

**NORTHERN IRELAND ASSEMBLY
COMMITTEE FOR COMMUNITIES**

**CALL FOR EVIDENCE AND VIEWS ON THE LICENSING AND
REGISTRATION OF CLUBS (AMENDMENT) BILL**

Please note that in most cases your written submissions will be published on our website and may be quoted in the Committee's report or in Committee meetings (which are public and broadcast).

If you would like to request that what you tell us is published without your name, please contact the Clerk at the following email address:
Committee.Communities@niassembly.gov.uk or by calling 028 9052 1939.

We will consider all requests for information to be treated anonymously.

Please provide comment on any or all parts of the template. If you do not agree with a particular clause, please consider suggesting how it should be amended to meet its objective.

Please indicate if you are providing a submission:

- as an individual
- on behalf of an organisation or business

SUBMISSION FROM: [Click or tap here to enter text.](#)

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:

Tourism Northern Ireland

In 2019, there were an estimated 5.3 million overnight trips in Northern Ireland. This includes trips by external visitors to Northern Ireland and domestic trips taken by local residents. Estimated expenditure associated with all overnight trips was £1.0 billion.

In order to rebuild our £1bn tourism industry in a post Covid-19 environment, it requires us to be continuously reflective and challenging of our tourism offering to ensure that we are meeting and managing the expectations of our visitors, both at home and abroad.

Visitors position food and drink as one of the top five factors when choosing a destination. While food and drink are a vehicle through which our visitors can learn

about our heritage, landscape and culture as well as meet our people, it also accounts for a significant proportion of visitor spend.

Food is a major factor in peoples' decisions to visit NI, and visitors spend over £350million per year on food and drink activity.

Food and drink is an essential part of the Northern Ireland economy and a key element of the holiday experience. It is one of the strongest memory triggers and visitors increasingly want to search for authentic and local experiences. Consumer research conducted by Tourism NI across NI and ROI indicated that after relaxing, getting away from it all and having fun, enjoying great food and drink was an important reason for taking a trip after lockdown and movement restrictions.

Our vision is to be an internationally competitive and inspiring destination that delivers a modern and attractive visitor experience including where visitors choose to eat and drink, to be entertained, and to visit. Furthermore, the hospitality industry will have the opportunity to share in tourism growth and develop their efforts to increase spend by visitors.

1. The Policy Objectives of the Bill

The policy objectives of the Bill are “to introduce a balanced package of measures to update the law in respect of the retail sale of alcoholic drinks and to make it more responsive to the current social and economic environment”.

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

Tourism NI welcomes consideration of the Bill which aims to modernise liquor licensing laws by introducing a balanced package of measures aimed at providing vital support to tourism related businesses.

2. Easter Opening Hours and Additional Permitted Opening Hours

What are your views on the provisions in the Bill on:

(2a) The removal of restrictions at Easter [Clauses 1 & 23**]?**

Easter is a significant holiday in the Northern Ireland tourism calendar. Tourism NI supports a relaxation of the restrictive Easter hours at a time when visitors have made the decision to travel to Northern Ireland or to support their local economy by holidaying at home.

Tourism NI believes that the removal of the restrictions at Easter will enhance the attractiveness of Northern Ireland as a modern tourism destination in what will be a competitive marketplace in the months and years ahead. The removal of restrictions will support the competitiveness and growth of the tourism and hospitality sectors' whilst recognising their contribution to the visitor and evening economy.

Furthermore, Tourism NI recognises that if restrictions around Easter are not enhanced, there is concern that Northern Ireland may be placed at a competitive disadvantage when compared to other close to home destinations of choice who have made legislative changes to permitted Easter trading hours.

(2b) Additional permitted hours for certain licensed premises [Clause 2]?

An increase in permitted hours for certain licensed premises would allow Northern Ireland to cater to the evolving changes in consumer behaviours and the expectations of our international visitors. An increase in the hours of permissible trading would further assist with driving the night-time economy in the wake of a global pandemic.

(2c) PSNI authorisation for additional permitted hours for smaller pubs [Clause 4]?

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

The Bill contains provisions to extend the current “drinking up” time in licensed premises and private members’ clubs from 30 minutes to 1 hour [Clauses 5 & 24].

The Department for Communities states that the aim is to discourage customers from drinking too quickly and to allow a more gradual departure from premises at closing time, especially from large venues.

(3a) What are your views on the extension of “drinking-up” time?

Tourism NI’s position remains that there is merit in the proposed extension of drinking up time from 30 minutes to one hour.

(3b) What impact do you think it would have on alcohol consumption towards closing time and during ‘drinking up’ time?

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(3c) What impact do you think it would have on issues such as anti-social behaviour and crowd dispersal?

Tourism NI is supportive of the licensed trade being able to manage orderly closure of their premises afforded by an extension to drinking up time.

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

Click or tap here to enter text.

4. Supporting Tourism, Special Events and Small Producers

(4a) 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?

Legislative changes that support the viability and sustainability of major events, our award-winning drink producers and the tourism and hospitality industry, would consolidate our efforts to further develop experiences that support our strategic aims of regional spread, seasonal extension and stimulation of the night-time economy.

(4b) What are your views on the proposals relating to permitted hours for special events [Clauses 6 & 25]?

The Bill proposes to provide the Department with the power to designate an event as being a 'Major Event' and to specify the permitted hours for that event (which may be outside current permitted hours) and to be provided with the power to impose or vary conditions for on and off sales under a Major Event Order.

Tourism NI is supportive of powers to vary license conditions to support the viability and sustainability of 'Major Events' of significance taking place in Northern Ireland.

Tourism NI welcomes the recognition of the contribution major events have made in the growth of the tourism industry in recent years. The many world-class events, which Northern Ireland has hosted have resulted in a step change in the numbers of people who now visit. Furthermore, it has engendered a sense of community, togetherness and civic pride.

International events play a significant role in the promotion and development of Northern Ireland. Previous events have been impacted by the lack of ability to vary the hours for the sale and consumption of alcohol where the event fell outside the remit of current legislation. Any scope outside previous legislative barriers may restrict event planners from giving Northern Ireland full consideration to event hosting.

The summer of 2019 saw The 148th Open at Royal Portrush make a historic return to Northern Ireland for the first time in 68 years. According to an independent study commissioned by The R&A and figures released by Tourism Northern Ireland on 10th December 2019, this groundbreaking event has generated more than £100 million of economic benefit for Northern Ireland. (Source: Sheffield Hallam University's Sport Industry Research Centre (SIRC).

Given the economic success of The 148th Open 2019, there is a clear need to make sure that there are robust measures in place to support the future success of major events of economic significance that can be of benefit to a range of businesses and industries across Northern Ireland.

In Tourism NI's response to the DfC's public consultation on The Sale and Supply of alcoholic drinks at 'special events' in Northern Ireland, (May 2019) prior to The 148th Open being held, Tourism NI outlined why it did not consider the current licensing laws regarding major events as adequate. This viewpoint was further corroborated by feedback from the event organisers.

Specifically, Tourism NI advised that we would be supportive of the DfC having the following powers:

- o To vary permitted hours at an event, having designated it as a special event.
- o To permit the sale of alcoholic drinks for consumption off the premises at a special event.
- o To permit off-sales in certain circumstances at events which attract significant public interest.
- o Tourism NI noted that the changes to the restriction on the sale of alcohol at special events would apply to all categories (except for young people under 18 years who are not permitted to purchase or consume alcoholic drinks).

The legacy of The 148th Open will be an important and valuable endorsement of and confidence in Northern Ireland as a compelling destination, a great place to live, work and invest and with the ability to deliver events professionally and efficiently.

It is important that NI's legislative environment on liquor licensing does not place Northern Ireland at a disadvantage to other venues to be considered as a future host destination to stage such a major event. Event viability needs to be supported through smooth operational delivery, maximising sales opportunities, and to deliver an experience that meets the expectations fully of visitors and investors alike.

(4c) 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?

Covid-19 has had a devastating impact on local food and drink businesses across Northern Ireland. During the early stages of the pandemic, food producers, growers, bakers and restaurateurs worked tirelessly to ensure that we had access to produce during the extended period of lockdown.

The closure of bars, hotels and restaurants had a profound impact right across the sector but has increasingly confirmed the vulnerability of our craft brewers and distillers as they struggled to generate income and a stable level of business continuity through direct sales. The fragility of the supply chain provided limited opportunities for drink producers to sell direct to consumers and as a result, were disproportionately affected by restrictive legislation.

Tourism NI are aware of concerns from a social perspective in terms of alcohol misuse but must emphasise the cost per unit of alcohol when comparing the availability of supermarket alcohol with a premium artisanal spirits, craft beers and ciders.

Direct comparisons cannot be achieved when considering quality over quantity with products that are designed for the niche, premium and tourism markets.

Tourism NI supports the introduction of a local producer's license that would permit our craft brewers, distillers and cider makers to sell products directly to the consumer.

Balancing health and safety needs in addition to the logistics of receiving visitors may result in refreshments being offered in another area, be it within the premises or at another defined location that is suitable for visitors to sample and purchase. Proposals for a producer license should encompass all facilities associated with the production, retail and visitor servicing elements of the business. Small drink producers may be spread across several sites. Legislative changes must benefit both large and small-scale producers in our urban and rural communities that allow direct to consumer sales without costly barriers.

To support the investment, innovation and growth in this fundamental aspect of the visitor experience, it should be noted that Northern Ireland is not meeting the needs of our visitors. For the most part, unless covered by an appropriate license, if a tourist visits a drink producer, they are allowed to 'sample' the products but cannot purchase directly from the site of which they have travelled to visit. A highly frustrating experience for the visitors and a missed opportunity for the producer to sell to those who have just experienced a tour and sampled products but are prohibited to sell. The likelihood of a purchase whilst on the premises is greater than that of a chance encounter in the nearest off licence or an online purchase when they arrive home.

Visitors to NI spend a third of the overall spend on food and drink and we must ensure, whilst being sensitive to the social environment, that leakage does not occur due to restrictions from a legislative perspective. The ability for visitors to purchase on site is essential and tourists particularly expect the opportunity to do this.

A key issue for consideration is the cost of a proposed producers license whereby there are concerns that it could become prohibitive for small businesses to secure. The legislation must go far enough to support revenue growth in experiential tourism, of which food and drink is a key motivator.

The sector has demonstrated exponential growth from a tourism perspective however it would seem that the Bill proposal does not go far enough to support micro-breweries and craft drink producers who wish to develop a tap-room experience for visitors. The current proposal would continue to prohibit sales for on-premises consumption and is restrictive in enabling this growing market to meet the demands and expectations of visitors.

Tourism NI believe that if the craft drinks sector was fully supported to enable direct to consumer sales, it would consolidate our efforts to further develop experiences that support our strategic aims of regional spread, seasonal extension and stimulation of the night-time economy.

Similar producer models in RoI and other close to home destinations should be evaluated to ensure that any shortfalls in purpose are addressed for application in NI that will help future proof the industry, encourage innovation and entrepreneurship and job creation in the wake of a global pandemic.

Producers are increasingly keen to target the growing tourism sector by developing quality tourism experiences that will offer a more holistic visit by combining a tour and tastings with a purchase. With some located in key tourism destinations this presents an untapped opportunity in the drive to offer visitors more reasons to stay longer and to spend more.

Events and festivals such as the BBC Good Food Show are an important opportunity to showcase Northern Ireland's food and drink produce. However, suppliers have not been able to sell alcoholic products for consumption off the premises under the current licensing laws, as the only premises permitted to sell alcohol for consumption off the premises are pubs and off-licenses.

Tourism NI are encouraged to see within the Bill, proposals that would permit sales for consumption off premises at events such as food and drink fairs with the understanding that certain conditions must be met.

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

The Bill contains a number of provisions directly relevant to children and young people. The Committee is keen to hear your views on the provisions of the Bill relating to children and young people and the proposed additional safeguarding measures, where relevant.

What are your views on:

(5a) The removal of the requirement of a licensed premises or registered club to hold a children's certificate [Clauses 10 & 26**]?**

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(5b) Permitting certain premises to hold underage functions; the conditions that must be met; the permitted opening hours; and, proposed enforcement action [Clauses 11 & 27**]?**

Click or tap here to enter text.

(5c) 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**]?**

Click or tap here to enter text.

(5d) The strengthening of the current law around the delivery of alcohol [Clauses 9] and the delivery of alcohol to young people [Clause 13]?

Click or tap here to enter text.

(5e) The prohibition on self-service and sale of alcohol by vending machines [Clauses 15 & 30]?

Click or tap here to enter text.

(5f) 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]?

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(5g) Permitting children and young people to attend an awards ceremony in a sporting club one night per calendar year (until 11pm) [Clause 29]?

Click or tap here to enter text.

(5h) Overall, do you feel the measures are adequate to protect children and young people from alcohol related harm? If not, why not?

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6. Alcohol Consumption and Alcohol-Related Harm

The Bill proposes to address certain aspects of alcohol consumption and related harm, for example:

- Introducing a number of restrictions on off-sales drinks promotions in supermarkets [Clause 16];
- Regulating the delivery of alcoholic drinks to young people [Clause 13];
- Prohibiting the awarding or redemption of loyalty or bonus points for the purchase of alcohol in licensed premises [Clause 17]; and
- Prohibiting the sale of alcohol by way of self-service or vending machine (with certain exceptions) [Clauses 15 & 30].

(6a) What impact do you think these measures will have on reducing alcohol consumption and preventing alcohol-related harm?

Click or tap here to enter text.

(6b) Do you have any other comments in relation to any other aspect of the Bill in relation to alcohol consumption and alcohol-related harm?

Click or tap here to enter text.

7. Regulation, Enforcement, Offences and Penalties

(7a) 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?

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(7b) 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?

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(7c) 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]?

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(7d) 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 these.

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8. Resource Implications for Certain Organisations/Bodies

8. What do you think the resource implications will be for:

(a) The PSNI:

Click or tap here to enter text.

(b) Health and social services:

Click or tap here to enter text.

(c) Other organisations (please specify):

Click or tap here to enter text.

9. Registered Clubs

9. Do you have any additional comments on the provisions in the Bill which specifically relate to registered clubs [Clauses [22](#) to [32](#)]?

Click or tap here to enter text.

10. Additional Information

(10a) Are there any other measures *not included* in the Bill that you think should be included and why?

Click or tap here to enter text.

(10b) Do you have any other comments you would like to make?

Tourism NI has been supportive of change to the current Liquor Licensing Laws consistently in its advice since the original consultation in 2012.

We believe that it will enhance the visitor experience of Northern Ireland as a world-class tourism destination.

Tourism NI have conducted extensive research into the needs and motivations of our close to home markets, where the availability of food and drink experiences continue to dominate the factors in decision-making. Our research into these crucially important markets tells us that we must continue to evolve to meet the expectations of our visitors.

Thank you

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