



Northern Ireland
Assembly

Committee for Communities

OFFICIAL REPORT (Hansard)

Licensing and Registration of Clubs
(Amendment) Bill: Institute of Licensing

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intention to move forward with it, how will that be reviewed? We have concerns about that and whether we, police or councils will have some input into how that is being assessed. I am slightly unsure of the reason for the extra drinking-up time. It is possibly a way of trying to get people not to disperse on to the streets in large numbers and to enable pubs to take the approach of slowly releasing people from their premises. Our experience in Bangor and that in other council areas is that bars generally do not abide by that approach. Once they have sold their drink on a night, most nightclubs make no further money and thus do not want to pay their staff more. They normally want to clear their premises as quickly as possible. There is no incentive for them to stay open after the normal time when customers can buy alcohol. The other problem with extending the hours is the possibility that people will buy excessive amounts of drink just before the bar closes and will then have an extended period in which they can drink that alcohol. That may lead to excess alcohol consumption.

We have tried allowing premises in Bangor to stay open until 2.00 am to allow people to filter out, but our experience has been that the bars do not work together. They all want to make a profit from their alcohol, and there is no profit to be made from them staying open after the latest opening hours. They do not tend to work to a staggered approach, so I do not believe that they would work to that. One bar may close at 1.30 am or 1.45 am. There are also implications for police resources and other community resources. Most towns now have community angels or organisations that go out and look after people on the streets. If you extend opening hours to 2.00 am, there will be an impact on police resources.

Clause 6 is titled "Alignment of liquor, entertainment and refreshment provision etc". We cautiously welcome aligning liquor and entertainment licences. It will certainly help to change consumer habits, but it looks as though it may mean more administration for the PSNI and the courts. By allowing premises to stay open until 2.00 am, there is the potential for greater impact on local communities. If alcohol is sold until 2.00 am, it may be 3.00 am before people are dispersing on to the streets. There will need to be control of that in built-up areas or in areas of dense population, because it extends the period in which people are going to be inconvenienced, and not just necessarily those close to the premises but those at some distance, as people disperse throughout the town. It will also have an impact on police resources because police will have to stay out later at night to control any problems in the town.

We acknowledge that clause 6 would be a step forward, but, rather than allowing 12 nights a year, we support extending the hours to 2.00 am on two nights a week. However, control of licences needs to be increased. Clubs should be made to sign up to some additional conditions. We know that the courts and the police will look at the issue of extended licences, but we say that clubs should sign up to certain other conditions. Before they got their 2.00 am licence, we got some clubs in north Down to sign up to an agreement with local taxi firms. They are providing a service to the patrons of the clubs so that they can disperse those people at the end of the night. If they are open until 2.00 am, you are moving those resources to a different time of night, and there needs to be better working with taxi firms, the bus service or whatever is in operation.

Clauses 7 and 8 deal with young people in licensed premises and underage functions. I support the change, as there is a growing, although illegal, trend of schools holding formals in licensed premises. We see young people coming on to licensed premises as being a good thing, provided that there is no alcohol there and that there are conditions in place for them. We have concerns, however, that those types of events will run until 1.00 am, and we think that they should run only until midnight.

There is also the issue of the legislation referring to under-18s, but we believe that that should be restricted to those aged 16 and over. There does not seem to be any guidance on whether people younger than 18 can attend those functions, and we do not think that that is appropriate.

As for the removal of the requirement for a children's certificate, thought should be given to events that young people attend, such as weddings, wedding anniversaries or birthdays. At the moment, if such an event is held in a bar and the intention is to remove the children's certificate, children can stay there only until 9.30 pm. That is possibly unreasonable. Licences could be extended to allow children to be on the premises for specific types of family events, such as the aforementioned.

Some of the other relevant issues that our members have raised include the preloading of alcohol on transport on the way to venues, which we view as a growing problem, especially when young people travel by bus to large events. We saw that at the Eminem concert in north Down a couple of years ago when extremely drunk young people arrived on buses. There were not all under 18, but they were

certainly young people, and some did not even make it to the event. There seems to be no control at the moment over how alcohol is dealt with on buses, and that needs to be addressed.

I listened to the presentation about craft beer a while ago. We certainly support craft beer makers being allowed to sell their products in some way, be it through some form of different licence, perhaps through a different classification under the legislation. At the moment, it is very expensive for them to get an off-sales licence, and that is not appropriate for their business. I know that it is a police issue, but we certainly get enquiries about our licensing from continental markets that continue to arrive in the borough about how craft beer people can come along and sell their produce. At the moment, they can only work off the back of somebody else's liquor licence, and that is not really appropriate.

Finally, we welcome the idea of a code of conduct for premises. We think that it should be aligned with some licensing objectives so that the licensing system can be fixed on certain guidance in the UK. Previously, there was a proposal to change the licensing legislation to establish licensing objectives on prevention of crime and disorder, public safety, prevention of nuisance and the protection of children from harm. It would be a move forward to bring that into liquor licensing legislation. There has been some talk about that, and we were involved in looking at the entertainment licence regime to make changes to it. That seems to have stalled at the moment. Different approaches to how we run entertainment licences were looked at, and one was to bring in licensing objectives, but that should lie within the liquor licensing regime. It would help utilise resources and help councils or members of the public to object to licences.

Mr Chairman, that is all that I have to say. Thank you very much for your time.

The Chairperson (Mr Eastwood): Thanks very much, David. That was very useful. On the drinking-up time — of course, these are the Minister's proposals, not ours — the idea behind that is not that the bars would all work together and close at different times, because you are absolutely right in that it would be very difficult to make that happen, but that more people themselves would begin to stagger out — stagger the time at which they leave. Some of them will be staggering out.

Mr Stalford: Is there anything that you want to confess?

The Chairperson (Mr Eastwood): I have no bother confessing that. It was the word that you used, David: people would stagger the times at which they staggered out, rather than the pubs or clubs staggering their times. I do not know whether it makes any difference to your view if people come to a natural conclusion to their night on not being able to buy any more drink.

Mr Brown: We just feel that it extends the period that the licence is in operation. We do not think that it would have much impact on that. People will drink up. The bars will not want to stay open beyond their licence time, when people can buy alcohol. They will clear out the bar as quickly as possible. The idea that people can sit on for an hour and leave when they want to is probably not going to happen. There is no incentive to bars to have them there. The effectiveness of the clause would be lost.

The Chairperson (Mr Eastwood): It is useful to hear that.

Mr Agnew: Thank you, David. It is good to see you. It is interesting to hear your perspective on the drinking-up time. It seems to be something that the industry wants. Presumably it sees some benefit in it. Maybe some will use it. I do not know whether there is anything particular about our constituents in Bangor, but it will be interesting to see. I do not necessarily see a greater harm in it if it means that people are still getting kicked out at the same time effectively. You expressed some concern about people coming out later, but it will be one or the other, presumably.

Mr Brown: If they leave later, it extends the time that people will be about. I can speak only from a north Down perspective, but we have had a licence that went to 2.00 am, but it was used more as a sales gimmick for the club. It could advertise that it was staying open until 2.00 am. It did not really work for the club. If everybody starts to do that, that is not going to have the same impact, because they will all be on the same playing field. The concern with a 2.00 am licence is that people are on the street much later. As I said, we put additional conditions on a licence that went to 2.00 am. The club had to work with the taxi companies to get people off the street. They had to introduce different types of ID for the premises and have photo recording of people entering the premises to make sure that they were not under 18. There is potential for additional disturbance. If every bar is to stay open that wee bit later, there will be more people about later.

Mr Agnew: You referenced the alignment of entertainment and liquor licensing. At the minute, one lies with councils and the other lies with the courts. Would you like to see that alignment happen? Would you like to see responsibility for liquor licensing moved to councils?

Mr Brown: From a personal perspective, I think that a joint licence is the better way forward. Who looks after that will be for others to decide. At the moment, the licensee has to get his liquor licence and then go to the council for the entertainment licence. The two do not work very well together. The reason that provisions for a 2.00 am licence and an alignment of licences have been brought along is that we can issue an entertainment licence to 2.00 am or 3.00 am but the liquor has to be off the tables by 1.30 am. That is hard for the police to enforce, but the courts are saying, "If there is no good reason to stop their entertainment, they can keep it going". It is good to amalgamate a wee bit, but there is concern that, in some places, clubs have been operating much later into the night quite successfully.

The Chairperson (Mr Eastwood): Thank you very much, David.