



Northern Ireland
Assembly

Committee for Communities

Minutes of Proceedings

Thursday 20 January 2022

Meeting Location: Room 29, Parliament Buildings, Belfast

Present: Ms Paula Bradley MLA (Chairperson)
Ms Kellie Armstrong MLA (Deputy Chairperson)
Mr Andy Allen MBE MLA
Mr Paul Frew MLA

Present by Video or Teleconference:

Mr Mark Durkan MLA
Mr Stephen Dunne MLA
Ms Ciara Ferguson MLA
Ms Áine Murphy MLA
Ms Aisling Reilly MLA

Apologies:

In Attendance: Dr Janice Thompson (Assembly Clerk)
Ms Antoinette Bowen (Clerical Officer)



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In Attendance by Video or Teleconference: Mr Sean McCann (Assistant Clerk)

Ms Rachel Ashe (Clerical Supervisor)

The Chairperson, Paula Bradley, assumed the Chair. The meeting began at 9.10 am in public session. The following Members were present at the start of the public session: Paula Bradley (Chairperson), Kellie Armstrong (Deputy Chairperson), Andy Allen, Paul Frew, Áine Murphy and Stephen Dunne.

Declaration of Interests

Ciara Ferguson declared an interest as a former employee within the community and voluntary sector which had previously contributed to the Warm Well and Connected initiative.

1. Apologies

There were no apologies.

2. Chairperson's Business

The Chairperson informed Members that the Chartered Institute of Housing had highlighted at their All-Ireland Summit on Wednesday their extreme concern over the 3-year budget. The 3-year resource budget is in reality a reduction and capital budget reduced, which is going to affect social housing new build and places in temporary accommodation.

Agreed: The Committee agreed to invite the Northern Ireland Housing Executive to brief Members regarding concerns over the 3-year budget.

Agreed: The Committee agreed to invite the Department to brief Members on the 3-year budget, housing forecast, and the Minister's Housing Supply Strategy.



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3. Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 13 January 2022.

4. Committee Deliberations on the Betting, Gaming, Lotteries and Amusements (Amendment) Bill

Aisling Reilly joined the meeting at 9.11 am.

Mark Durkan joined the meeting at 9.16 am.

The Chairperson informed Members that the Committee was continuing its Committee Deliberations on the Betting, Gaming, Lotteries and Amusements (Amendment) Bill.

The Chairperson reminded Members that this was not the formal clause by clause stage, but rather an opportunity to continue to discuss clauses comprehensively with Departmental Officials.

The Chairperson welcomed the following Officials to the meeting:

Ciarán Mee

Martina Campbell

The Officials briefed the Committee and participated in a question and answer session with Members. The Officials and Members discussed the Bill in detail, scrutinising each clause in turn.

Clause 1 – Interpretation

No queries were raised by the Committee.

Clause 2 – Opening of licensed offices on Sunday and Good Friday



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Two Members registered concerns about increased opportunities for gambling brought about by this Clause and put on the record that this clause was contrary to public health advice, addiction services and family life evidence that the Committee had received.

Officials noted that such organisations as the PHA tend to take a risk adverse approach and that many people enjoyed gambling responsibly and that such changes to the law in other jurisdictions had not led to increases in problem gambling. Officials also advised that on-line gambling will continue 24/7 and this clause only brings licensed offices in line with other establishments.

Clause 3 - Sunday working in licensed office

The same Members as above stated that the same comments applied to this Clause as they had made to Clause 2.

Another Member said he felt it would be useful to supply guidance on the employment safeguards that existed for those staff who did not want to work on a Sunday. Officials said they would work with DfE to see what could be done.

Clause 4 – Pool betting

No queries were raised by the Committee.

Clause 5 - Persons who may participate in bingo at bingo club

No queries were raised by the Committee.

Clause 6 - Days when bingo and use of gaming machines permitted on bingo club premises

The Officials highlighted that they still did not have the expected returns from the NI Court Service in order to reply to the Committee. Officials confirmed they were working with the Courts and would continue to do so.

Discussion again focused on illegal gaming machines in, for example, fast-food outlets and the role/powers of the PSNI. The Officials stated that since the meeting on 18th they had been in contact with the PSNI regarding this matter. PSNI confirmed



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that they do not routinely check for these type of offence but would encourage individuals to report this to them if any such machines are seen to be in use. The Officials stated that their own on-line search had indicated that in the past the PSNI has done a number of targeted approaches to address such illegal gaming machines.

Clause 7 - Offence of inviting, etc. person under 18 to play gaming machine

Officials noted that Fixed Odds Betting Terminals (FOBTs) were covered in the draft Code of Practice (CoP) and that Officials would consider any additional measures.

Officials noted that many newer gaming machines have stickers and pop-up messages reminding the player of age restrictions and encouraging the player to set limits for playing time or spending amounts.

Officials noted that grab machines are considered games of skill and they are not covered by the 1985 Order. Officials assured the Committee that work was intended to address this in phase two of the reforms.

Officials noted that the Code of Practice would require notices indicating age restrictions to be placed on the actual gaming machines, or if this was not possible due to the design of the machine, to be placed to it as closely as possible. Signs would also need to be at least A5 size to ensure visibility.

Officials assured the Committee that responsible members of the Northern Ireland Amusement Caterers Trade Association (NIACTA) will abide by the rule regarding age restriction.

A Member noted the need for physical separations between general amusement gaming machines, and gambling related gaming machines for over 18s in those premises which contain both. Officials noted that the physical separation of under- and over-18 gaming machines was already a legal requirement and that Clause 7 would introduce a new offence and hopefully act as a deterrent.

Officials also noted that they were reviewing training offered by NIACTA to staff, ensuring that it sufficiently addressed age restrictions. Officials confirmed that the CoP would require gamers to show valid forms of ID, such as those used to purchase alcohol, and recommend a 'Think 21' principle where all gamers who look younger than 21 should have ID checked.



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Officials informed the Committee that the Department would review its information leaflets related to gaming machines and could strengthen the content.

Kellie Armstrong joined the meeting at 9.47 am.

Clause 8 - Arrangements not requiring persons to pay to participate; and Clause 11 - Prize competitions not requiring persons to pay to participate; and Schedule 15 A

Officials confirmed that an amended EFM is in the response to the Committee – there will be extra sentences at these clauses and an extra section in Schedule 15A with general examples.

To deal with the specific examples, an additional leaflet will be drafted on prize draws to set out more detailed named worked examples, which could not be included in an EFM.

Clause 9 - Rules for societies' lotteries

Officials responded to concerns raised by the Committee that societies' lotteries could be used to raise money by organisations that were not societies, or to assist with money laundering. Officials assured Members that the definition of a society was defined in law and that, although a political party could satisfy the definition of a society, this was for a court to decide.

Officials confirmed that an organisation did not need to be a registered charity to benefit from a societies' lottery, as long as both the organisation and the lottery meet their respective definitions.

Regarding the max. ticket price – the Department confirmed it has issued OLC with drafting instructions on a max. price of £100. Officials informed the Committee that the Minister had identified potential unintended consequences and wanted to also put in a regulation making power (draft affirmative) to amend the rules around the frequency of such lotteries so that no society could abandon small ticket price lotteries in favour of many high ticket price lotteries.

Clause 10 - Qualifications by age, residence or corporate status for licences, certificates and permits



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No queries were raised by the Committee.

Clause 12 – Cheating

No queries were raised by the Committee.

Clause 13 - Enforceability of gambling contracts

No queries were raised by the Committee.

Clause 14 – Industry levy

Officials confirmed that the Department was in discussion with HMRC regarding sharing data, although they noted that the Department does not have the powers to compel HMRC in this regard.

Officials were content that the clause was sufficiently broad to meet its policy intent, and that all forms of gambling harm had been covered, such as harm to the individual, their family, and broader society.

Officials noted that there will be consultations regarding an industry levy and how monies raised by it should be spent. Officials assured the Committee that levy money would be spent in appropriate ways to best help those suffering from gambling related harm, by funding education, treatment, and research.

A Member noted that the specific ways in which the levy will be spent should be outlined. Officials agreed to check with counsel and report back to the Committee. With regard to the Officials' investigation into the law around the 'carrier bag levy' – they confirmed that it is contained in the Climate Change Act and believe that this Bill will have the same effect in terms of the powers regarding a levy

Clause 15 – Code of practice

Officials confirmed that the planned 6-week consultation and subsequent fuller consultation were both subject to the views of the incoming Minister in the new mandate.



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Officials confirmed that the Committee would receive the Department's list of stakeholders to show it was sufficiently broad.

Officials noted again that the National Lottery is reserved matter and the Department cannot legislate for it. Members asked if the Department could include this in their consultation and ascertain whether the public in Northern Ireland are concerned about the prevalence and positioning of National Lottery products, such as scratch cards. Officials agreed to this.

A Member queried whether scratch cards came under marketing regulations and emphasised that the desire was to protect young people, not stop the National Lottery.

Officials and Members agreed that data collection was important going forward.

Clause 16 – Short title and commencement

There was a discussion around the commencement of Clause 15 and Officials advised that a commencement order would not be made until the six week and then subsequently the fuller consultation was completed and Code(s) of Practice were ready to go.

The Chairperson thanked the representatives for their attendance.

Agreed: The Committee agreed to write to the Department regarding any further issues raised during the Committee Deliberations.

The meeting was adjourned at 10.45 am.

The meeting recommenced and went into closed session at 10.55 am to allow the Committee to receive advice from Claire McCanny, Bill Office Clerk.

Ciara Ferguson joined the meeting at 11.10 am.

The meeting went into open session at 12.03 pm.



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5. Matters Arising

The Chairperson informed Members that they had received a Departmental response regarding the increased housing options, along with links to the Public Land Registry and a copy of the Empty Homes Report. The Committee was content to note.

The Chairperson informed Members that they had received a Departmental response in relation to support for the Voluntary and Community Sector and the issuing of funds to organisations. The Committee was content to note.

The Chairperson informed Members that they had received a Departmental response on the increase in energy costs. The Committee was content to note.

The Chairperson informed Members that they had received a Ministerial statement on the Energy Payment Support Scheme.

Agreed: The Committee agreed to write to the Department, expressing its disappointment and to request a future briefing from the Department. The Committee also agreed to ask whether the following groups would be included in the scheme; those in receipt of tax credits; those in receipt of legacy benefits which had not yet been transferred across; and pensioners who are resource rich but cash poor and not in receipt of pension credits.

6. Bryson Charitable Group briefing on the Emergency Fuel Payment Fund

Aisling Reilly left the meeting at 12.23 pm.

The Chairperson welcomed the following representatives to the meeting:

Shane Logan

Jo Marley

Rachael Whan

The representatives briefed the Committee and participated in a question and answer session with Members.



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The Chairperson thanked the representatives for their attendance.

Agreed: The Committee agreed to write to the Department enquiring whether further easements have been identified which could be diverted to the Emergency Fuel Payments Fund to increase its budget.

7. Correspondence

The Chairperson informed Members that they had received a copy of SL1 – Transfer of Functions (Appeals Service) Order (Northern Ireland) 2021 from the Committee for the Executive Office.

Agreed: The Committee was content for the rule to be made.

The Chairperson informed the Committee that they had received a request to brief the Committee from Dr Louise O’Kane, Planner and Head of Engagement Community Places.

Agreed: The Committee agreed to write to Community Places, advising that the Committee is planning a future briefing schedule and will contact Community Places once it is confirmed.

The Committee agreed note the following items of correspondence:

- i. Information from Michael Lorimer, Executive Secretary for the Inclusive Mobility and Transport Advisory Committee (IMTAC) regarding the Department for Infrastructure’s call for views on different options to tackle issues created by parking on pavements;
- ii. A copy of the Northern Ireland Chamber of Commerce and Industry Report on their latest Quarterly Economic Survey, from Christopher Morrow, Head of Communications and Policy at the Northern Ireland Chamber of Commerce and Industry;
- iii. Correspondence from the Committee for Finance regarding the Monthly Forecast Outturn;
- iv. Correspondence from the Committee for Finance to the Department for Communities on Non-ACM Cladding Claims;



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- v. A copy of the RaISe paper on the Housing Rights Conference by Eleanor Murphy in RaISe.

8. Forward Work Programme

The Chairperson informed Members that the Committee would meet on Tuesday 25 January and Thursday 27 January to conduct the final committee deliberations on the Betting, Gaming, Lotteries and Amusement (Amendment) Bill.

9. Any Other Business

Áine Murphy left the meeting at 12.51 pm.

Paula Bradley left the meeting at 12.52 pm and Kellie Armstrong assumed the chair.

Paula Bradley re-joined the meeting at 12.54 pm and assumed the chair.

A Member noted their dismay that the Minister for Communities had not provided funding for community events to celebrate the Queen's upcoming Platinum Jubilee.

Agreed: The Committee agreed to write to the Minister for Communities expressing its disappointment that no funding had been made available for communities to celebrate the Queen's Platinum Jubilee, to ask the Minister to reconsider, and to request a copy of the Department's policy on such celebrations and commemorations.

10. Date, time and location of next meeting

The next meeting will be held on Tuesday 25 January 2022 in Room 30, Parliament Buildings, at 9.00 am.

The meeting was adjourned at 1.13 pm.



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Paula Bradley MLA
Chairperson, Committee for Communities