjourned at 13.18 pm.



Northern Ireland
Assembly

Paula Bradley MLA
Chairperson, Committee for Communities