

## Response ID ANON-GXRH-UWF8-3

Submitted to **CALL FOR EVIDENCE AND VIEWS ON THE LICENSING AND REGISTRATION OF CLUBS (AMENDMENT) BILL**  
Submitted on **2021-01-18 23:52:14**

### Introduction

**What is your name?**

Name:

[REDACTED]

**What is your email address?**

Email:

[REDACTED]

**What is your organisation?**

Organisation:

[REDACTED]

**Please indicate if you are providing a submission:**

as an individual, on behalf of an organisation or business

**If you are responding on behalf of an organisation or business please tell us briefly how it relates to the subject matter of the Bill:**

**Please provide your comments in the text box below:**

[REDACTED] are the founders and owners of [REDACTED]. We are based in [REDACTED], where we manufacture cider using local, organic apples. We require a local producer's licence to retail our ciders.

We aim to establish a secondary business as a wine retailer, importing a select portfolio of wines from small producers in EU countries and retailing them via an online shop (100% virtual sales) to customers located in NI/ROI exclusively. To do so, we require further measurements to be included in the bill.

We have previously written to two of our MLA's but have received no acknowledgement or response; we would greatly appreciate it if you would thoughtfully consider and act on our suggestions to further measurements that would provide us the means to a freely chosen and accepted occupation.

### 1. The Policy Objectives of the Bill

**What are your views on the overall policy objectives? Do you think that the Bill will meet those objectives? If not, why not?**

**Please provide your comments in the text box below:**

We feel that the "balanced package of measures" is not ambitious enough and wish to suggest further amendments. Specifically, we refer to those measures which directly impact our course of business and aims: Section 4 "Supporting Tourism, Special Events and Small Producers (Clause 8).

### 2. Easter Opening Hours and Additional Permitted Opening Hours

**The removal of restrictions at Easter [Clauses 1 & 23]?**

**Please provide your comments in the text box below:**

**Additional permitted hours for certain licensed premises [Clause 2]?**

**Please provide your comments in the text box below:**

**PSNI authorisation for additional permitted hours for smaller pubs [Clause 4]?**

**Please provide your comments in the text box below:**

### “Drinking-up Time” and the Alignment of Alcohol and Entertainment Licences

**What are your views on the extension of “drinking-up” time?**

**Please provide your comments in the text box below:**

**What impact do you think it would have on alcohol consumption towards closing time and during ‘drinking up’ time?**

**Please provide your comments in the text box below:**

**What impact do you think it would have on issues such as anti-social behaviour and crowd dispersal?**

**Please provide your comments in the text box below:**

**Do you have any comments on the proposals to align closing time for liquor and entertainment licences [Clause 3]?**

**Please provide your comments in the text box below:**

#### **4. Supporting Tourism, Special Events and Small Producers**

**Do you think that the provisions contained within the Bill will have a positive impact on hospitality and/or tourism and in Northern Ireland? If so, how?**

**Please provide your comments in the text box below:**

**What are your views on the proposals relating to permitted hours for special events [Clauses 6 & 25]?**

**Please provide your comments in the text box below:**

**What are your views on the provisions of the Bill that are aimed at supporting small local producers of beer, cider and spirits [Clause 8]? What impact do you envisage this could have on tourism? Do you feel that the regulatory framework, as outlined in the Bill, is sufficiently robust?**

**Please provide your comments in the text box below:**

██████████ & I feel that support for small producers would have a positive impact on tourism by:

- 1) Encouraging a greater demand for independent product
- 2) Creating more jobs within the sector
- 3) Generating more money for the country
- 4) Developing new facilities for tourists and residents

We recognise that the alcohol sub-categories outlined in Clause 8 account for beer, cider and spirits; wine is not mentioned. We can deduce that wine is excluded on the basis that it is not commonly produced in Northern Ireland.

While the Bill outlines progressive steps to allow small producers to sell their product, it is apparent that the same support is not offered to small importers whose objectives would reinforce the positive impacts mentioned above. For this reason, we do not find the regulatory framework to be sufficiently robust.

The alcohol licensing laws in Great Britain permit the retail of alcohol if the individual/organisation holds a personal licence in conjunction with a premises licence, both of which are subject to certain pre-requisites including personal details, licensing qualifications, planning certificates, building standards certificates, appointed supervisor details (DPS), and operating plans.

Similarly, the alcohol licensing laws in the Republic of Ireland permit the retail of alcohol if the individual/organisation obtains an excise licence, which are further sub-divided into several singular licences for each alcohol product/service (wine retailer's off licence; wine retailer's on licence; beer retailer's off licence; spirit retailer's off licence). The licences may be held either singly or in combination, and the cost of each licence is €500; the licensing period runs from 1 October to 30 September each year regardless of the date of issue.

Contrastingly, the alcohol licensing laws permitting the retail of alcohol in Northern Ireland are severely limitative and unique. We have consulted with legal professionals, economic development officers, and business advisors who have supplied us with the discouraging reality; we must obtain a liquor licence to retail wine in Northern Ireland, a daunting and expensive process that is likely to cost upward of £80,000.

We aspire to import and retail a select portfolio of wines from a limited number of small producers based in EU countries. Our ambition to do so is built upon our extensive experience within the industry, both in hospitality employs and by self-willed endeavours; we have dedicated years to collating a professional portfolio of producers and wines that place value on sustainable agriculture and healthy lifestyle choices.

Further, we can confirm that the retailing of luxury alcohol is a growing, modern trend in the rest of the UK, Ireland and Europe. The artisanal, small-scale production methods demand significantly higher cost prices than the mainstream brands, which result in premium price brackets; an unsustainable choice for binge consumption and a deterring factor for unmonitored, underage sales.

#### **5. Children and Young People (under the age of 18)**

**The removal of the requirement of a licensed premises or registered club to hold a children's certificate [Clauses 10 & 26]?**

**Please provide your comments in the text box below:**

Permitting certain premises to hold underage functions; the conditions that must be met; the permitted opening hours; and, proposed enforcement action [Clauses 11 & 27]?

Please provide your comments in the text box below:

Permitting the attendance of young people to remain on licensed premises to attend a private function (e.g. a wedding reception) and the proposed conditions that must be met [Clauses 12 & 28]?

Please provide your comments in the text box below:

The strengthening of the current law around the delivery of alcohol [Clause 9] and the delivery of alcohol to young people [ Clause 13]?

Please provide your comments in the text box below:

The prohibition on self-service and sale of alcohol by vending machines [Clauses 15 & 30]?

Please provide your comments in the text box below:

Permitting children and young people to be present in a sporting club to 11:00pm during the summer months (1 June to 31 August) [Clause 29]?

Please provide your comments in the text box below:

Permitting children and young people to attend an awards ceremony in a sporting club one night per calendar year (until 11pm) [Clause 29]?

Please provide your comments in the text box below:

Overall, do you feel the measures are adequate to protect children and young people from alcohol related harm? If not, why not?

Please provide your comments in the text box below:

## 6. Alcohol Consumption and Alcohol-Related Harm

What impact do you think these measures will have on reducing alcohol consumption and preventing alcohol-related harm?

Please provide your comments in the text box below:

Do you have any other comments in relation to any other aspect of the Bill in relation to alcohol consumption and alcohol-related harm?

Please provide your comments in the text box below:

## 7. Regulation, Enforcement, Offences and Penalties

The Bill proposes to allow statutory approval for voluntary industry-led codes of practice in relation to the sale and supply of alcohol in licensed premises and registered clubs [Clauses 19 & 32]. Do you feel these are an effective means of helping to regulate the industry? If not, what alternatives would you suggest?

Please provide your comments in the text box below:

The Bill contains provisions to permit a court, when determining an application for an occasional licence, to impose terms and conditions on the licence with consequences for non-compliance [Clause 18]. What are your views on this?

Please provide your comments in the text box below:

What are your views on the measures in the Bill that would require a body corporate (licensee) to notify the courts and police of any change of directorship (within 28 days) [Clause 20]?

Please provide your comments in the text box below:

Throughout the Bill there are a number of new offences and/or penalties under The Licensing (NI) Order 1996, The Registration of Clubs (NI) Order 1996 and The Betting, Gaming, Lotteries and Amusements (NI) Order 1985. The Committee would welcome any comments you have in relation to any of these.

Please provide your comments in the text box below:

## 8. Resource Implications for Certain Organisations/Bodies

(a) The PSNI:

**Please provide your comments in the text box below:**

**b) Health and social services:**

**Please provide your comments in the text box below:**

**c) Other organisations (please specify):**

**Please provide your comments in the text box below:**

**9. Registered Clubs**

**Do you have any additional comments on the provisions in the Bill which specifically relate to registered clubs [i.e. Clauses 22 to 32]?**

**Please provide your comments in the text box below:**

**10. Additional Information**

**Are there any other measures not included in the Bill that you think should be included and why?**

**Please provide your comments in the text box below:**

We urge you to consider making amendments to Section 4 (Clause 8) to include provisions for small importer's in the form of a licence to retail alcoholic drinks (including wines) in an off-licence capacity. We advocate for conditional requirements prior to the grant of such a licence, including professional qualifications and business plans.

**Do you have any other comments you would like to make?**

**Please provide your comments in the text box below:**

Please don't prevent the small importers from establishing what could be a perfectly legitimate business. It is our intention to provide people with healthier alcohol choices while promoting a favourable drinking culture and encouraging responsible behaviours. Please do not hesitate to contact us if you require any further information.