



Committee for Communities

Minutes of Proceedings

Thursday 6 May 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
Mr Fra McCann MLA
Ms Sinéad Ennis MLA
Mr Alex Easton MLA
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 9.19 am in open session.

1. Apologies

There were no apologies.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 29 April 2021.

3. Chairperson's Business

The Chairperson informed Members that the Mayor of Antrim and Newtownabbey Borough Council had written to her to highlight that the council had considered correspondence from the Carnegie Trust UK regarding the 'Embedding Wellbeing in Northern Ireland' project.

The Chairperson informed Members that the Carnegie Trust UK will receive an invitation to a future Committee stakeholder event.



The Chairperson informed Members that the Committee would undertake its formal clause by clause consideration of the Licensing and Registration of Clubs (Amendment) Bill.

The Chairperson reminded the Committee that, in respect of Members attending via Starleaf, if their connection was active but they had not alerted the Committee team that they would be away from their devices, it would be assumed that they were present for any decision made.

The Committee agreed that Members would alert the Committee team as soon as possible if they needed to be away from their devices during proceedings.

4. Matters Arising

Response from National Museums NI in relation to the relocation of the Model Engineers' Society

The Committee noted a response from National Museums NI (NMNI) on the relocation of the Model Engineers' Society (MES), in which it assured the Committee that it remained committed to regular engagement with MES to discuss its relocation and look at all relevant options. NMNI stated that it remains its intention to support the relocation, within the remit of its organisation.

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

Response from the Ministry of Housing, Communities and Local Government in relation to the UK Shared Prosperity Fund

The Committee noted confirmation that the UK Shared Prosperity Fund will launch in 2022 and that, to assist with the introduction of the Fund, the UK Government is providing an additional £220 million through the UK Community Renewal Fund. The aim of the fund is to support people and communities to pilot programmes and new approaches. The UK Government will run a national competition against a fixed national allocation in Northern Ireland, equating to £11 million of funding.



Several members voiced disappointment at the level of the Northern Ireland allocation from the UK Community Renewal Fund and concern that it may not be sufficient to do what it is intended to do.

Agreed: The Committee agreed to write to the UK Minister of Housing, Communities and Local Government to seek further information on the pilot programmes that will be considered under the UK Community Renewal Fund and also to ask whether it is capital or resource funding and whether local councils will be included in the decision-making.

Agreed: The Committee agreed to write to the Department regarding Members' concerns about the UK Shared Prosperity Fund and to seek an update from the Minister on any discussions with the UK Government and any emerging concerns.

Departmental response in relation to the Discretionary Support Scheme

The Committee noted that a policy and operational delivery review of the Discretionary Support Scheme is currently underway, which will consider views from an independently chaired panel with expertise in this area.

Agreed: The Committee agreed to write to the Department to request details of those on the independently chaired panel and to ask if there is a deadline for the panel to report its findings.

Departmental response in relation to the Caravans Act (NI) 2011

The Committee noted Departmental clarification on which parts of the Caravans Act (NI) 2011 are the responsibilities of which Departments.

Agreed: The Committee agreed to forward a copy of the response to the original correspondent.

Agreed: The Committee agreed to forward a copy of the response to the Committee for Infrastructure and to the Committee for the Economy for information.



Response from the Commissioner for Older People in relation to Post Office Card Accounts

The Chairperson informed Members that the Commissioner remains concerned that the imminent closure of the Post Office Card Account may lead to an increase in financial exclusion amongst older people. Members voiced similar concerns.

Agreed: The Committee agreed to write to the Department to ask whether it is engaging with the Commissioner for Older People on this issue and to ask whom it is engaging with on its marketing strategy to ensure that the correct people are targeted.

Departmental response in relation to the JobStart Scheme

The Committee noted that the JobStart Scheme had opened to employers of all sizes, across all sectors and from all areas of Northern Ireland, and that applications for funding had been received from employers offering job opportunities in each of the 11 council areas.

Agreed: The Committee agreed to write to the Department to welcome that there were opportunities in all 11 council areas but to express disappointment at the lack of engagement with the Careers Service and schools and to ask what level of engagement there has been with work coaches.

5. Committee Deliberations on the Clauses of the Licensing and Registration of Clubs (Amendment) Bill – Closed Session

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

The meeting moved into closed session at 9.46 am to allow the Committee to be briefed by an Official from the Northern Ireland Assembly Bill Office.

The Chairperson informed Members that the Assembly Bill Office had produced revised proposed amendments in relation to taprooms following the Committee's discussions during its meeting on 29 April 2021.



The Assembly Bill Office Official briefed the Committee on revised proposals for amendments to clause 8 and new clauses 8A and 8B, and answered questions from Members.

The Chairperson thanked the Assembly Bill Office Official.

The meeting was suspended at 10.10 am and restarted at 10.21 am

The Chairperson informed Members that the Committee had received a revised paper on Committee recommendations following discussions during the meeting on 29 April 2021.

Public Health

The Committee agreed to recommend that Public Health messaging on the negative health and well-being effects of alcohol misuse be communicated regularly as part of the general liquor licensing system; and specifically, as part of a wider communication strategy in connection with the new legislation.

The Committee agreed to recommend that consideration be given by licensing authorities to the creation of a meaningful role for local health bodies when licensing decisions are being made.

The Committee agreed to recommend that cross-departmental work be taken forward to devise an education programme to be delivered to children and young people in schools, colleges and other relevant youth settings on the harms of alcohol to health, family and other relationships — in the manner of successful anti-smoking education programmes.

Communication

The Committee agreed to recommend that the Department for Communities (DfC) issue bespoke and clear communications, once Royal Assent is given, to alert the various sectors impacted by the Act and direct them to the appropriate guidance materials.



Review of the Impact of the Bill

The Committee agreed to take forward the recommendations outlined in the Clerk's briefing paper around the type of issues that the Committee would expect the review to cover.

Evaluation Plan

The Committee agreed to recommend that the Department of Finance (DoF) lead an exercise to agree and take forward with NISRA a cross-departmental database covering the range of societal issues that should be monitored — mainly alcohol licences, sales, consumption and harms in Northern Ireland.

The Committee also agreed to recommend that it be provided with a draft of the evaluation plan at the earliest opportunity, and to seek assurance that the Committee can feed into that plan on the issues that it would like to see included.

Major Events

The Committee agreed to recommend that a framework for determining 'major events' and applying for an event to be granted 'major event' status be consulted on as soon as practicable after Royal Assent.

Occasional Licences

The Committee agreed to recommend that relevant parts of the Justice System in Northern Ireland publish information on applications for and decisions on occasional licences on a regular basis; and that the DfC conducts and publishes research into the use of occasional licenses, covering matters such as demand, uptake, geographical variations in granting such licences, reasons for refusal etc.

Taprooms

The Committee agreed to recommend that, should the amendments in relation to Taprooms not be successful in becoming part of the Act, that the Department proceeds to implement the commitment given to the Committee to carry out relevant research around taprooms and produce a report on the issue to the Assembly as soon as practicable.



Surrender Principle

The Committee agreed to recommend that a balanced review of the Surrender Principle, in terms of its impact on public health, the economy and on rural and local community life, takes place no later than as part of the first Review of the Legislation.

Rural Issues

The Committee agreed to recommend that licensing authorities, when issuing licences, need to consider a rural proofing element in decision-making.

The Committee also agreed to recommend that a review of the law around mixed trading be taken forward as soon as practicable with a view to supporting the survival of rural and community pubs.

Late Night Levy

The Committee agreed to recommend that the Department of Health and the Department for Communities take forward a joint piece of work including research into a late night levy, followed by a public consultation, with the aim of bringing a levy forward as soon as practicable and when the timing is appropriate.

Alcohol Advertising

The Committee agreed to recommend that the direction of travel for the Executive should be to make progress where it can in the spaces within its control, such as controlling alcohol advertising near schools and youth venues, on public transport, and in connection with sporting events and grounds etc.

However, Members were mindful of the role that alcohol advertising plays in supporting sports and other major events in society and that alternative sponsorship will need to be found over time. The Committee agrees that specific action should be taken to ban advertising of alcohol on buses and coaches used to transport children and young people, for example, to school, sports matches/events and concerts.



Renewal of Licences: Grace Periods

The Committee agreed to recommend that the licensing authorities consider a review of the grace periods in line with the proposals of The Law Society.

6. Formal Clause by Clause Consideration of the Licensing and Registration of Clubs (Amendment) Bill

The Chairperson reminded Members that, at the meeting on 29 April 2021, the Committee had agreed the text of the first set of Departmental amendments to Clauses 4, 11, 12, 27, 28, 29 and new Clause 24A.

The Chairperson informed Members that the Committee had been provided with a tabled paper of the remaining amendments to be taken forward by the Minister.

The meeting moved into open session at 10.34 am

The following Departmental Officials joined the meeting:

Mr Liam Quinn

Ms Carol Reid

New Clause 1A

Members indicated that they were content with the proposed new clause, which provides for an amendment on the removal of restrictions on late night opening on Sundays for licensed premises.

New Clause 23A

Members indicated that they were content with the proposed new clause, which provides for the removal of restrictions of late opening on Sundays for clubs.



New Clause 22A

Members indicated that they were content with the proposed new clause, which provides for an amendment of alterations to registered clubs.

Amendment to Clause 29: Young People Prohibited from Bars

The Chairperson informed Members that the amendment will provide a regulatory-making power to amend the months referred to in clause 29(1) and the number of prize giving ceremonies referred to in clause 29(2).

Members indicated that they were content with the proposed amendment.

New Clause 32A

Members indicated that they were content with the proposed new clause, which provides for an amendment for the Department to produce guidance.

New Clause 32B

Members indicated that they were content with the proposed new clause, which provides for an amendment for the Department to carry out reviews.

Amendment to Schedule 1

The Chairperson informed Members that the amendment will clarify the policy in respect of the Registration of Clubs (NI) Order 1996, which allows a member of the public to pay a fee to use the facilities of a sporting club for a day, to ensure that it is not used to allow someone to simply use the bar facilities.

Members indicated that they were content with the proposed amendment.

Response from Minister of Justice on Liquor Licensing Data

The Chairperson informed Members that they had been provided with a response from the Minister for Justice to queries on the accessibility of liquor licensing data held by the courts.



The Chairperson further informed Members that the Minister for Justice had confirmed that each Clerk of Petty Sessions maintains a Licensing Register that is made available for inspection and information and is supplied to Department for Communities when requested.

Agreed: The Committee agreed to note the response and to include a copy in the Committee's report.

Formal Clause by Clause Consideration of the Licensing and Registration of Clubs (Amendment) Bill

The Committee commenced its formal clause by clause consideration of the Bill.

Clause 1: Removal of additional restrictions at Easter

The Committee considered Clause 1 as drafted by the Department.

Mr Newton informed the Committee that he had concerns in relation to Clause 1 but was mindful that the Committee was in agreement with the clause.

Agreed: The Committee agreed that it was content with Clause 1 as drafted.

New Clause 1A: Removal of restrictions on late opening for on-sales on Sunday

The Committee considered Clause 1A as drafted by the Department.

Mr Newton informed the Committee that he had concerns in relation to new Clause 1A but was mindful that the Committee was in agreement with the clause.

Agreed: The Committee agreed that it was content with Clause 1A as drafted.

Clause 2: Public houses and hotels: further additional hours

The Committee considered Clause 2 as drafted.

Agreed: The Committee agreed that it was content with Clause 2 as drafted.



Clause 3: Alignment of closing time for liquor and entertainment

The Committee considered Clause 3 as drafted.

Agreed: The Committee agreed that it was content with Clause 3 as drafted.

Clause 4: Police authorisations for additional hours

The Committee considered Clause 4 as amended by the Department.

Agreed: The Committee agreed that it was content with Clause 4 as amended by the Department.

Clause 5: Extension of “drinking-up time”

The Committee considered Clause 5 as drafted.

Agreed: The Committee agreed that it was content with Clause 5 as drafted.

Clause 6: Major events

The Committee considered Clause 6 as drafted.

Agreed: The Committee agreed that it was content with Clause 6 as drafted.

Clause 7: Licensed race tracks: Sunday sales

The Committee considered Clause 7 as drafted.

Agreed: The Committee agreed that it was content with Clause 7 as drafted.



Clause 8: Licence for off-sales

The Committee considered Clause 8 as amended by the Committee.

Agreed: The Committee agreed that it was content with Clause 8 as amended by the Committee.

New Clause 8A: Taprooms

The Committee considered Clause 8A as drafted for the Committee by the Bill Office.

The question was put that the Committee is content with the new Clause.

The Committee divided: Ayes 6; Noes 3; Abstain 0

AYES: Ms Paula Bradley, Ms Kellie Armstrong, Mr Mark Durkan, Mr Andy Allen, Mr Alex Easton, Mr Robin Newton.

NOES: Mr Fra McCann, Ms Karen Mullan, Sinéad Ennis.

Agreed: The Committee agreed that it was content with Clause 8A as drafted for the Committee by the Bill Office.

New Clause 8B: Taprooms

The Committee considered Clause 8B as drafted for the Committee by the Bill Office.

The question was put that the Committee is content with the new Clause.

The Committee divided: Ayes 6; Noes 3; Abstain 0

AYES: Ms Paula Bradley, Ms Kellie Armstrong, Mr Mark Durkan, Mr Andy Allen, Mr Alex Easton, Mr Robin Newton.



NOES: Mr Fra McCann, Ms Karen Mullan, Sinéad Ennis.

Agreed: The Committee agreed that it was content with Clause 8B as drafted for the Committee by the Bill Office.

Clause 9: Requirement for off-licence

The Committee considered Clause 9 as drafted.

Agreed: The Committee agreed that it was content with Clause 9 as drafted.

Clause 10: Removal of requirement for children's certificate, etc.

The Committee considered Clause 10 as drafted.

Agreed: The Committee agreed that it was content with Clause 10 as drafted.

Clause 11: Underage functions

The Committee considered Clause 11 as amended by the Department.

Agreed: The Committee agreed that it was content with Clause 11 as amended by the Department.

Clause 12: Private functions

The Committee considered Clause 12 as amended by the Department.

Agreed: The Committee agreed that it was content with Clause 12 as amended by the Department.



Clause 13: Delivery of intoxicating liquor to young persons

The Committee considered Clause 13 as drafted.

Agreed: The Committee agreed that it was content with Clause 13 as drafted.

Clause 14: Restaurants and guest Houses: notice displaying licence conditions

The Committee considered Clause 14 as drafted.

Agreed: The Committee agreed that it was content with Clause 14 as drafted.

Clause 15: Prohibition on self-service and sales by vending machines

The Committee considered Clause 15 as drafted.

Agreed: The Committee agreed that it was content with Clause 15 as drafted.

Clause 16: Restrictions on off-sales drinks promotions in supermarkets etc.

The Committee considered Clause 16 as drafted.

Agreed: The Committee agreed that it was content with Clause 16 as drafted.

Clause 17: Prohibition of loyalty schemes

The Committee considered Clause 17 as drafted.

Agreed: The Committee agreed that it was content with Clause 17 as drafted.



New Clause 17A: Minimum unit pricing

The Committee considered Clause 17A as drafted for the Committee by the Bill Office.

Agreed: The Committee agreed that it was content with Clause 17A as drafted for the Committee by the Bill Office.

Clause 18: Occasional Licences: conditions

The Committee considered Clause 18 as drafted.

Agreed: The Committee agreed that it was content with Clause 18 as drafted.

Clause 19: Code of practice

The Committee considered Clause 19 as drafted.

Agreed: The Committee agreed that it was content with Clause 19 as drafted.

Clause 20: Body corporate: change of directors

The Committee considered Clause 20 as drafted.

Agreed: The Committee agreed that it was content with Clause 20 as drafted.

Clause 21: Removal of exemption for angostura bitters

The Committee considered Clause 21 as drafted.

Agreed: The Committee agreed that it was content with Clause 21 as drafted.



Clause 22: Sporting clubs

The Committee considered Clause 22 as drafted.

Agreed: The Committee agreed that it was content with Clause 22 as drafted.

New Clause 22A: Consent required for alterations to premises

Agreed: The Committee agreed that it was content with new Clause 22A as drafted by the Department.

Clause 23: Removal of Additional Restrictions at Easter

The Committee considered Clause 23 as drafted.

Agreed: The Committee agreed that it was content with Clause 23 as drafted.

Mr Newton informed the Committee that he had concerns in relation to Clause 1 but was mindful that the Committee was in agreement with the clause.

New Clause 23A - Removal of restrictions on late opening on Sunday

The Committee considered new Clause 23A as drafted by the Department

Mr Newton informed the Committee that he had concerns in relation to new Clause 23A but was mindful that the Committee was in agreement with the clause.

Agreed: The Committee agreed that it was content with new Clause 23A as drafted.

Clause 24: Extension of “drinking-up time”

The Committee considered Clause 24 as drafted.

Agreed: The Committee agreed that it was content with Clause 24 as drafted.



New Clause 24A: Increased authorisations for special occasions in clubs from 85 to 104

The Committee considered new Clause 24A as drafted by the Department.

Agreed: The Committee agreed that it was content with new Clause 24A as drafted.

Clause 25: Major events

The Committee considered Clause 25 as drafted.

Agreed: The Committee agreed that it was content with Clause 25 as drafted.

Clause 26: Removal of requirement for children's certificate, etc.

The Committee considered Clause 26 as drafted.

Agreed: The Committee agreed that it was content with Clause 26 as drafted.

Clause 27: Underage functions

The Committee considered Clause 27 as amended by the Department.

Agreed: The Committee agreed that it was content with Clause 27 as amended by the Department.

Clause 28: Private functions

The Committee considered Clause 28 as amended by the Department.

Agreed: The Committee agreed that it was content with Clause 28 as amended by the Department.



Clause 29: Young people prohibited from bars

The Committee considered Clause 29 as amended by the Department.

Agreed: The Committee agreed that it was content with Clause 29 as amended by the Department.

Clause 30: Prohibition on self-service and supply by vending machines

The Committee considered Clause 30 as drafted.

Agreed: The Committee agreed that it was content with Clause 30 as drafted.

Clause 31: Restrictions relating to advertisements

The Committee considered Clause 31 as drafted.

Agreed: The Committee agreed that it was content with Clause 31 as drafted.

Clause 32: Code of practice

The Committee considered Clause 32 as drafted.

Agreed: The Committee agreed that it was content with Clause 32 as drafted.

New Clause 32A: Guidance

The Committee considered new Clause 32A as drafted.

Agreed: The Committee agreed that it was content with new Clause 32A as drafted by the Department.

New Clause 32B: Review



The Committee considered new Clause 32B as drafted by the Department.

Agreed: The Committee agreed that it was content with new Clause 32B as drafted.

Clause 33: Interpretation

The Committee considered Clause 33 as drafted.

Agreed: The Committee agreed that it was content with Clause 33 as drafted.

Clause 34: Minor and consequential amendments

The Committee considered Clause 34 as drafted.

Agreed: The Committee agreed that it was content with Clause 34 as drafted.

Clause 35: Repeals

The Committee considered Clause 35 as drafted.

Agreed: The Committee agreed that it was content with Clause 35 as drafted.

Clause 36: Commencement and short title

The Committee considered Clause 36 as drafted.

Agreed: The Committee agreed that it was content with Clause 36 as drafted.

Schedule 1: Minor and consequential amendments

The Committee considered Schedule 1 as amended by the Department.



Agreed: The Committee agreed that it was content with Schedule 1 as amended.

Schedule 2: Repeals

The Committee considered Schedule 2 as drafted.

Agreed: The Committee agreed that it was content with Schedule 2 as drafted.

Long Title

The Committee considered the Long Title as drafted.

Agreed: The Committee agreed that it was content with the Long Title as drafted.

The Chairperson informed Members that this concluded the Committee's formal clause by clause consideration of the Licensing and Registration of Clubs (Amendment) Bill.

The Chairperson thanked the Departmental Officials and the Assembly Bill Office Clerk for their work on the Bill and their co-operation with the Committee.

The Committee agreed to move to Correspondence.

7. Correspondence

- i. The Committee noted correspondence from the Department in respect of an extension of the Public Consultation on a new Strategy for Sport and Physical Activity.
- ii. The Committee considered correspondence from the Department regarding amendments to NI Social Security legislation required due to the introduction of Scotland's Child Disability Payment.



Agreed: The Committee agreed to seek further details on the changes being taken forward in Scotland.

The Committee noted the following items of correspondence:

- i. Correspondence regarding a decision of the Charity Tribunal.
- ii. Copy of Charity Commission NI response to correspondence from an individual, Mr McKee, regarding McKee and others v Charity Commission.

8. Forward Work Programme

Members noted that an additional meeting had been scheduled for Tuesday 11 May solely to consider the draft Committee Report on the Licensing and Registration of Clubs (Amendment) Bill.

Members also noted that, at its meeting on Thursday 13 May 2021, the Committee will be briefed by Departmental Officials on the Covid-19 Charities Fund and that the Committee will finalise its report on the Licensing and Registration of Clubs (Amendment) Bill.

9. Any Other Business

There was no other business.

10. Date, Time and Place of the next meeting

The next meeting will be held on Tuesday 11 May 2021 at 9.15 am in Room 30, Parliament Buildings.



The Committee agreed to return to the Departmental briefing on the Charity Commission.

11. Departmental briefing on the Charity Commission

Andy Allen declared an interest as a Charity Trustee.

The following Department Officials joined the meeting:

Ms Sharon Russell

Mr Martin Ireland

The Departmental Officials briefed the Committee on legislation to amend the Charities Act (NI) 2008 in response to the McBride High Court and Court of Appeal Judgments.

The oral evidence was followed by a question and answer session.

A Member raised concerns regarding the increased Commission running costs as a direct result of the additional structures that had to be established following the court of appeal judgement.

Agreed: The Officials agreed to provide the Committee with details of the increased costs.

The Chairperson thanked the Departmental Officials for their attendance.

The meeting was adjourned at 11.56 pm.

Paula Bradley MLA
Chairperson, Committee for Communities