



Northern Ireland
Assembly

Committee for Communities

DRAFT Report on the Licensing and Registration of Clubs (Amendment)
Bill

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Powers and Membership

Powers

The Committee for Communities is a Statutory Departmental Committee established in accordance with paragraphs 8 and 9 of Strand One of the Belfast Agreement and under Assembly Standing Order No 48. The Committee has a scrutiny, policy development and consultation role with respect to the Department for Communities and has a role in the initiation of legislation.

The Committee has power to:

- consider and advise on Departmental budgets and Annual Plans in the context of the overall budget allocation;
- approve relevant secondary legislation and take the Committee Stage of relevant primary legislation;
- call for persons and papers;
- initiate inquiries and make reports; and
- consider and advise on matters brought to the Committee by the Minister of Communities.

Membership

The Committee has 9 members, including a Chairperson and Deputy Chairperson, and a quorum of five members. The membership of the Committee is as follows:

Paula Bradley MLA (Chairperson)

Kellie Armstrong MLA (Deputy Chairperson)

Andy Allen MBE MLA

Alex Easton MLA

Mark Durkan MLA

Sinéad Ennis MLA

Fra McCann MLA

Robin Newton MBE MLA

Karen Mullan MLA

Executive Summary

1. This report sets out the Committee for Communities' consideration of the Licensing and Registration of Clubs (Amendment) Bill.
2. The Bill consists of 36 clauses which amend and, in some places, replace the existing provisions of the Licensing (Northern Ireland) Order 1996 (the Licensing Order) and the Registration of Clubs (Northern Ireland) Order 1996 (the Clubs Order). It also contains a Schedule of minor and consequential amendments, and a Schedule of repeals.
3. The provisions of this Bill largely mirror those of the 2016 Bill, which was introduced to the NI Assembly in September 2016 but subsequently fell with the dissolution of the Assembly in January 2017. However, this new Bill does contain a number of important additions and revisions to the original 2016 proposals, for example the provisions in Clause 8 relating to local alcohol producers.
4. The Bill (as introduced) contains provisions that aim to modernise licensing laws and to balance support for Northern Ireland's licensed trade and registered clubs with protecting the health of the local population from alcohol-related harms.
5. The Committee Stage was carried out at a time when Government restrictions had been imposed to address concerns of the COVID-19 pandemic. The hospitality and tourism sector in Northern Ireland was severely impacted as a result of the restrictions and recent evidence has suggested changes in consumer behaviour, with factors such as stress and anxiety contributing further to an increase in alcohol consumption at home.
6. Throughout its consideration of the Bill, the Committee aimed to steer a balanced course and were keen to ensure that the Bill supported consumption of alcohol in a controlled environment - through supporting the wider alcohol industry (including hospitality, registered clubs and local producers), particularly as it emerges from the impact of the pandemic; supporting the tourism sector; and minimising alcohol-related harm in society, particularly in relation to children and young people.
7. The Committee requested evidence from interested organisations and 58 written submissions were received from a diverse range of organisations, businesses, government bodies, researchers and individuals - including those representing or with an interest in the health impacts of alcohol and addiction, public health, the wider justice system (including the PSNI), safeguarding of young people, sporting and other clubs, the hospitality sector, local alcohol producers, lobby groups representing wider interests, the retail sector and the tourism sector.
8. The Committee also took briefings from the Assembly's own Research and Information Service and from Departmental Bill Officials and

considered additional letters and papers throughout the process as necessary.

9. It also held an informal 'Zoom' stakeholder event with a number of young people 'under 18' to understand the potential impacts of the Bill on that group.
10. In total, the Committee held 35 oral evidence sessions with interested organisations and also explored the wide range of issues raised in the written and oral evidence with Department of Communities Officials through oral briefings and written responses. The Committee then considered and deliberated on the provisions of the Bill and the proposed amendments at 7 meetings, concluding with its formal clause by clause consideration on 6 May.
11. The Committee specifically devoted a substantial amount of time to deliberations on Clause 8 as drafted and also on the issue of 'taprooms', which was not covered in the Bill. Over a total of 8 meetings, the Committee devoted at least 10 hours of discussion exclusively to these issues.
12. Based on the evidence it took and its deliberations, the Committee wrote to the Minister requesting that a range of amendments be brought forward by the Department via amending existing clauses with drafting amendments, or through a number of new clauses or other Ministerial assurances.
13. The Committee has also proposed a number of its own amendments in a range of new policy proposals relating to the main aims of the Bill.
14. The body of this report starts with a summary of the Committee's consideration of the wider issues that were highlighted to it through its evidence and its related recommendations on these issues.
15. Although these issues were connected to the health, social and economic impacts of alcohol consumption and licensing issues, they were often not directly within the scope of the Bill and indeed, at times, fell outside the remit of the Department of Communities.
16. However, the Committee felt that much of this evidence was of such significance that it wished to ensure that it was given prominence and agreed to include a range of recommendations on the wider issues it considered. These recommendations cover public health matters, communications, review and evaluation of the Act going forward, major events and occasional licences, taprooms, the surrender principle, rural issues, late night levy, alcohol advertising and renewal of licences.
17. After hearing all its evidence, deliberating on the many issues raised and taking advice from the Assembly Bill Office and querying many issues with Departmental Officials, the Committee agreed a considerable number of clauses as drafted - clauses 1, 2, 3, 5, 6, 7, 9, 10, 13, 14, 15,

16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 29, 30, 31, 32, 33, 34, 35, Schedule 2 and the Long Title.

18. The Committee sought amendments to a range of clauses and, after correspondence and discussions with the Department, the Committee was pleased that most of these were taken forward as Ministerial amendments - either as amendments to existing clauses or as new clauses.
19. For the others, the Committee worked with the Bill Office to draft its own amendments. Those that were specific Committee amendments are indicated in the summary list of all amendments and new clauses below.
20. There was unanimous Committee support for the amendments and new clauses, *except* for Clauses 8A and 8B relating to 'taprooms' where the Committee divided. However, the majority of Members agreed 8A and 8B:
 - New clauses 1A and 23A - to bring the additional opening hours on any Sunday into line with those currently permitted on weekdays for both licensed premises and registered clubs.
 - Amendments to clause 4 and new clause 24A - to increase the number of times provided for in the Bill that small pubs can apply to the police for late opening from 85 to 104 and to increase the number of times provided for in the Registration of Clubs (NI) Order 1996 that registered clubs can apply to the police for late opening for special occasions from 85 to 104.
 - Committee amendments to clause 8 - to revise 52B (Local producer's licence: sales on own premises) to:
 - Increase the quantity of alcohol that local producers may provide as part of a tour from 1 sample to not more than 4 samples and 1 measure;
 - Secondary legislation-making powers to prescribe the content, amount or strength of intoxicating liquor in each sample and measure;
 - Secondary legislation-making powers to alter the number of samples and measure(s) to be provided;
 - Limit the permitted hours for consumption of samples in the premises from 10.00 am to 7.00 pm;
 - Opening hours for off-sales remain unchanged;
 - Provide definition of a "tour".
 - New clause 8A - Committee amendment - to allow local alcohol producers to apply for a new licence to operate a taproom during limited hours (4.00 pm -10.00 pm) for 104 days in any year. Restrict

the sale of alcohol to that produced in the production premises only. The Committee divided on this clause: Ayes 6; Noes 3; Abstain 0.

- New clause 8B - Committee amendment - to restrict the use of occasional licences for those who hold a taproom licence - the Committee divided on this clause: Ayes 6; Noes 3; Abstain 0.
- The 'taproom' issue was, by the end of deliberations, the only issue in the Bill on which unanimity could not be achieved, although the Committee tried its best to come up with a fully agreed workable solution.
- Amendments to clauses 11 and 27 - to deal with Committee's issues of concern and allow a young person to remain on licensed premises while in the process of leaving/waiting to be collected from an underage function.
- Amendments to clauses 12 and 28 - to deal with the Committee's issues of concern with private functions and allow a young person to be in the company of a parent of another child attending such a function.
- New clause 17A – to place a statutory duty on the Department of Health to legislate for minimum unit pricing within 3 years of this Act coming into operation;
 - to deal with the Committee's concerns at the pace of progress in this regard and to support the Minister for Health in taking forward this policy in a reasonable timeframe.
- New clause 22A - to deal with an issue of Committee concern and address an anomaly in the current law - to require registered clubs to apply to the courts for approval to make alterations to club premises.
- New clause 32A - to deal with an issue of Committee concern and require the Department to publish guidance on the provisions of the final Act.
- New clause 32B - to deal with the Committee's concerns around reviewing the impact of the Act on key sectors and wider society - to require the Department to carry out a review and make a report on the implementation of the Act, lay a copy of the report before the Assembly and subsequently publish the report:
 - as soon as practicable after the third anniversary of the commencement of that provision, and
 - at least once in every five years after the making of the previous report on the implementation of that provision.
- Amendments to Schedule 1 - the Committee requested that the law be clarified in respect of the Registration of Clubs (NI) Order 1996 that allows a member of the public to pay a fee to use the facilities if a

sporting club for a day - to ensure that it is not used to allow someone to simply use the bar facilities.

21. There were two specific matters - on cinemas and a list of licensed premises - on which the Committee agreed specific actions with the Minister.
22. The Committee came to an agreement with the Minister on the issue of alcohol sales in cinemas. The Minister has instructed Officials to carry out a short focused public consultation over the summer months on the matter and subject to no serious concerns being raised, regulations would be brought to the Assembly in the autumn to include cinemas in the definition of "place of public entertainment".
23. The issue of the number of licences in NI and the geographic spread was discussed a number of times as Members were concerned that there was no central database to check for any imbalances in the range and spread of licences. The Department agreed with the Committee that there was work to be done in that regard to compile a full and accessible list of all licensed premises. The Minister has engaged with the Justice Minister on taking this forward.
24. The Committee accepts that with regard to its deliberations and decisions that it will not have made all stakeholders happy. For example, those with a public health remit or with concerns for young people may feel that the Committee has not gone far enough in respect of protection in these areas.
25. Some in the hospitality sector may feel they need further relaxations of licensing than the Bill provides. In particular, the Committee felt it had an extremely difficult job in balancing the wishes of the hospitality sector and the local alcohol producers, and has made difficult but pragmatic decisions in that regard.
26. In view of the balancing act that the Committee has had to achieve with this Committee Stage, Members were particularly keen to see a Review of the impact of the Act going forward built into the Bill and were very pleased when the Minister agreed to take that amendment forward.
27. The Committee enjoyed a productive working relationship throughout the Committee Stage with the Department for Communities' Officials, the Minister, the Assembly's Bill Office and Assembly Secretariat.

Introduction

1. The Licensing and Registration of Clubs (Amendment) Bill (NIA Bill 10/17-22) was referred to the Committee in accordance with Standing Order 33 on completion of the Second Stage of the Bill on 3 November 2020.
2. The Minister for Communities made the following statement under section 9 of the Northern Ireland Act 1998: “In my view the Licensing and Registration of Clubs (Northern Ireland) Bill would be within the legislative competence of the Northern Ireland Assembly.”
3. The stated purpose of the Bill is to amend and in some places replace the existing provisions of the Licensing (Northern Ireland) Order 1996 (the Licensing Order) and the Registration of Clubs (Northern Ireland) Order 1996 (the Clubs Order).
4. During the period covered by this Report, the Committee considered and deliberated on the Bill and related issues at 7 meetings. The relevant extracts from the Minutes of Proceedings for these meetings are included at Appendix 1. Also included in this Appendix are the Minutes of Proceedings highlighting the discussions the Committee undertook prior to introduction.
5. The Committee had before it the Licensing and Registration of Clubs (Amendment) Bill (NIA 10/17-22) and the Explanatory and Financial Memorandum that accompanied the Bill. Following the introduction of the Bill on 19 October 2020, the Committee wrote to key stakeholders and inserted public notices in the Belfast Telegraph, Irish News, and News Letter seeking written evidence on the Bill by 12.00 p.m. on 18 January 2021.
6. A total of 57 organisations responded to the request for written evidence and a copy of the submissions received are included at Appendix 3.
7. The Committee commissioned the Northern Ireland Assembly Research and Information Service to provide research on the content and implications of the Bill. These papers are included at Appendix 5.
8. After the Bill completed its Second Stage on 3 November 2020, the Committee arranged to take oral evidence on the Bill from relevant stakeholders and the Department. These sessions took place on 8 October 2020; 12, 19 and 26 November 2020; 3 and 14 December 2020; 21 and 28 January 2021; 4, 11, 18 and 25 February; as well as 4 March 2021. The Committee heard from the following bodies:
 - Drumbo Park Ltd
 - Northern Ireland Federation of Clubs
 - Northern Ireland Brewery and Independent Pub Association

- Northern Ireland Retail Consortium
- Northern Ireland Federation of Clubs
- Northern Ireland Brewery and Independent Pub Association
- Northern Ireland Hotels Federation
- Belfast Chamber
- Hospitality Ulster
- Movie House Cinemas
- Unite, the Union
- CAMRA
- Society of Independent Brewers Association
- Lacada Brewery Ltd
- Omniplex Cinemas
- Public Health Agency
- Armagh Cider Company
- Northern Ireland Drinks Industry Group
- Copeland Distillery
- Presbyterian and Methodist Churches
- Retail NI
- Federation of Small Businesses
- Law Society of Northern Ireland
- Food NI
- Tourism NI
- Institute of Licensing NI
- Safeguarding Board
- Wine and Spirit Trade Association
- PSNI
- NILGA

- NI Alcohol and Drug Alliance
 - Stirling University
 - Institute of Public Health Ireland
 - GAA
 - Drinkaware
9. The Committee also had discussions with Departmental officials on key issues of the forthcoming Bill at its meetings on 25 June 2020 and 9 September 2020. Committee deliberations on the clauses and formal clause by clause scrutiny of the Bill were completed at the meetings on 11, 18 and 25 March 2021 and 1, 15, 22, and 29 April 2021. The clause by clause consideration took place on 6 May. The relevant Minutes of Evidence of these meetings are included at Appendix 2.
 10. The Committee considered its draft report at its meeting on 13 May 2021. The Committee agreed its report on the Bill and ordered that it should be printed.

Overview of the Bill

11. The provisions of the Bill in many instances mirror those of the 2016 Licensing and Registration of Clubs (Amendment) Bill, introduced by the then Minister for Communities, Paul Givan, on 19 September 2016. The 2016 Bill proceeded to Committee Stage; however, the Bill subsequently fell due to the dissolution of the Assembly.
12. The 2020 Licensing and Registration of Clubs (Amendment Bill) consists of 36 clauses and two schedules, and amends parts of the Licensing (Northern Ireland) Order 1996 (which relates to licensed premises such as pubs, restaurants and hotels) and the Registration of Clubs (Northern Ireland) Order 1996 (which relates to private members' clubs).
13. The 2020 Bill's Explanatory and Financial Memorandum highlights that the objectives of the Bill are as follows: "The aim of the 2016 Bill was to address growing concerns surrounding the level of alcohol misuse in Northern Ireland and to respond to calls from the licensed trade for changes to support the hospitality sector. The aim of this Bill mirrors the 2016 Bill with the policy objectives being 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 responsible to the current social and economic environment."
14. The provisions of the 2020 Bill largely mirror those of the 2016 Bill. However, the 2020 Bill does contain a number of important additions and revisions to the original 2016 proposals.

15. Given the passage of time between the 2012 consultation on proposed changes to licensing laws and the subsequent 2016 Licensing and Registration of Clubs (Amendment) Bill, the Department for Communities launched a new consultation on licensing laws in October 2019. The consultation included a survey of the proposed changes to licensing law.
16. A total of 1,498 responses were received, which is a high response rate for a public consultation and reflective of the depth of interest in licensing law. However, alternative survey methods such as an opinion polls or omnibus surveys may provide a more detailed picture of the views of the Northern Ireland population in relation to liquor licensing reform.
17. The Bill's Explanatory and Financial Memorandum (EFM) states that the Department for Communities has identified a number of potential costs which may be incurred by both the private sector and public sector bodies. These relate to both the implementation of the Bill's proposals and recurrent operating costs.
18. The EFM states that the PSNI undertook an exercise to estimate the additional policy costs arising from the need to ensure public safety and public order as a result of customers exiting licensed premises at a later time. The PSNI advised that there would be an impact on its shift system and therefore expected "a major impact on resourcing from both a financial and staffing point of view".
19. The EFM outlines that the Courts were asked to provide estimates for any additional costs incurred but no final information on this is included within the EFM (as introduced). The Department states that this is because the "focus of court officials at the time of the Department's request was court recovery in the context of COVID and therefore no figures were available at the time of print". The EFM highlights that the Department "included its consideration of the potential regulatory impact assessments as part of the public consultation". It concluded that no Regulatory Impact Assessment was required.
20. The Licensing and Registration of Clubs (Amendment) Bill (as introduced) contains provisions that aim to modernise licensing laws and balance support for Northern Ireland's licensed trade and registered clubs while protecting the health of the local population from alcohol-related harms.
21. The Committee Stage of the Bill was carried out at a time when government restrictions had been imposed to address concerns of the Covid-19 pandemic. The hospitality and tourism sector in Northern Ireland was severely impacted as a result of the restrictions and recent evidence suggested changes in consumer behaviour, with factors such as stress and anxiety contributing further to an increase in alcohol consumption at home.
22. As part of its scrutiny, the Committee was keen to understand the wider societal context of the Bill in terms of the history of licensing law in

Northern Ireland; alcohol and its impact on public and individual health; and also the impact of alcohol retailing on the economy and tourism.

23. To that end, in addition to considering the NI Assembly’s Research and Information Service (RaISe) Bill Paper (Licensing and Registration of Clubs (Amendment) Bill, 19 November 2020)¹, the Committee commissioned three specific research papers from RaISe:
24. “Alcohol in Northern Ireland”, which explored existing statistical evidence based on alcohol consumption in Northern Ireland, and its impact on health, the criminal justice system, and the economy²;
25. “Hospitality sector and the wider economy in NI: key estimated initial impacts of COVID-19 and related government responses”, which provided an overview of some of the latest available data on the impact of COVID-19 on the hospitality sector.³; and
26. “Employment in the Hospitality Sector”, which provided supplementary information to the Committee on employment in the hospitality sector.
27. During a number of its evidence sessions, the Committee also considered wider research evidence from external groups on the impact of alcohol.
28. The RaISe papers are included in Appendix 2 and the following information is mainly extracted and summarised from these papers, except (as referenced) if taken from additional research findings highlighted to the Committee by external groups.

Historical Overview of Licensing Law in Northern Ireland

29. To set the context of the current Bill, the Committee considered the history of licensing laws in Northern Ireland as outlined in the NI Assembly Research and Information Bill paper ‘Licensing and Registration of Clubs (Amendment) Bill (19 November 2020)’⁴. This included the origins of restricted opening hours in 1872, through to the current licensing laws (Licensing (NI) Order 1996 and the Registration of Clubs (NI) Order 1996) and also, the reviews, consultations and legislative changes in more recent years from 2004/5 onwards, culminating in this current Bill.

¹ RaISe paper on the Licensing and Registration of Clubs (Amendment) Bill

² RaISe paper on Alcohol in Northern Ireland

³ RaISe paper on Hospitality Sectors Economic Impact and Effect of COVID-19

⁴ RaISe Paper on the Licensing and Registration of Clubs (Amendment) Bill

30. The RaISe paper 'Licensing and Registration of Clubs (Amendment) Bill' (19 November 2020) outlines a fuller history of licensing law and the information in this section is mainly extracted from that paper.

Timeline - Key Laws and Actions

Early Licensing Laws

31. The Licensing Act 1872 placed restrictions on the opening of licensed premises on days of religious significance across the island of Ireland. This Act made it illegal to sell alcohol or open premises for the sale of alcohol on Sunday, Christmas Day, Good Friday or any other day appointed from "public fast or thanksgiving" after 9.00 pm (in a city or town with a population of over 5,000) and 7.00 pm elsewhere.
32. The first licensing law enacted by the newly formed Northern Ireland Parliament was the Intoxicating Liquor (Northern Ireland) Act 1923, which introduced further measures including prohibiting public houses from selling alcohol on Sundays. It also placed restrictions on weekday opening hours, abolished spirit grocers and sought to curtail the number of public houses by prohibiting the opening of new public houses (except in limited circumstances).

Inter-Departmental Review Body on Intoxicating Liquor Licensing in Northern Ireland in 1979

33. The Report of the Inter-Departmental Review Body on Intoxicating Liquor Licensing in Northern Ireland (1979), stated that the 1923 Act had been a response to "extremely high levels of alcohol consumption and of alcohol-related problems around the turn of the century". The Belfast and Ulster Licensed Vintners' Association, however, maintained that early liquor licensing laws were influenced by the temperance movement.
34. The Report concluded that there was a religious element to restricted opening hours and Sunday closure of public houses. However, it also identified other leisure/cultural, health and employment-related reasons why many people at that time were in favour of Sunday closure.

Licensing (Northern Ireland) Order 1987

35. The 64-year ban on Sunday drinking in public houses in Northern Ireland came to an end in October 1987 with the Licensing (Northern Ireland) Order 1987. The UK Government at that time argued that the law was unenforceable and had given rise to people obtaining alcohol illegally. The move was not without controversy at the time and sparked protests from a number of religious groups.

Licensing (NI) Order 1996 and the Registration of Clubs (NI) Order 1996

36. The present legislation, which the current Bill amends, dates back to 1996 and regulates the sale of alcoholic drinks in Northern Ireland.

37. In broad terms, the Licensing (Northern Ireland) Order 1996 sets out the general licensing systems, including procedures governing the granting or renewal of licences by county/magistrates' courts, permitted hours for the sale of alcoholic drinks, conduct of premises, conditions pertaining to the presence of children in licensed premises, and enforcement.
38. The Registration of Clubs (Northern Ireland) Order 1996 does the same for the supply of alcoholic drinks in private members' clubs.

Review and Consultation on Northern Ireland's liquor licensing laws (2004/05/06)

39. In March 2004, a review of Northern Ireland's liquor licensing laws was announced by John Spellar MP and a Liquor Review Team was set up supported by an Inter-Departmental Steering Group. The team was tasked with exploring a range of issues, including permitted opening hours, the 'surrender principle'; categories of licence; the protection of children; and environmental and health issues.
40. A consultation on reform of liquor licensing law, "Liquor Licensing - The Way Forward", was subsequently launched in November 2005 by David Hanson, MP (then Minister of State for Northern Ireland). The consultation proposed "an extension of current opening hours for licensed premises and registered clubs, creating scope for opening to 2.00 am Monday to Saturday". Sunday opening hours and opening hours for off-licences would remain unchanged.
41. A consultation on a new draft Licensing and Registration of Clubs Order was published in December 2006. However, neither the proposal nor the draft Order were ever implemented as liquor licensing passed to the Northern Ireland Executive upon restoration of the Assembly.

NI Executive Actions (2007 to date)

42. In 2007, the then Minister for Social Development, Margaret Ritchie MLA, initiated a new review of liquor licensing laws, drawing upon the work of her predecessor. In a ***statement to the Assembly*** on 17 November 2008, the Minister announced a two-stage approach:
 - The first stage of reform, subsequently enacted as part of the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2011, introduced new enforcement provisions around penalty points on licences, irresponsible drinks promotions and police closure powers in regards to licensed premises but did not include extension to opening hours or remove any of the restrictions on Easter opening hours. It did increase the number of occasions on which a registered club could apply to the police for later opening (to 1.00 am on weekdays, midnight on Sundays) from 52 occasions to 85 occasions in any one year; and

- The second stage of planned reforms would have brought Northern Ireland into line with the licensing regimes in England, Scotland and Wales but was never implemented and has not been taken forward by any subsequent Minister. These were to have been six new statutory licensing objectives; transfer of responsibility for licensing from the courts to local councils (following the review of public administration); abolition of the then 12 licensing categories with the introduction of a dual system of person and premises licences.
43. The Minister's statement in 2008 announced that she had decided to retain the surrender principle due to (i) the outcome of an external business impact assessment on the surrender principle and (ii) her reflections of a cross party debate on liquor licensing that took place in the Transitional Assembly in January 2007 in which there was an absence of widespread support among Members for the abolition of the principle⁵.
 44. Subsequently, in 2012, the then Minister for Social Development, Nelson McCausland MLA, launched another consultation on Liquor Licensing Laws, aiming to strike a balance between concerns surrounding alcohol consumption and helping the licensing trade and tourism sector within the context of the economic downturn.
 45. The Licensing (Irresponsible Drinks Promotions) Regulations (Northern Ireland) 2012 and the Registration of Clubs (Irresponsible Drinks Promotions) Regulations (Northern Ireland) 2012 explicitly set out for the first time the type of promotion that the Department deemed to be irresponsible. The Responsible Retailing Code NI was developed and highlighted as the primary vehicle for tackling certain "irresponsible promotions".
 46. Subsequently, the Licensing of Pavement Cafés Act (Northern Ireland) 2014 then inserted Part 5A in the Licensing Order, effectively extending the licensed area of certain premises to a specified public area.
 47. A further review of the legislation (which had begun in 2012), resulted in the Licensing and Registration of Clubs (Amendment) Bill in 2016 (the 2016 Bill), introduced by the then Minister for Communities, Paul Givan MLA, on 19 September 2016. It proceeded to Committee Stage but subsequently fell due to the dissolution of the Assembly. Also in 2016, a Private Member's Bill successfully completed its legislative passage in the Assembly, and added outdoor stadia as a category of premises which may be granted a liquor licence.
 48. This brings us to the current Licensing and Registration of Clubs (Amendment) Bill. Its provisions in many instances mirror those of the

⁵ Liquor Licensing and Registered Clubs Law 2008

2016 Bill. However, the Easter provisions are more generous than in the 2016 Bill and there are a number of significant new provisions, such as the proposals for local producers.

Alcohol in Northern Ireland - Health, Crime and Economy

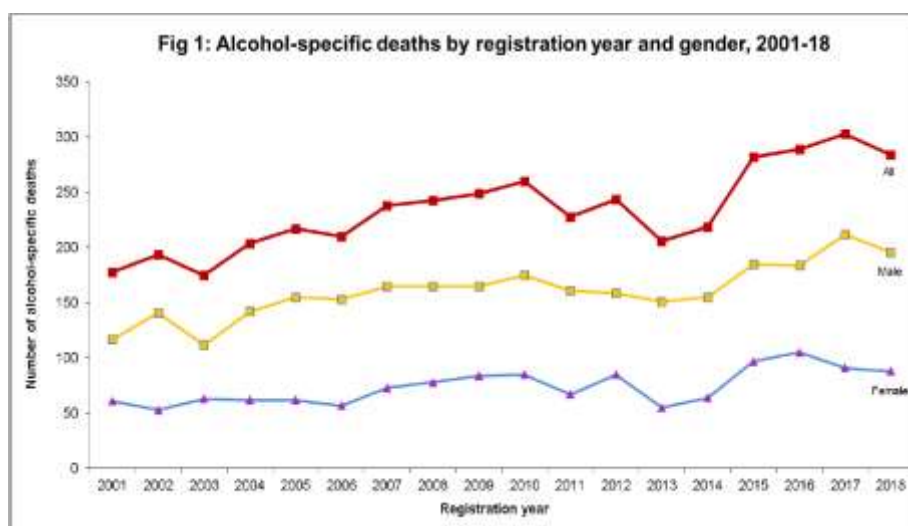
Health and Cost to Society

49. The RaISe paper “Alcohol in Northern Ireland” noted that the World Health Organisation places alcohol as the third biggest global risk for burden of disease, and it is a causal factor in a large range of medical conditions, including a range of cancers, high blood pressure, cirrhosis of the liver, and depression. The degree of alcohol-related harm increases with the amount drunk on a regular basis. The information in this section is extracted from the RaISe paper.⁶
50. In 2016, Public Health England conducted an evidence review of alcohol-related harm based on hundreds of academic and medical studies. The review concluded that alcohol consumption has adverse health and social consequences, not only for the drinker but for other individuals as well, such as a partner, child, relative, friend, co-worker or stranger.
51. In the UK as a whole, there has been a long-term trend showing a move away from drinking in licensed premises to an increase in alcohol purchased from off-licences and consumed at home, which is largely thought to be due to the increasing affordability of alcohol from supermarkets and off-licences.
52. While the purchase of alcohol is becoming cheaper (in real terms), the cost of alcohol misuse to the public sector and wider society is increasing. In 2009, the then Department of Health, Social Services and Public Safety commissioned a review of the social costs of alcohol misuse in Northern Ireland and estimated that alcohol misuse cost around £680 million per annum (including health and social care costs, fire, rescue and police costs, courts and prisons costs and wider economy costs). This estimate was later revised upward to £900 million by 2014.
53. The Young Persons’ Behaviour and Attitudes Survey, conducted in 2016 in Northern Ireland contained a module on health-related behaviours, including alcohol usage. It was found that there has been a substantial decline in the proportion of young people ever having drunk alcohol. In 2000, over half (56.9%) of children reported ever having taken a drink; by 2016, this number had fallen to a third (33.4%).
54. According to a survey by the Department for Health, conducted in 2018/19, in Northern Ireland:

⁶ RaISe paper on Alcohol in Northern Ireland

- Over four-fifths of males (83%) were drinkers, with a tenth of males (9%) reporting that they thought they drank quite a lot or heavily. Almost a fifth of male drinkers (16%) drank on 3 or more days per week; and
- Three-quarters of females (76%) were drinkers, with 2% reporting that they thought they drank quite a lot or heavily. A tenth of female drinkers (10%) drank on 3 or more days per week.
- According to the Northern Ireland Audit Office (2020), alcohol-related death rates have increased more in Northern Ireland than anywhere else in the UK - in the five years to 2017, alcohol-related deaths increased by over 40% in Northern Ireland, which is a significantly higher increase compared to the rest of the United Kingdom, where increases have ranged from six to nine per cent.

55. Figures published by NISRA in 2019 revealed that the number of alcohol-specific deaths in Northern Ireland fell during 2018 for the first time since 2013, but remained the third highest on record (Fig 1). In 2018, 284 of the 15,922 deaths registered in Northern Ireland were due to alcohol-specific causes. This is almost 17% more than was recorded a decade previously but just over 6% lower than the 2017 total of 303, which was the highest on record.
56. Alcohol-specific deaths continue to account for less than two per cent of all deaths registered each year. Males typically account for around two-thirds of such deaths in Northern Ireland.



57. Data from the period 2014 - 2018 show that there were higher numbers of alcohol specific deaths in areas of deprivation across Northern Ireland, with the death rate in the most deprived decile (27.4 deaths per 100,000 population) being over three times higher than that in the least deprived decile (7.6 deaths per 100,000 population).

58. Hospital admission rates in Northern Ireland for alcohol-related disorders rose gradually during the three-year period, 2008 - 11 (665 per 100,000), peaked in 2013-16 (728 per 100,000), before falling to 673 per 100,000 in the period 2016-19.
59. Since the Committee commissioned its research from RalSe, it noted that NISRA had published 'Socio-Demographic Associations of Alcohol-specific mortality in Northern Ireland' (March 2021).⁷ Age-standardised mortality rates (ASMRs) are used in that publication to directly compare mortality rates for different groups. Key points include:
- The alcohol-specific ASMR (per 100,000) in Northern Ireland, for persons aged 15-74 years, increased by 48% from 15.8 in 2001 to 23.4 in 2019:
 - For Alcohol-specific deaths - between 2001 and 2019, male mortality rates for alcohol-specific deaths have been approximately two times higher than female rates. However, mortality rates for females have risen more sharply than for males since 2001, both where alcohol is the underlying cause of death (+41% m, +64% f) and where alcohol is a contributory cause (+76% m, +124% f);
 - For contributory alcohol deaths:
 - In younger persons (aged 16-44 years), the main underlying causes of death were drug-related (38%) and transport accidents (18%);
 - Older adults (aged 45+ years) with alcohol as a contributory factor in deaths had most commonly a chronic condition as the underlying cause of death for example, circulatory (29%) and respiratory illness (16%)
 - Geographic variation in alcohol deaths (combined underlying and contributory causes):
 - The highest ASMRs (per 100,000) were evident in Belfast (59.9) and Derry and Strabane (49.2) Local Government Districts;
 - There was a five-fold greater alcohol-specific (combined underlying & contributory causes) ASMR in the most deprived areas compared to the least deprived areas;
 - The most at-risk groups are those in households without access to a car; males; those living alone having been separated/divorced or widowed; and persons aged 45-64 years;

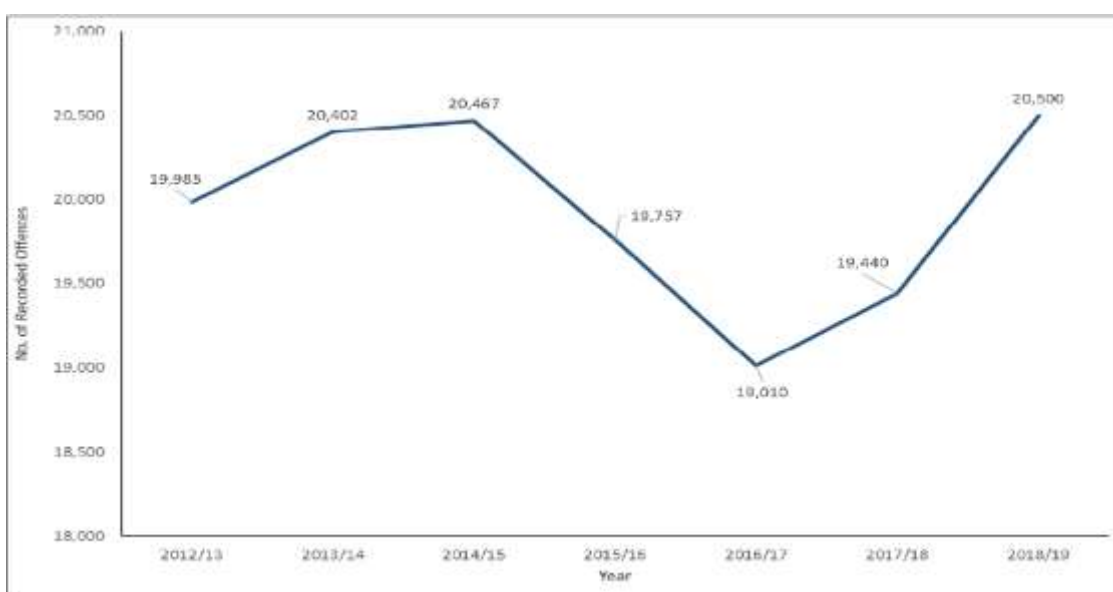
⁷ NISRA Alcohol-Specific deaths in Northern Ireland: Socio-Demographic Analyses

- An excess risk of alcohol death (combined underlying and contributory causes) was associated with urban residence (22%) and with an indication of mental illness (20%)
- Age impact - Females aged 65-74 years (compared to females aged 16-44 years) had a 42% reduced likelihood of alcohol death while males aged 65-74 years had a 23% increased likelihood of alcohol death (compared to males aged 16-44 years).

Alcohol and Crime

60. The Police Service of Northern Ireland identify alcohol-related crime through the use of a 'flag' on the crime recording system. The flag is applied where it is perceived by the victim, or any other person, that the effects of alcohol consumption on the offender or victim was an aggravating factor. Since 2012/13 (start of the data series), typically around one in five crimes recorded by the police have been 'flagged' with an alcohol motivation. The crime types where the highest levels of alcohol motivation have been identified are those concerning violence against the person.
61. The proportion of violence against the person offences with an alcohol motivation was at its highest in 2012/13 and has since fallen in each year. Overall, the total number of alcohol-related crimes rose by 1,060 (5.5%) between 2017/18 and 23 2018/19 to a total of 20,500, representing 19.6 per cent of total recorded crime (Fig 2).

- Fig 2: Total alcohol-related crime, 2012/13 - 2018/19



62. The Northern Ireland Safe Community Survey (NISCS) 2018/19 results show that, as in previous years, drugs, alcohol and a lack of discipline

from parents (82%, 60% and 45% respectively) remain the three factors most commonly identified as major causes of crime in Northern Ireland today.

63. In earlier iterations of the NI Crime Survey (2011-2013), respondents were asked about the night-time economy and specifically their perceptions and experiences of visiting their local high street or town centre in the evening to socialise. This might include going to pubs, clubs, restaurants, cinemas, theatres or concerts. While the majority of respondents felt safe when socialising in their town centre, the 2013 figures revealed that 63% considered alcohol-related anti-social behaviour as a very or fairly big problem within the night-time economy. Over a third (36%) considered 'people drinking or being drunk in public' as the single most serious problem within the night-time economy.⁸

Alcohol and the Hospitality Sector and Wider Economy in Northern Ireland

64. The RaISe "Alcohol in Northern Ireland" paper noted that Oxford Economics were commissioned by the British Beer and Pub Association (BBPA) to provide an estimate of the economic impact of the beer and pub sector in the UK (published in August 2018). For Northern Ireland, the total Gross Value Added was estimated at £390 million, while 16,240 jobs were directly or indirectly supported by the Beer and Pubs sector in Northern Ireland. Tax revenues totalled £261m, and include Corporation Tax (£21m), Income Tax and National Insurance (£24m), Excise Duty (£41m), VAT (£134m), and Rates (£18m). These figures reveal that the sale and distribution of alcoholic beverages make an important contribution to the local economy.⁹

Table 1: Impact of Beer and Pubs on Northern Ireland 2018



⁸ RaISe paper on Alcohol in Northern Ireland

⁹ RaISe paer on Alcohol in Northern Ireland

65. The RaISe “Hospitality sector and the wider economy in NI: key estimated initial impacts of COVID-19 and related government responses” paper provided a snapshot of the economic impact of COVID-19 on the hospitality sector in an evolving situation. Pre-COVID information regarding the hospitality sector and the NI economy highlighted in the paper found that:
- The direct, indirect and induced impacts of the sector combined contributed an estimated £1.6bn to NI GVA, approximately 4% of total GVA in 2017. These impacts also accounted for 8.7% of all jobs in NI and supported £899m in wages in the same year;
 - Estimated annual total tax revenue generated via the sector’s direct, indirect and induced impacts was £73m as of 2013. This is likely to have increased in line with higher economic activity in the sector since 2013;
 - With regard to the sector’s direct impact, restaurants generated the largest proportion of the sector’s GVA and turnover, and supported the largest proportion of sector jobs and wages in 2017; and
 - Hotels were the second largest subsector across all four measures in the same year, followed by pubs.
66. The analysis in the paper of the impacts of COVID-19 restrictions on the hospitality sector found that¹⁰ :
- Research commissioned by Hospitality Ulster and the NI Hotel Federation (May 2020) projected that 277 to 440 licenced premises could fail due to the lockdown restrictions, leading to the loss of between 9,456 and 15,799 jobs. These figures rely upon estimates of the number of licenced premises operating in the hospitality sector. The estimates do not include the potential impact on certain business types such as coffee shops and catering; and
 - As of 31 July 2020, the accommodation and food sector had the highest proportion of eligible employees (81%), availing of the Coronavirus Job Retention Scheme (Furlough Scheme) of any sector in Northern Ireland. On the same date, the proportion of employees in the sector availing of the scheme was the highest of any UK region.

Alcohol-Related Research and Evidence Presented to Committee

67. **The Northern Ireland Alcohol and Drug Alliance (NIADA)** presented evidence to the Committee and highlighted that NIADA member

¹⁰ RaISe paper on Hospitality Sectors Economic Impact and Effect of COVID-19

organisations work with over 50,000 individuals per year who have all been impacted by alcohol, drug and polydrug misuse. NIADA views alcohol as the most commonly used gateway drug to other drug use. It reported that its members feel policy needs to come from a harm-reduction and prevention route rather than waiting until crisis point.¹¹

68. NIADA referred the Committee to the *Northern Ireland Statistics and Research Agency's (NISRA) recent report on alcohol-specific death rates in the UK from 2001 to 2019*, stating that for the first time Northern Ireland is on a par with Scotland for alcohol-specific deaths.¹²
69. NIADA also highlighted the following to the Committee:
- In 2019, there were 77 alcohol-related referrals to Carlisle House (residential treatment service), which increased to 81 in 2020;
 - Davina's Ark, in Newry, had 62 alcohol-related referrals in 2020 and Addiction NI had 902;
 - In 2018-19, Dunlewey Addiction Services (a young people's service in the Southern Trust area), 27% of the referrals to the 11- to 25-year-old service were for alcohol; and from 1 April 2020 to January 2021, there were 122 referrals to the 11- to 25-year-old service, 45% of which were alcohol-related.
70. The Institute of Public Health in Ireland provided a supplementary paper to the Committee, which provided a summary and commentary of the systematic review level evidence available on the impact on public health of changing alcohol trading hours. It concluded that, although there are some methodological issues within the individual studies included, extending trading hours can increase alcohol related harms, while restricting trading hours can lead to reductions in alcohol related harms. The harms include:
- Alcohol consumption;
 - Unintentional injury;
 - Alcohol-related hospitalisations/emergency department visits;
 - Crime, violence, assault and homicides; and
 - Drink-driving offences/crashes.

¹¹ RaISe paper on Hospitality Sectors Economic Impact and Effect of COVID-19

¹² Hansard Official Report: Northern Ireland Alcohol and Drug Alliance 25 February 2021

71. The Committee also took evidence from the **University of Stirling** on the research it is conducting into understanding how extended opening hours for bars and clubs in Scotland impact on health, crime levels, and emergency services. It is reported to be the first study in the UK to look at how opening hours impact upon ambulance call outs and crime, as well as the impact on public services and business operations.¹³
72. It found that the findings of previous studies into the impact of extended opening hours were not UK-based and were somewhat inconsistent. It highlighted the following previous studies to the Committee:
- (i) Chikritzhs & Stockwell (2001) - 'The impact of later trading hours for Australian public houses (hotels) on levels of violence' concluded that late trading was associated with both increased violence in and around hotels in Perth and increased level of alcohol consumption, and recommended that a systemic evaluation of late trading licences was required.
 - (ii) Rossow & Norström (2011) - 'The impact of small changes in bar closing hours on violence: The Norwegian experience from 18 cities', concluded that a one-hour change in closing hours for on-premises sales was accompanied by an approximate 20% increase in violent crime rates at weekend nights in city centres. However, the study noted that violence in or around licensed premises varied significantly, and tended to occur more in noisy and crowded establishments.
 - (iii) Foster & Charalambides (2016) - 'The Licensing Act (2003): its uses and abuses 10 years on' argued that late night opening in England and Wales had spread crime and disorder back into the early hours. It found that most police forces had to rearrange shift patterns and allocate increased resources to the night-time economy to address this change. The study also concluded that late-night opening seemed not to have increased the amount of time or money that people spent in the night-time economy but rather people were going out later in the evening (with evidence of pre-loading alcohol before going out).
 - (iv) Norström, Ramstedt & Svensson (2018) - 'Extended opening hours at nightclubs in Visby (Sweden)' conducted a study based on a 10-week extended opening hour period for nightclubs in Visby during the summer of 2014. Licensing hours were extended by one hour to close at 3.00 am. The study concluded that there was a reduction in police-reported violence, which it attributed to a number of factors including increased communication between

¹³ Hansard Official Report: Northern Ireland Alcohol and Drug Alliance 25 February 2021

police and nightclubs, visits by an alcohol inspector during opening hours, and decreased congestion in the streets resulting from increased spread of closing hours.¹⁴

73. The Committee also took evidence from Drinkaware, a UK-wide charity funded by contributions from alcohol producers, retailers who operate off-trades, including the hospitality sector, and some sports bodies. Drinkaware highlighted that it is concerned about people who are habitually drinking at harmful levels and drinking every day, although in Northern Ireland:
- There tends to be a slightly higher proportion of people than in the UK as a whole who say they drink very little or do not drink at all; and
 - Daily drinking, or very frequent drinking, is a little less than it is in the UK as a whole.
74. Drinkaware also reported to the Committee on their findings during COVID restrictions, with a third of people in Northern Ireland in May and June 2020 claiming to be drinking more than usual. By August and September, the proportion had reduced but 14% of people said that, even by then, they were drinking more than usual, indicating that, for some, habits formed at the beginning of the restrictions could be long-lasting.¹⁵

Committee Consideration of Wider Issues and Recommendations

Overview

75. The Committee received a wide range of evidence highlighting important issues that, although connected to the health, social and economic impacts of alcohol consumption and licensing issues, were not directly within the scope of the Bill and indeed, at times, fell outside the remit of the Department for Communities.
76. However, the Committee felt that much of this evidence was of such significance that it wished to ensure that it was given the prominence it warranted and agreed to include a range of recommendations in this report on a range of the matters raised within its written and oral evidence.
77. Throughout its deliberations the Committee aimed to steer a balanced course and were keen to ensure that the Bill supported further consumption of alcohol in a controlled environment - through supporting the wider alcohol industry (including hospitality, retail, registered clubs

¹⁴ RaISe Paper on the Licensing and Registration of Clubs (Amendment) Bill

¹⁵ Hansard Official Report: Northern Ireland Alcohol and Drug Alliance 25 February 2021

and local producers), particularly as it emerges from the impact of the pandemic; supporting the tourist sector; and minimising any increase to alcohol-related harm in society, particularly in relation to children and young people.

78. With a similar balanced approach, the Committee agreed this set of recommendations to reflect its consideration of the wider issues raised and discussed.

Public Health

79. On numerous occasions, throughout its evidence and research, concerns were raised around the public health impacts of alcohol, the potential for increased availability of alcohol to increase overall alcohol-related harm in society and the impact that can be made by controlling alcohol availability through licensing decisions.

80. In addition, the Committee's stakeholder event with young people highlighted the need for focused work with young people in this regard and the Committee would highlight the good work of the GAA through its formal health and well-being structures in place at national, provincial and county level, and, at grassroots club level, its Healthy Club programme. The GAA has also been phasing out alcohol advertising in grounds over the last number of years.

81. **The Committee recommends that:**

- **Public health messaging on the negative health and well-being effects of alcohol misuse are communicated:**
 - **regularly as part of the general liquor licensing system; and**
 - **specifically, as part of wider communication strategy in connection with this new legislation.**
- **Consideration is given by licensing authorities to the creation of a meaningful role for local health bodies when licensing decisions are being made.**
- **Cross-departmental work is 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

82. The Committee heard evidence on the need for the new legislation to be supported by strong and concise communications around the new licensing laws and any subsequently approved Codes of Practice, so that individuals, organisations and businesses know exactly what is expected of them.
83. The Committee has agreed an amendment with the Minister on a Duty to Produce Guidance on the new Act (see Clause 32A).
84. **The Committee recommends that the Department for Communities issues 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

85. Due to the potential breadth of impacts of this Bill on public health, emergency services, young people, the economy/tourism and wider society, the Committee proposed that a new specific 'Review' clause be added to the Bill.
86. After discussions between the Officials and the Committee around the specifics and practicalities of the wording of the clause, the Minister accepted this request and added Clause 32B to the Bill.
87. **As the Review of the Act going forward is of significant importance to the Committee, it recommends that a review of the impact of the Act would include (but not be limited to):**
 - **The impact, including the economic impact, of the removal of the restrictions at Easter and further additional opening hours on:**
 - licensed premises and registered clubs;
 - the NI economy in general;
 - tourism;
 - other non-licensed businesses in the vicinity of licensed premises who have taken up the later opening hours; and
 - Local councils.
 - **The impact of further additional opening hours and 'drinking-up' time on wider societal issues and resources, including on:**
 - Policing and the wider justice system (including an analysis of whether it has impacted on issues such as assaults, sexual assaults etc.);

- A&E and ambulance services;
- Wider health services - including determining if there has been an increase or decrease in the use of alcohol and addiction treatment services and related hospital admissions; and
- Employees of licensed premises and clubs.
- **Whether the measures within the Act have alleviated some of the challenges experienced by the hospitality and tourism sectors as a result of COVID-19.**
- **The impact of the Act on the lines of relevant communications between:**
 - the Department, PSNI, wider Justice system, local councils, licensed premises, registered clubs, non-licensed businesses, residents and communities.
- **An overview of the effectiveness of any Codes of Practice the Department has approved.**
- **The progress of establishing a full list of licensed premises and geographical analysis on the impact of the Act:**
 - e.g. the impact of the Act in rural areas, in city centres, and by sector (e.g. hotels, registered clubs, small producers etc.).
- **Identification of any unintended/unforeseen consequences resulting from the implementation of the measures in the Act.**

Evaluation Plan

88. The Committee was advised that the Department for Communities is working with its relevant Officials in its Professional Services Unit to develop an evaluation plan for the Bill. The Committee understood that available information will be used to determine a baseline and any relevant information identified which will be required to carry out an evaluation in the future.
89. The Committee has raised with the Department during its Committee Stage the issue of a lack of a comprehensive database around licensing and alcohol issues as Members are concerned about a lack of available centralised data on many of the pertinent issues regarding alcohol licences, sales, consumption and harms in Northern Ireland.
90. The Committee recommends that the Department of Finance leads 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.

91. The Committee recommends that it is provided with a draft of the evaluation plan, at the earliest opportunity, and seeks assurance that the Committee can feed into that plan on the issues that it would like to see included.

Major Events

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

Occasional Licences

93. The Committee heard evidence that occasional licences are more difficult to access in some parts of Northern Ireland than others.
94. The Committee recommends 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
 - The Department for Communities conducts and publishes research into the use of occasional licenses, covering matters such as demand, uptake, *geographical variations in granting of such licences, reasons for refusal etc.*

Taprooms

95. The Committee deliberated extensively on Taprooms and, in order to support tourism and local producers and to steer a balanced course through the conflicting evidence it received, it has proposed amendments to the Bill. One is an enhancement to Clause 8 in relation to the samples that may be provided after a tour of the production premises, and also two new clauses (8A and 8B) in relation to permitting local producers to apply for a Taproom Licence to run taprooms with limited hours on a limited number of days per year.
96. The Committee recommends that, should the amendments in relation to Taprooms not be successful in becoming part of the Act, the Department proceeds to implement the commitment given to the Committee to carry out the relevant research around taprooms and produce a report on the issue in the Assembly as soon as is practicable.

Surrender Principle

97. Although outside the scope of the Bill, the licensing Surrender Principle was highlighted from both positive and negative perspectives to the Committee, through written and oral evidence. Alcohol licences can change hands for considerable sums of money and are viewed as part of the assets of a licensed business.

98. On a positive note, the Surrender Principle provides some control over expansion in the availability and normalisation of alcohol consumption which is not possible in any other part of the UK. On a negative note, it causes difficulties for smaller retail outlets in getting a licence and in rural areas when a local pub sells its licence and it is snapped up by a larger retail chain and the area loses a vital community asset.
99. **The Committee recommends 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

100. The Committee heard evidence that the Bill would not address a flaw of current licensing in NI that creates migration of licensed premises from rural areas to larger population sites and that villages continue to be depleted of licensed premises. Hospitality Ulster advocated the creation of a model in which rural and community pubs can be commercially sustainable e.g. by providing community services and selling local produce.
101. In addition to the recommendation above in connection with the Surrender Principle, **the Committee also recommends that:**
- **Licensing authorities, when issuing licences, need to consider a rural proofing element in decision-making.**
 - **A review of the law around mixed-trading is taken forward as soon as is practicable with a view to supporting the survival of rural and community pubs.**

Late Night Levy

102. The Committee heard evidence around a late night levy such as is used in a number of towns and cities across the UK to support emergency and addiction services. It devoted a considerable amount of time to deliberations on this matter, however, Members recognised that with the impact of Covid-19 on the wider hospitality sector, the time was not right for the Committee to propose an amendment to the Bill.
103. **The Committee recommends that the Department of Health and the Department for Communities take forward a joint piece of work including research into such a levy, followed by a public consultation, with the aim of bringing a levy forward as soon as is practicable and when the timing is right.**

Alcohol Advertising

104. The Committee accepted that the Bill offered limited scope to deal with the issue of alcohol advertising, as much of advertising is outside the

scope of the Bill and outside the remit of the Department for Communities.

105. However, it was concerned by issues raised by a number of health focused groups and by what it heard at its young persons' stakeholder event concerning the impact on children and young people of alcohol advertising. Members are concerned that too much alcohol advertising is 'glamorous' and 'cool' in comparison to hard-hitting anti-smoking campaigns.
106. **The Committee recommends that:**
- **The direction of travel for NI Government should be to make progress where it can in the spaces within the control of the NI Assembly - in controlling alcohol advertising near schools and youth venues, on public transport, in connection with sporting events and grounds etc. However, Members are 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; and**
 - **That specific action be taken to ban advertising of alcohol on buses and coaches used to transport children and young people, for example, to school, to sports matches/events and to concerts.**

Renewal of Licences - Grace Periods

107. The Law Society proposed to the Committee that the one-year grace period associated with renewals of alcohol licences was onerous and needed to be extended. This would deal with unintentional mistakes that can be made by licence holders. The consequences for the business, its employees and the business owner are quite draconian if the deadline is missed. The Law Society suggested moving the grace period to as far as five years, with suitable fines attached.
108. **The Committee recommends that the licensing authorities consider a review of the grace periods in line with the proposals of The Law Society.**

Committee Consideration of the Bill

Background

109. The Licensing and Registration of Clubs (Amendment) Bill, as introduced, contains 36 clauses and 2 schedules.
110. The Bill aims 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.

111. The Committee was briefed by Assembly Research and Information Service (RaISe) at its meeting on 16 September 2020.
112. The Committee was then briefed by Departmental Officials at its meeting on 30 September 2020.
113. The Committee began its evidence sessions on the Bill at its meeting on 12 November 2020 when Members were briefed by representatives from the **Northern Ireland Retail Consortium (NIRC)** and **Drumbo Park Ltd**.
114. The **NIRC** told the Committee that there is a need for a licensing system that not only addresses the adverse consequences of alcohol misuse and irresponsible sales but allows responsible operators to run their business free of excessive and unnecessary burdens.

The organisation does not believe that there is an evidence base for restrictions proposed on advertising in supermarkets and off-sales and that the licensing regime in Northern Ireland for the off-trade is already restrictive with the sale and promotion of alcohol highly regulated through legislation and voluntary agreements.

115. NIRC stated that there is a need for clarity on whether generic unbranded signage stating that a premises sells alcohol counts as promoting the sale of alcohol. Some of its members have convenience-model stores that have alcohol licences and need to be able to communicate to their customers that they sell alcohol. NIRC believe that the proposal will have an impact on the growth of indigenous NI products, which they promote very heavily to the local audience.
116. In relation to a code of conduct, NIRC stated that its members go beyond what is set out in the voluntary code of practice and as there has never been a successful challenge to any retailer under the voluntary code, they believe this shows that its members are responsible retailers. The NIRC, however, does have serious concerns about the approval of codes, because the operation of codes is not subject to Executive scrutiny in the same way as licensing legislation. The provision in the Bill would effectively delegate responsibility away from the Executive and could see those codes developed, amended or extended with less consultation or scrutiny.
117. The NIRC stated that it believes that its high standards surpass the measures laid down in the current voluntary code. One of the things the organisation has been keenly against across the UK is the precedent that has been set for paying for self-regulation. In NIRC's view, an effective code of practice requires an in-depth understanding of the sector that it governs. It cannot be in competition with that sector and any code panel, and, in NIRC's view, must be wholly independent, including the secretariat.
118. In relation to loyalty schemes, NIRC found it hard to understand any evidence for the policy of removing alcohol from loyalty schemes and

recommended an amendment that would make sure that responsible retailers and responsible purchasers of alcohol in the off-trade are not penalised. Northern Ireland consumers could be at a disadvantage and could lead to an anomaly whereby, if people bought alcohol in shops in England, Scotland or Wales, they could get points on a loyalty card but could not do so in Northern Ireland.

119. The Committee asked the NIRC how the organisation would feel about local producers competing with member supermarkets by selling their items from their own site of production.

In relation to a producer's licence, NIRC felt it caused competition with supermarkets but it was not something the organisation would "die in a ditch" over. The fact that a lot of local brands got their start in local retailers or in GB retailers that are based in Northern Ireland and then opened up to a wider market across the UK demonstrated that, through retailers, a lot of good can be achieved for the Northern Ireland indigenous drinks industry.

120. The representative informed Members that the surrender principle is a source of great pain to retailers simply because there are very few licences about and those that are around often sell for a couple of hundred times their face value. In certain cases, supermarkets have had to open without a licence. In NIRC's view, the face value of the licence should be the value of the licence and the fact that some of its members are having to pay £500,000, £750,000 or up to £1 million for an alcohol licence is not just an anomaly but is perverse.
121. Members asked the NIRC about the perception that supermarkets, given their purchasing power, use alcohol as a loss-leader to get people through the door by making it cheaper than in smaller retail outlets, which causes huge frustration to the licensed industry.
122. The NIRC stated that this perception dated back a number of years but the representative was not aware of any retailer that uses alcohol as a loss-leader as it is simply not what they do. Supermarkets are cheaper than the on-trade but that is simply because they do not have the same overheads and it is a different business model. The loss-leading story in their view is a myth and a misperception that has long gone.
123. Members then asked the representative about restrictions on the advertisement of drink promotions in supermarkets to the area in which the intoxicating liquor is displayed. The NIRC stated that it is happy with anything as long as it is a proportionate and evidence-based response and that advertising should be done in a responsible manner.
124. A representative from **Drumbo Park Ltd** also briefed the Committee on 12 November 2020 and stated that sensible licensing rules are essential for the future of the greyhound industry and that plans to modernise the

current licensing regime, including a plan to allow Drumbo Park to flexibly open on Sundays were welcome.

125. Current legislation only allows Drumbo Park to sell alcohol on Friday and Saturday nights until 11.00 pm which puts the venue at a huge competitive disadvantage with the many bars, restaurants and other venues in the greater Belfast area that it is trying to compete with for custom. Although the new Bill allows for longer opening hours, Drumbo Park asked for the flexibility to open until 1.00 am on Fridays and Saturdays.
126. Committee Members expressed their support for the representative's call for Drumbo Park Stadium to be allowed the flexibility to open longer over the weekend.
127. At its meeting on 3 December 2020 the Committee was briefed by **The Northern Ireland Federation of Clubs (NIFC)** and **The Northern Ireland Brewery and Independent Pub Association (NIBIPA)**.
128. **NIFC** representatives stated that the Bill should provide a longer period of time to allow minors on club premises. **NIFC** believed that it would be better if the period of time was April to September, as opposed to June until the end of August, as a time period of more than a couple of months was required to enable sports academies to train and to allow minors, with a parent, to attend prize-giving ceremonies. The representatives also called for three late opening nights per week.
129. **NIBIPA** told the Committee that local breweries were struggling to grow as they could not sell directly to the public or to the vast majority of local pubs, despite there being a demand for their products. Whilst the organisation welcomes the Bill, they saw it as a massive missed opportunity if breweries are not allowed to offer taprooms to sell their own beer as well as beer that is produced in collaboration with other breweries. The only way, currently, that local breweries can operate taprooms is through using 'occasional licences' from friendly publicans. The group stated that it is simply asking to be regulated and legislated for so that local small breweries can operate taprooms without having to rely on the use of occasional licences.
130. Members asked **NIBIPA** to outline the workings of a taproom and to explain the difference between a taproom and a pub. The representatives told Members that taprooms, essentially, are where people come into the brewery and try the products there, but they are not limited to just a sample. If a tourist visits a brewery and wants to have a few pints after that, they can do so, as can locals who want to know more about the brand and to engage with it. They can come to the brewery and drink the brewery's products, which are made in the brewery. The organisation stated that it really just wanted to be able to sell its own products.
131. In relation to the difference between a pub and a taproom, the representatives stated that breweries are generally in industrial premises.

Taprooms are not usually cosy environments as they are often on industrial sites, and are all about learning about the beer, building a brand and building a connection to the brewery with tourists and locals alike. The organisation stated that local breweries can work harmoniously together with the pub industry.

132. The Committee asked NIBIPA to expand on its reservations in relation to Clause 18. The representatives stated that they were not completely clear what clause 18 relates to. The only way that the group can run taprooms is by using occasional licences and, from their conversations with Departmental Officials, they thought that this clause might be trying to prevent them from doing that. The group felt this clause was a potential regression, and that small breweries could end up in a worse position after the Bill is passed. NIBIPA stated that, if taprooms were not legislated for in the Bill, they would like to be able to continue operating them using occasional licences.
133. Members asked the group about the code of practice in the Bill and why they thought that it should not be legislated for. The representatives stated that they do not think that private companies should be able to write legislation, and it appears that that code of practice might end up becoming legislated for. The group felt that codes of practice should be for industries and should not be legislated for.
134. The Committee then asked the group to expand on how they felt that a taproom should operate if it was legislated for in the Bill. NIBIPA stated that there is a huge public demand for taprooms and that the range of products that are on offer are limited to the breweries' own beer and that it would not bring all the people to it who want to visit a pub as you will get only customers who are really into their beer. The group stated that they operate in a niche sector and produce beers that do not appeal to everybody. Whilst some breweries might want to make their establishments a bit more comfortable if the legislation passes, it will still be a very niche operation.
135. Members asked the group about their views on the surrender principle for a licence. The representatives stated that it is impossible for them to get a licence. It would cost the group hundreds of thousands of pounds if they wanted to get a licence under the current system, and they stated that this is untenable for their business. Also, the value of a licence has gone up during the pandemic because Government incentives and financial packages have meant that no one is selling a pub at the minute.
136. The group was asked to explain more about a producer's licence. The representatives stated that what they would like to see the same checks and balances with a producer's licence in a similar fashion to the conference centre licences whereby you would have to prove that you were a bona fide brewery, registered with HMRC and your council, as a food producer. The aim of this would be to stop just anybody saying that they are an official brewery and opening up a taproom.

137. At its meeting on 14 January 2021, the Committee was briefed by **The Northern Ireland Hotels Federation (NIHF), Belfast Chamber and Hospitality Ulster**.
138. The NIHF had concerns regarding the definition of a 'major event'. In the NIHF's view, it would be much easier if the criteria to define a 'major event' were set out and, if there were criteria and the event did not meet those, organisers could look at ways to address that. The NIHF queried if a major event had to be something of international standing and felt that it could be difficult to ascertain what status a new event had. The organisation also explained that they were concerned about the lag involved before something gets 'major event' status and how will that be worked through. This could be seen as a barrier when bidding for events like, for example, the World Police and Fire Games and the British Open.
139. There were also Committee queries in relation to the NIHF's opposition to the proposed changes to the advertisement of functions in private members' clubs. The representative stated that such clubs have an important role to play in the community, but there have been examples of people advertising the use of clubs for wedding fairs, for example, which, for hotels, presents a considerable issue. Hotels have a fixed cost base that is quite considerable compared to clubs, and cannot compete therefore with clubs in a like-for-like way. The representative stated that if clubs wanted to hold events for their members and their members wish to bring guests, they have no issue with that. However, they see that the Bill may extend clubs into being simply another venue in a community, which will compete against hotels in an unfair manner.
140. Members asked the NIHF about the hosting of young people's formals in hotels. The representative stated that the organisation feels that the current situation in relation to formals is not good, in that young people are going early for a formal to a hotel, having to leave the licensed premises by 9.30 pm and then going on to an unregulated environment. In their view, it is much easier to police 150 young people in one venue than it is when they break out into groups of 10.
141. The Committee asked the NIHF about later licences that would be provided for in the Bill and whether hotels may have difficulties with those licences given the residential nature of the area in which they are situated. The representative stated that hotel managers are acutely aware of their neighbours and the area around them, and they have no desire to cause difficulties. The NIHF stated that most hotels manage this quite easily and they were of the view that, maybe, with the longer hours, people will leave in a more orderly manner and may trickle out over a period. Decibels and levels of noise might need to be analysed, but hoteliers, in general, are part of a community and are quite respectful of that, so the NIHF does not envisage that there will be any particular issue with that measure.

142. When asked about their views on the code of practice, the NIHF stated that they felt it might cause confusion. The NIHF would be keen to see the new legislation supported by a strong communication message, particularly a short form of the new laws, so that people know exactly what is expected of them. The representative stated that any differences in relation to a code of conduct once the Bill is passed need to be clearly outlined.
143. The **Belfast Chamber** representative told the Committee that its interest and support for reforming the current licensing laws, as well as modernising and aligning with the rest of the UK, is very much focused on the importance of hospitality and the licensed trade to the wider city's economy. Belfast Chamber felt that responding to the evolving and changing status of Belfast as tourist destination over the years is something that needs to be reflected in Northern Ireland's licensing laws. Another area of importance for Belfast Chamber is the role that hospitality has as part of the wider economic ecosystem in Belfast. Reforming licensing laws and getting them in place as quickly as possible is also part of aiding the recovery of the city and the wider region's economy.
144. The Committee questioned Belfast Chamber on whether members of the hospitality industry understand why the Committee had asked for an extension to Committee Stage to carry out proper scrutiny and whether this might be of any great detriment to the hospitality industry. The representative stated that there was an understanding from those who have followed the journey of the Bill that it is serious legislation. The Bill is not just for the here and now, but will be for a considerable period to come.
145. Members asked Belfast Chamber for its views on the proposed extended opening hours. The representative welcomed additional hours because it will help with revenues and will help to show that the pub is a safe environment. Belfast Chamber felt that this would be endorsed by the PSNI in many areas across Northern Ireland.
146. Members asked Belfast Chamber how it would address the concerns that it has expressed about increasing opportunities for alcohol consumption and the consequential health impacts on individuals and society as a whole. The representative stated that Belfast Chamber understands that alcohol is a regulated substance for very good reason, and the licensed premise is a way in which its consumption can be regulated. In Belfast Chamber's view, a lot of what has been proposed, particularly for additional hours and drinking-up time is about the good management of licensed premises.
147. Belfast Chamber feels that the legislation will give the industry a chance to stabilise and grow. In its view, however, because of the changes in behaviour, habit and trends, it is not likely to result in massive additional alcohol consumption in licensed premises. It is the increase in alcohol consumption in a private setting that is of concern.

148. The **Hospitality Ulster** representatives outlined the ‘Pub is the Hub’ model to the Committee as it is already working across other jurisdictions of the UK. It is about recognising that pubs can be the centre or hub of community life, particularly in rural areas, and provide essential services beyond drinks, food and entertainment, such as pop-up tea rooms, library services and village shops.¹⁶
149. Hospitality Ulster stated that a large number of pubs in Northern Ireland are community-based, a key part of the community and are the social outlet for many people who live on their own or are elderly and retired. In its view, the current licensing model in Northern Ireland restricts the development of that model.
150. Hospitality Ulster highlighted that the model is not something that you would see in a busy city centre pub; it is about supporting local communities and ensuring that, first, the pub is there to serve the community because it would allow them to diversify a bit, but, secondly, it is really about providing cohesion for the local community.
151. The Committee then asked Hospitality Ulster for its views on taprooms for local producers. The representatives told Members that, for years, they had been championing and lobbying for craft brewers, distillers and cideries to have a licence category as they are an important addition to products sold through bars and to the Northern Ireland tourism offer.
152. Hospitality Ulster highlighted that it has lobbied for producers to get a licence category that allows them, as part of a chargeable visitor experience, to give a free sample and to sell product in an off-licence capacity that has been manufactured on the premises. This licence could also be used for recognised food and beverage events and to sell online.
153. Hospitality Ulster do have a difference with local producers in relation to taprooms because, in their view, this creates a pub by another name. Hospitality Ulster claimed that it creates an unfair advantage for taprooms, because pubs are rated on their turnover.
154. It was highlighted that craft brewers and other local producers have used ‘occasional licences’ to run taproom events, which Hospitality Ulster has supported. A taproom facility would, in its view, be in direct competition with pubs in the area and that local producers and pubs should work together rather than taprooms taking footfall from a local pub that operates seven days a week and has to survive quiet Mondays, Tuesdays and Wednesdays. Taprooms in other parts of the UK generally trade at the busy times on a Friday and Saturday night. In its view, the journey for

¹⁶ Pub is the Hub

the consumer is restricted if taprooms would be allowed to run past a certain time.

155. Members asked Hospitality Ulster whether they had concerns about the extension to permitted hours with regard to noise complaints and people leaving slightly later. The representatives stated that the Bill is not about granting everyone an automatic licence to 2.00 am. It is about saying that the facility is there, but applications would have to be made to a court and there is a process by which to object.
156. Hospitality Ulster do not see every pub in the province wanting to open later. In Belfast, some might want it during the week, rather than just at weekends, because they have a student market. They are generally based in commercial areas. Others in the city might want it on Fridays and Saturdays. Hospitality Ulster felt that the safeguards are in place as it would go to the courts, which would deal with a licence extension, and then the council would have controls to ensure that it was not granted anywhere where it would cause issues for residents.
157. In relation to the extension of drinking-up time proposed in the Bill, Hospitality Ulster stated that the current drinking-up period is 30 minutes, so if a customer buys a pint at 12.55 am, they must drink it within 35 minutes. This often means that staff are put in the position of having to confront customers because, as the legislation stands, if you are in licensed premises after 1.30 am and there are open vessels on the table, a bar could be prosecuted for allowing customers to drink after hours. The only solution currently is to push everybody onto the street, which is not ideal for customers or for the impact on communities. Hospitality Ulster felt that the extension of drinking up time to an hour would allow the consumption of remaining drinks at a reasonable speed, and would also provide a better window for taxis to come and go.
158. Members asked Hospitality Ulster if they had any concerns if the legislation was changed to allow youth in sports clubs outside the summer months, whether for a set number of days or evenings. The representatives stated that children see alcohol every day; they know it is there. In their view, the message being sent to children is, "You can see alcohol in your home, but you can't go into premises where there are controls in place". Hospitality Ulster stated that the club facilities are there to be used, particularly in rural areas and see no reason as to why they cannot be used in the winter to give kids a place to go, as long as proper controls are put in place to make sure that they are not abusing alcohol.
159. The discussion turned again to the issue of taprooms with Members asking Hospitality Ulster if they had any thoughts on what a sample size should be if someone buys a visitor experience in a brewery and are offered a sample. The group was also questioned on their thoughts on a taproom having a licence to sell only its own produce for consumption on the premises as opposed to operating like pubs, selling many brands.

160. Hospitality Ulster stated that the sample size that they had suggested in their paper is already used for supermarkets. They also said that it may be a measure in the case of a distillers. However, when it comes to a stage where it is refilling glasses, they saw this as no longer being a sample.
161. The group reiterated its view that, when it comes to taproom consumption, this would be creating a pub by another name. They stated that whilst many local producers are in industrial areas now, if allowed taprooms, they may then set up in towns and city centres and then craft brewers would be competing against the very pub owners they are trying to sell their product to. The group believes that there remains a place for occasional taprooms, and they have operated under occasional licences, partnering with pubs.
162. In Hospitality Ulster's view, an occasional licence allows small brewers to go to court and make sure that the right controls are in place and that measures are in place for children. The representatives stated that there have been occasions where they have seen businesses selling other products, such as wine, under occasional licences, which is fine in the context of a limited number of nights, but they feel that could creep into a taproom.
163. They finished on the issue of taprooms by saying that small brewers could bring their product to the pubs and perhaps work in partnership for the longer term and that, if they want to operate a permanent taproom, they could do that in collaboration with their local pub.
164. The Committee asked the group about the number of pubs that were closing, exacerbated by the Covid-19 health crisis. The representatives stated that there has been a large reduction in the pub trade, although Belfast was a different entity because of the level of tourism in the area. There were few villages that have lost their pubs altogether, but are on the brink of doing so. In the group's view, the most important thing that can be done is to create an environment in which pubs can be commercially sustainable and it is models such as 'Pub is the Hub' that will allow them to go back almost to being the spirit grocer by selling farmers' produce, such as milk. Bringing more licences into the equation would therefore cause further demise as those licences would go to the busy areas such as Belfast.
165. The final issue that the Committee raised with Hospitality Ulster was in relation to the code of practice. The representatives told Members that the code is cross-industry, but, once it was developed and agreed, the industry had no say in its application. It is overseen by an independent complaints panel. In the group's view, the system works cleanly. The industry does provide the secretariat but it only acts as a mailbox and the complaints panel is totally independent and the industry has no input

whatsoever into it other than advising its members on how to comply with the code.

166. The representatives outlined the process - if a complaint comes in, the independent panel reviews it and if it agrees that it qualifies under the responsible retailing code, the panel talks to the complainant and to the subject of the complaint. After a lengthy process, the panel will decide whether there has been a breach. If there has been a breach of the code, it then puts out a press release and notifies the Police Service of Northern Ireland.
167. Hospitality Ulster stated that whatever code is accepted should be on a statutory footing, meaning that licensees would have to be aware of it and operate under it and when they went to renew their licence in circumstances in which the independent panel had upheld complaints against them, that would be a material consideration in their renewal application.
168. At its meeting on 21 January 2021, the Committee was briefed by **Movie House Cinemas**, **Unite the Union**, **Campaign for Real Ale (CAMRA)**, the **Society of Independent Brewers Association (SIBA)** and **Lacada Brewery Ltd**.
169. The **Movie House** representative told Members that it seemed odd to him that people can buy alcohol at theatres such as the Opera House, The Lyric and the MAC but not at cinemas and, if permitted, not every cinema would want to sell alcohol. However, the representative stated that he is trying to give as much variety and choice to customers as he possibly can and from a commercial perspective, and to look for different ways in which to increase the spend per head. Cinemas in the Republic of Ireland, England, Scotland and Wales can offer their customers the opportunity to buy alcohol and bring the drink into the theatre, and Movie House Cinemas want the chance to offer its customer the same opportunity.
170. The Committee asked the representative whether, with its cinemas being very family-oriented, there might be objections from parents. The representative stated that he did not think so because they would not be building licensed bars. He stated that he would not envisage Movie House selling any alcohol in the afternoon, only in the evenings. They were not expecting a huge level of alcohol consumption but wanted to offer the choice.
171. Members asked the representative if the cost of a licence might be prohibitive. The representative told Members that it could be the same licence as theatres have at the moment and that it would just be a question of expanding that to cinemas. As you can have an alcoholic drink in a theatre at a live performance, he felt this legislation could be extended to cinemas.
172. **Unite the Union** told the Committee that the Bill represented an opportunity to strengthen workers' rights with the potential inclusion of

social clauses around licensing and to address some of the issues that already exist under the current licensing regime on antisocial hours and extending rights as licences come up for review.

173. Unite broadly supports the Bill as it is positive in tackling some of the more regressive elements of the current licensing regime.
174. However, there was opposition from its members, particularly on the grounds of health and safety, to the extension of drinking-up time. It can be quite difficult to get customers out and there are high numbers of incidents of violence, abuse and harassment against staff in that last half hour – much higher than during normal hours of operation. Union members were concerned that an extension to drinking-up time could lead to an increase in violent incidents.
175. Another concern is workers being expected to work later into the early hours of the morning through the extension of licensing hours and the extension of drinking-up time, and the union feels that the Bill should look at that.
176. In relation to industry codes of practice and the potential for conditions to be placed on licences, Unite feels that licensing officers need more scope in any shake-up of the regulations to be able to take submissions from bodies such as representative bodies of workers as well as the PSNI and other relevant authorities.
177. Members asked Unite if they would be able to support the extension if a review of how it worked for all concerned, including staff, was guaranteed in some way. The representative noted that what they were highlighting about a potential increase in abuse or violations of workers' rights to, for example, rest periods is conditional on how it works out in practice. If these extensions were rolled out, a review would be essential and should heavily consider the views of workers. Whilst responsible employers will ensure that staff get their correct rest periods, the union said it was deeply concerned about the impact that it will have on staff and about potential employment law changes down the line where those rest periods may come under threat.
178. The Committee asked the representative if there had been any discussions with the Department for the Economy on improving the situation for workers in the sector. The representative stated that they had meet Minister on one occasion but have had some correspondence back on workers' rights in the sector. Primarily because of the impact of the pandemic, it has had to go down the route of discussing redundancies and redundancy protections as opposed to more positive engagement about strengthening workplace rights.
179. The expectation of workers and Unite members now is that, with an extension to the rights of employers to open later and generate more sales and turnover, there should naturally be an extension of workers' rights. Workers should also be compensated for working those long

hours. In Unite's view, it would be a shame if the Bill could not look in more detail at social clauses and taking submissions from representative bodies of workers rather than individual employees around the issue of licences, particularly where it can be proved that an employer has been irresponsible in their employment practices, for example, through tribunal cases or ongoing industrial disputes.

180. Members asked the Unite representative if something needed added to the Bill that tied into the provision of transport, not only for staff but for customers. Unite felt that this should be a consideration. Unite's concern was that staff getting home safely is massively reliant on taxi services. Unite has heard concerning testimony, particularly from female members of staff, of sexual harassment as they make their way home.
181. The number of businesses in Belfast that provide a taxi allowance or paid transport home for their staff is dwindling. Unite is concerned about the effect of that and the removal of those terms of employment as Northern Ireland comes out of the pandemic and employers look at a derogation of terms or ask staff to sign staff up to new contracts. Unite believes that there is a duty on the powers that be – the Assembly – to legislate for that. Unite are not asking for a clause saying that employers must pay for staff taxis home but to extend employers' duty of care to ensure that staff get home safely.
182. Finally, the Committee asked the Unite representative if the concerns that he had raised about conditions reflect the experience of its members who are working in pubs and other premises in other jurisdictions, where extended hours are already in place. The representative stated that in Scotland, where its membership is highest, they had been able to negotiate with employers to include "safe home" schemes to ensure that staff are not out of pocket for getting home safely.
183. The **Campaign for Real Ale (CAMRA)**, told the Committee that it supported the legislation but it had concerns about how big macro-operators have a stranglehold on pubs with smaller breweries being stymied from getting their beers into taps.
184. CAMRA told the Committee that brewery taprooms operate successfully alongside pubs in Great Britain and across many parts of the world. In its view, they are not competition; they coexist with pubs. CAMRA feel that, for many years, smaller independent brewers and cider makers have been at a huge disadvantage compared with competitors elsewhere in these islands, across Europe and further afield. It also feels that local brewers need to have fair access to the markets and that a new category of producers' licence needs to be fit for purpose.
185. The Committee asked the representative if CAMRA wanted to see the surrender principle abolished or extra licences made available. CAMRA stated that the surrender principle is a tricky issue and that many people in the industry will view the value of their licence as part of the value of

the business, including the goodwill built up in the business. However, it pushes up the entry cost to new operators massively. The price of licences can be into the hundreds of thousands in some cases and, when the licences are surrendered, they are often not going to another local community pub but to other off-licences or supermarkets, which is resulting in a drop-off in rural pubs particularly. CAMRA stated that that if there could be some flexibility in the way that new licences could be created without necessarily having to take licences away from people who feel that they have built up value in them.

186. Members asked the CAMRA representative if he was aware of brewers who had opened a taproom elsewhere in the UK then being denied the opportunity of their produce being sold in bars, which felt they were now a competitor. The representative stated that it is becoming less of an issue elsewhere in the UK. CAMRA, however, had heard examples of sharp practice where the big brewers will give a very cheap loan to a business but, in return, only their brands can be stocked in that bar.
187. CAMRA is not of the view that pubs should be serving only local independent brands; it is about giving a diversity of choice. If someone wants a macro lager, they should be able to get it, but, if someone wants to experience something brewed locally, they should also have that choice.
188. The representative was then asked if changes were made to the proposals to enable taprooms to open, what percentage increase of the market could those craft beers and other drinks expect to see. CAMRA stated it was tricky to put a figure on things but the trend they were seeing is a slight decline in the beer market which is why it is really important to encourage the craft beer market as this has revitalised interest in beer. CAMRA did not think that there would be a huge percentage increase but hoped it would lead to the reversal of a decline in beer sales.
189. The final question to CAMRA was whether a local brewery should be allowed to bring in other beers for sale in the taproom. CAMRA stated that its general hope is to allow producers to sell their own products in their taprooms. CAMRA is hearing from brewers in Northern Ireland that they are happy to sell their own produce and do not see a need to sell other products and are not looking to recreate the pub experience. They want the taproom to be a showcase of their products, and that is what is in their interests. CAMRA will not be pushing to open this up to allow them to sell whatever they like in taprooms.
190. **SIBA** told the Committee that the Bill represented a moment in time to future-proof the legislation in Northern Ireland and to open up the potential of small breweries by allowing them to have taprooms and that this would not undermine the current marketplace. Rather, it would support communities and encourage people to seek out craft beer in their local pubs. The representatives feel that taprooms are not a threat to

pubs. Small breweries are not looking to replace pubs, shut existing venues or force people out of a job. In its view, taprooms offer greater choice, allows small breweries to grow their business and supports local pubs.

191. The Committee asked the representatives what the impact on small producers would be if taprooms are not legislated for in this Bill. The representatives stated that taprooms are a fundamental and vital source of income for small brewers in other jurisdictions, increasing regeneration and employment and that the Bill is a fantastic opportunity for Northern Ireland to update and future-proof its legislation to provide those opportunities. SIBA does not believe that by changing the legislation to allow a brewery to apply for a licence to have a taproom that there would be any danger of opening the back door to having people claim one usage in order to expand to another usage.
192. Members asked the representatives about the insurance implications for opening a taproom in an industrial setting. The Society stated that there are additional costs which are in their insurance policies and which increases the cost. Some of the breweries that, potentially, could open a taproom will choose not to, for example, due to the location or the type of product that they have. It might not be appropriate for all, but many will look at it and see it as being balanced and most definitely worth the additional costs.
193. **Lacada Brewery** representatives told the Committee that they had been running a number of taprooms in their brewery for the past three years and that the people who attend are always looking for new beers and are really keen to find out about the beer and the brewery, which is a central part of the taproom experience. Their taproom usually opens from about 2.00 pm and closes at 9.00 pm and there is no TV, no music, no food served on the premises, no happy hour, no “buy four pints for the price of three”, no spirits are served and, in their view, it is as far removed from a public house environment as you can get and is not a pub by any other name. Taprooms are important to them because they give them a route to market with their draft beer.
194. The Committee asked the representatives about the view of Hospitality Ulster that taprooms would be a direct competitor. The Society representatives did not see taprooms as being in competition with pubs as, in their view, they serve a very different market that pubs cannot serve and that people come to an area to visit the taprooms and then go on to visit the pubs. In the representatives’ view, it was critical for local brewers that they are able to sell their product on-site.
195. The representatives ended by saying that a number of the microbreweries would avail themselves of the opportunity of running a taproom but they did not foresee a situation where taprooms would spring up everywhere. Nor did they see a taproom being a back door to opening a premises in which you can serve other alcohol as this was not viable from a business

perspective. They also stated that if taprooms were to be permitted under the legislation, they would be open to having a wider industry code for how taprooms should operate across the board.

196. At its meeting on 28 January 2021, the Committee was briefed by **Omniplex Cinemas**, the Northern Ireland **Public Health Agency** and the **Armagh Cider Company**.
197. The representatives from the **Omniplex Cinemas** told the Committee that they have an alcohol licence for one of their locations in Dublin through a theatre licence. A lot of other cinema operators in the Republic of Ireland have also done this. People might have a drink before or after a film or bring a glass of wine into the theatre itself. Cinemas in the rest of the UK – in England, Wales and Scotland – apply for a licence in the same way - through a theatre licence or its equivalent.
198. The representative stated that for Omniplex to evolve and for its offering to grow, they saw the need for there to be the ability to apply for a licence. That does not mean that every cinema that they operate in Northern Ireland will get an alcohol licence, it will be a select number of locations. They believe this is for the future development of cinema and to provide the luxury element, which they see as the trend. The representatives do not want Northern Ireland to be left behind or to have less of a competitive advantage than other jurisdictions.
199. The Committee asked the Omniplex representatives whether there is the same demand in Northern Ireland for alcohol to be available in cinemas, whether there is a specific category of licence and what would the cost be to cinemas. The representatives stated that their experience in the Republic of Ireland is that volume is relatively low and that there is not a huge demand in general from the guests who come to the premises. There is, however, a cohort that definitely likes to have a glass of wine or some beer before or after a film.
200. Omniplex Cinemas are looking not for a bar licence but for an entertainment licence. The cinema licence covers everything in the entertainment licence apart from alcohol. Omniplex are therefore saying that any of the premises that want to have the opportunity to sell alcohol should go for an entertainment licence, whereas those that do not would have just a cinema licence.
201. Members then asked the representatives if they would be willing to accept any restrictions on such a licence. Omniplex stated that they would be open to suggestions on time restrictions but did not think that there would be a huge volume of people looking for alcohol early in the daytime; it would most likely be in the evening.
202. The **Public Health Agency (PHA)** representatives told the Committee that its overall view is that any increase in the accessibility of alcohol would put increased strain on health and social services resources on the basis that it would consolidate and further encourage alcohol consumption as a

social norm and lead to increased overall population consumption. In turn, that would be expected to lead to increased negative effects on the health and well-being of individuals, families and communities.

203. Although increased alcohol availability may support aspects of the economy, such as tourism, the PHA agrees that it is responsible to adopt a whole-systems approach when considering changes to legislation. In financial terms alone, it has been estimated that the social cost of alcohol-related harm in Northern Ireland is at least approximately £900 million each year. That figure would be expected to increase if alcohol becomes more widely available. The PHA strongly contends that it is vital that public health messaging on the negative health and well-being effects of alcohol misuse are regularly communicated in any general liquor licensing system.
204. In addition, the PHA stated that it supported the addition of any explicit statements that the protection of public health and the promotion of well-being is a key objective of the Northern Ireland licensing legislation.
205. On advertising and marketing, the PHA stated that exposure to advertising has led to both earlier initiation into drinking and heavier drinking by children and young people. Children are more likely to drink beverages that are heavily advertised, unlike adults, who consume a more diverse range of products. On sales and licensing, the PHA stated that there is strong evidence that the price of alcohol is an important determinant in its consumption. The PHA stated that it is very supportive of the potential adoption of minimum unit pricing in Northern Ireland.
206. In relation to the protection of children and other vulnerable groups, the PHA stated that risks are increased when licensed premises have no restrictions on where families can sit, such as at the bar, and the time that families can be present where the focus is on drinking and where alcohol is advertised.
207. The Committee asked the PHA whether it had any estimate of the cost of proposed additional hours or drinking-up time or of any of the other proposals in the Bill. The PHA stated that it was difficult to put an estimate on any one of those or on all of them together, but they had seen that all the legislation in the last 50 years that has increased the availability of alcohol has led to an increase in overall population consumption. The representatives further stated that it is absolutely impossible for to say whether that is by 1%, 2% or 3%, but the pattern in every case is that, where availability is increased, consumption increases.
208. Members then asked the PHA representatives for their views on the relaxation of the rules on children in licensed premises. The PHA stated that it often says to parents that they should not underestimate the power of how their behaviours affect their children's attitudes and values and that the evidence is clear that children are most greatly influenced by their parents. The PHA has reservations and concerns about relaxing the rules

on children in licensed premises are that it would absolutely reinforce that alcohol is the norm.

209. When asked for views on a code of conduct, the PHA stated that it would like a statutory code of practice rather than an industry-led code. In the representatives' view, whilst codes may be followed by a majority of retailers, there is always and constantly a minority of venues where they are ignored. From its experience to date and from working with the PSNI, the PHA argues that rigorously enforced statutory regulation is likely to be much more effective than an industry code of practice.
210. The PHA representatives were asked for their views on the proposals in the Bill to extend opening hours. They stated that, on every occasion across the last 30, 40 or 50 years when availability or licensing hours have increased, they have seen an increase in overall population consumption. In their view, an increase of an hour or a half an hour may seem modest, but it has had a 'drip, drip' effect over the years until now, as, if one looks at the economics, one sees that alcohol is now more widely available and cheaper than it was 30 years ago. PHA feel that people will inevitably drink more if they have more time.
211. The Committee asked if there was any evidence that jurisdictions with opening hours similar to those proposed in the Bill have experienced worse effects on the health and well-being of individuals, families and communities. The PHA stated that it was quite straightforward: Northern Ireland has a higher consumption of alcohol by those who drink than by those who do so in England. In the PHA's view, with any increase in availability, there is subsequently an increase in population consumption.
212. Members then asked the PHA if Northern Ireland could do things differently by accepting that alcohol is in society and that, to manage that alcohol better, whether consideration should be given to promoting children seeing responsible drinking.
213. The PHA stated that there were two key strategic drivers for it. One was minimum unit pricing and they believe the evidence is clear that it reduces the harm caused to vulnerable drinkers. The other is the promotion of public health and well-being as part of an overall legislative framework. To that end, they have looked at other areas, such as England, where public health is incorporated. Whilst their licensing laws are different, that has allowed enforcement against a "problem bar" or a repeat offender that regularly has issues at closing time, with antisocial behaviour, with underage drinking and with a raft of issues. Public health is having a direct input into localities and into managing issues with poorly managed establishments.
214. The PHA representatives were then asked for their views on off-licences. They stated that they had tremendous concerns about off-sales because they know that it drives a lot of home drinking. Many of the drinks that

young people stack up with are cheap and high in alcohol and the PHA felt that minimum unit pricing would have an impact on this.

215. For the PHA, a lot of it is about how off-sales staff are trained to recognise potential problems and how to implement a code of "Think 25" or "Think 21" when seeking IDs and recognising when someone may be buying alcohol for someone underage. In the PHA's view, an off-licence repeatedly ignoring those issues is an enforcement matter and if someone was stubbornly ignoring a statutory code of practice, effective action could be taken to moderate, adapt or remove the licence from that business.
216. The Committee asked the PHA about the consumption of alcohol in the home. The PHA stated that the source of home drinking is off-sales and there was no doubt that the advent of increased off-sales, such as in supermarkets, makes an enormous difference. The power of alcohol advertising was also an issue as, in the PHA's view, it is easy to see how the industry has targeted young people over the years, particularly with the introduction of what is traditionally known as the "alcopops culture". Whilst home drinking was a major concern for the PHA, accessibility was more of an issue.
217. The **Armagh Cider Company** told the Committee that current legislation in Northern Ireland prevents it selling directly to the public, which stifles the investment in and the growth of its sector. To get its products to market, Armagh Cider Company is compelled to use the services of an intermediary – an alcohol distributor – and rely on them to convey its story and sell its products for them. The representative stated that if they were based in any other part of the UK or Europe, they would be allowed to sell their cider directly to the public from its premises and at some festivals.
218. In relation to tourism, the representative stated that food and drink are two major influences on encouraging tourists to visit and her company welcomes groups to visit and see the orchard and its processing and bottling facilities. People are interested in the whole process and enjoy tasting the freshly pressed juice and ciders. However, if you were to visit any winery or cidery in France or England, after seeing around, you would be invited to sample the products, and you could then purchase what you like. In Northern Ireland, you can visit, but, if you wish to purchase the cider, customers have to be told which shops stock it and hope that they remember to go and buy it. The chance of some extra income for the producer is gone. Armagh Cider Company said that allowing it to sell its products directly to the public would increase the viability of inviting tourists on to its premises.
219. Armagh Cider Company called for the new category of alcohol licence – a producer's licence – to be introduced. However, it felt that these licences should be available only to genuinely independent producers, not agents, as the producer is the one who bears the financial loss if the product fails during production. Armagh Cider Company stated it only wanted to be

- allowed to sell what it produced; it did not want to become an off-licence or a bar.
220. Members asked the representative how much income the company had lost as a result of the current situation. The representative stated that it is hard to estimate but it is maybe around a few hundred pounds every week.
221. The Armagh Cider Company was asked for its views on taprooms. The representative stated that she felt a taproom was in opposition to a pub and she did not want to stand on their toes. She further stated that taprooms could end up selling products other than their own, and therefore it is not strictly a producer's licence.
222. At its meeting on 4 February 2021, the Committee was briefed by **Copeland Distillery**, the **Northern Ireland Drinks Industry Group**, **Retail NI** and the **Presbyterian and Methodist Churches**.
223. The representative from **Copeland Distillery** welcomed the Bill and the change that it will bring to his business from a commercial point of view but also to staffing levels, tourism, events and the wider picture. In the representative's view, the Bill will create a huge social impact and change, and there is a lot to learn. Brewers, distilleries and producers will be given a huge power and he stated that there is a huge responsibility and learning curve.
224. Copeland Distillery went on to inform Members that, from chatting to the bar and restaurant owners in his area, he knows that there is not one bar owner in Donaghadee who would say that that the distillery has had a negative or substantial impact, and that is especially the case for those that are in close proximity to the distillery.
225. Members asked the representative for his views on taprooms. He stated that he understood the desire for breweries to have taprooms and for bars to object to them. For him, the taproom aspect for the distillery would not have the same commercial impact that it would have on a brewery. Breweries rely on high volumes of beers and lots of customers but those in the spirits game do not. If the legislation were to change to allow for taprooms, that could be looked at.
226. In the representative's opinion, taprooms would be beneficial to both parties. He used the example of the taproom on the Newtownards Road, run by Boundary Brewing, which brings in 70-plus people, with other businesses that come in to provide food for the night. They run the taprooms across a weekend – Friday, Saturday and Sunday – and are vital to the breweries, because a lot of the big pubs are run by the bigger breweries and the breweries rely on the taprooms to help with business. In his view, you need to weigh up the ability to run taprooms from a commercial point of view and pubs would be more open to an occasional licence for a taproom than to a full taproom licence.

227. The Committee then asked for Copeland Distillery's views on occasional licences. His view was that getting access to an occasional licence was too dependent on the area that a business is in and can come down to the perspective of the police officer in charge and how those occasional licences are used. In his view, there needs to be a review of occasional licences and their use and the 12 occasional licences a year that are available are not fit for purpose. He went on to say that occasional licences will not be fit for purpose for as long as they are based on the current legislation. He agreed with occasional licences in principle but thought they were not fit for purpose.
228. The **Northern Ireland Drinks Industry Group** representative told the Committee that it was very supportive of Hospitality Ulster's views on the proposed changes and that the Easter opening hours have long needed to be changed.
229. The group also supported the call for the additional hours to the 104 nights per year and they would also like to see some sort of amendment to allow the small, often rural or community, pubs to do the same. They expressed support too for the new producer's licence to support local brewers and distillers that is proposed in the Bill.
230. The representative also supported the provision that would allow industry codes, such as the Responsible Retailing Code (RRC), to be authorised by the Department. He highlighted to the Committee that back in 2011, there were really serious problems with some irresponsible drinks promotions in Northern Ireland and to address this, a cross-industry group developed the code that would work across the whole industry. The representative stated that successive Ministers have supported the code in the past and the importance of giving some statutory backing to industry codes of practice is really about enforcement as it would give the code teeth and added weight as it would be more likely that all licensees would abide by it. The courts, before granting a renewal of the licence, would need to be satisfied that the licensee knew about and was upholding the industry codes.
231. Members asked the representative for her view on people of faith having to work on Easter Sunday. She stated that from discussions in the past with the pubs that they would say that their members respect the fact that they have people of faith working for them, Christians and other religions, and she was sure that pubs and off-sales want to be cognisant of their employees' rights and beliefs and will do everything they can to support them.
232. The Committee then highlighted that they knew of some restaurants that are known to be operating as 'bars'. The representative stated that the majority of restaurants operate within the terms of their licences, however, there are restaurants running as 'bars'. In her view, it has become less of a problem because Belfast City Council works in conjunction with the PSNI to stop it occurring. However, it does still happen. The difficulty

- though was with enforcement as making a restaurant operate within the terms of its licence is, understandably, not high on the priorities of the PSNI, which is the enforcement body. Alcohol is meant to be ancillary to the main table meal, but anything that allows someone to sell alcohol in an ancillary way will always create potential problems with enforcement.
233. Regarding taprooms, the group stated that they would not want to see them become a backdoor to running a pub without a proper pub licence. Concerns would be that someone could say that they were a small brewer while, in reality, having nothing to do with the brewing process at all and simply putting product into bottles and selling that from their premises. In their view, taprooms could start with the best of intentions, but there was concern that that they will duplicate what the pubs are doing.
234. The Committee asked the group for its views on introducing a levy on the industry that could potentially pay for addiction services. The representative stated that such a levy would need further consideration as the suppliers already put a lot of money into harm reduction. The industry completely funds Drinkaware, which is the independent responsible-drinking charity.
235. The representative from **Retail NI** told the Committee that the main practical change he wanted related to the proposed restrictions on advertising in supermarkets and off-sales. Effectively, the Bill proposed that the advertising will be quite a bit away from the store and for a small independent retailer or small independent off-licence, that poses significant difficulties. He stated that, by and large, its members advertise alcohol often in the context of a meal deal. The advertising is not targeted at young people in any way; it is very responsible and, in Retail NI's view, that is the one area where the Bill falls down as it does not reflect the reality that, percentage wise, Northern Ireland has many more independent retailers than many other parts of the UK.
236. Retail NI was asked for its views on restaurants that operate like 'bars'. The representative stated that restaurants should obey the law and stay within the remit of their licence. Retail NI felt that the vast majority of responsible bars and restaurants have stayed within the law, the spirit of the law and within the spirit of the licence under which they operate.
237. On the issue of a code of conduct, Retail NI stated that there are so many different codes of conduct, some of which are led by the industry. Retail NI members already operate the 'Challenge 25' rule, and are under huge scrutiny when it comes to the need to avoid underage sales. The representative emphasised that there should be very strict standards and its members are and will continue to be responsible alcohol retailers.
238. Members asked Retail NI for their views on local brewers being able to sell their products on site and operate taprooms. The representative stated that It is important that any new licence category does not duplicate what is in the existing licence categories. Retail NI members are

very committed to supporting a lot of the local breweries and are an important route to market for them. In his view, some craft brewers may not have the capacity at this stage of their business to get into the large supermarkets, and, quite often, a lot of smaller Retail NI members will stock some of their products.

239. On the surrender principle, Retail NI stated that if deregulation was to be considered, a lot of its members would not be very happy because their alcohol licence cost a substantial sum. The representative stated that he did not detect any appetite across the Assembly for deregulation in that area, and it is not covered in the Bill.
240. When asked for views on the potential for a levy to pay for addiction services, Retail NI said that whilst the organisation would be happy to have a conversation about this, putting a levy on an independent retailer in that way would probably be a step too far.
241. The **Presbyterian and Methodist Churches** made a joint briefing to the Committee and stated that they were disappointed that the Bill goes much further than the 2016 Bill in respect of Good Friday and Easter Day. They asked that consideration be given to the introduction of protection for workers who choose not to work on Good Friday or Easter Day as they observe their religious rites and ensure that they are able to attend public worship and other activities.
242. The churches welcomed the measures that are designed to protect children and young people and to address the excessive consumption of alcohol and specifically welcomed the role of the courts and the limits on opening hours.
243. The church representatives asked the Committee to consider seriously all the other issues that they raised in the written submission, such as opening hours, drinking-up times and home deliveries.
244. Members asked the representatives for their views on the idea of a review period for the Bill. They stated that the changes are much more extensive than what was in the previous proposed legislation in 2016 and a review would be helpful for everyone to see what the impacts are, not only on the industry but on policing, criminal justice and health organisations that have to facilitate the more negative end of alcohol overconsumption. Any review, in their view, would need to be undertaken with a joined-up, whole-systems approach and needs to include the impact on staff as regards their personal safety about getting home and the impact that extended hours will have on their well-being, as well as the issue around Easter observance.
245. On the issue of pressures that the Bill might impose on emergency services and addiction services, the representatives stated that the wider budget implications are those that will impact on the health service and accident and emergency departments and those that will impact on law and order. In the churches' case, the delay in having a regional addiction

programme (which they supported) has added pressure to the work of Carlisle House.

246. They went on to highlight the added financial pressures to accident and emergency services on Friday, Saturday and Sunday nights and the impact on liver disease and mental health. They highlighted that the debate on law and order includes the high percentage of offences that are committed while under the influence of alcohol and the impact on families because of domestic abuse behaviours and violence.
247. The Committee then asked whether members of the churches face any pressure when it comes to not working on religious holidays. The representatives stated that there is increasing pressure where, if you do not have the legal right to say no to a certain thing, you could be put in a difficult position. In their opinion, most people probably just feel that their job is more important than going to church on Easter Sunday and they felt that this ought not to be the society in which we live. Ultimately, younger people who work in bars and restaurants might not feel confident enough to ask not to work, but, if there were some protection in law, that would maybe give them extra confidence to do that.
248. The church representatives finished their briefing session by telling the Committee that increasing drinking-up time by half an hour, opening at Easter and the other bits and pieces in the Bill (to which they object) will likely do some harm but will not make a massive difference to level of alcohol consumption. They highlighted that there is an enormous amount of alcohol harm in society, which is a big issue in such areas as health and criminal justice and that harm reduction and minimum pricing are needed. To the churches, the changes in the proposed legislation are not good, but they will not make a catastrophic difference or bring a tsunami of harm. Nonetheless, the tsunami is still there: it is the underlying increase in the use and abuse of alcohol in our culture.
249. At its meeting on 11 February 2021, the Committee was briefed by **The Law Society**, **Food NI** and the **Federation of Small Businesses**.
250. **The Law Society** told the Committee that it had concerns in relation to the definition of a 'major event' and the fact that this power would be with the Department, rather than the courts. It was concerned about the lack of judicial control and about the issues that are usually put before the court and tested before such a licence is granted. The concerns it raised were with regard to controls over licensed areas for such an event, to whom the alcohol would be sold, the people selling it, the selling of off-sales products and the levels of training.
251. The Law Society sought clarity on the proposed new producer's licence and whether producers will have to submit an application and a licence be surrendered to be able to sell their own produce, or is it intended that that will not be the case. The representatives went on to question whether if they were operating as a taproom, which they were concerned might be

more like a pub, a licence would have to be surrendered to open a taproom and what products they would be allowed to sell.

252. The Committee asked the Law Society representatives for their views on the limited advertising parts of the Bill. They stated that they were trying to look at this neutrally on behalf of the Law Society and at the legal elements, but were concerned about competition. The larger stores will probably not be as negatively affected by advertising restrictions, but it would be more difficult for the smaller stores or smaller licence holders. People may not be aware that that offer is there, and, therefore, the restriction to allow advertising only in-store may damage them and raise competition issues.
253. On the issue of occasional licences, the Law Society stated that occasional licences can be used only for certain purposes. They also said that a current problem with occasional licences is being solved by the legislation, which is getting rid of the need for a children's certificate. Currently if you want children to be at the event which has an occasional licence, it requires a plan setting out where children can and cannot be. People have not been able to get occasional licences for that reason for markets and festivals.
254. In relation to Article 44 and late licences, they stated that, recently, in certain areas, the argument was made that, if you have an article 44 for every night of the week, you have to use it every night of the week; it is a sort of "use it or lose it" scenario. The problem was that, if you have, say, a Friday and a Saturday but maybe have a charity opportunity or another opportunity on a Monday or Tuesday, you cannot apply for an article 45, which is the occasional late licence. The days are being increased for that in the legislation. If you have an article 44, you cannot apply for an article 45 and, in the Law Society's view, this is a lacuna in the law that needs to be addressed.
255. The Law Society stated that grace periods around the renewal of a licence should be extended, with suitable fines attached as this would deal with mistakes that can be made which are not intentional but the consequences for the business, the employees and the business owner are quite draconian if they miss it. The Law Society suggested moving the grace period back to even five years as, in their view, at the end of the day, it is within that five-year period for the renewal of the licence, and that is still a subsisting licence for anything after that five years.
256. Finally, the Law Society was asked how the changes to opening hours would interact with employment law in respect of staff working more unsocial hours. The Society stated that while none of the representatives were employment lawyers, this issue will have to be looked at as any employer, when looking at their employment contracts and how they interact with their employees, has to be cognisant of what they are allowed to do by law in respect of hours. They presumed that the key issue would be the total number of hours that people are working under

- contract per week. It may be that employers have to employ more people to work different shift patterns to cover this.
257. The **Food NI** representative told the Committee that allowing local producers to sell their products on site would be a massive help as it would raise awareness. Food NI stated that there is resistance not from the pubs but from the suppliers to the pubs to letting local brewers get their products into pubs.
258. Members asked Food NI about supermarkets stocking products from local brewers and the representative stated that the problem has been with the pandemic in that the supermarkets are rationalising ranges, which will make it even more difficult for local producers of ciders, beers and spirits.
259. Food NI did not think that the occasional licence system was working for local producers as there is variation by district and that there should be a producer licence whereby everybody has the ability to market up to a certain level. They felt this would have to be controlled and that training would have to be undertaken.
260. The Committee asked Food NI whether limitations on local produce means that local producers have a better market outside Northern Ireland. Food NI said they believed this was the case and that it was unfair to ask producers to try to build just an export market.
261. On the issue of taprooms, Food NI stated that brewers should be allowed to sell their own products and that they did not think they would even have the motivation to sell other products. The representative could see a situation where a brewer might pair with another once or twice a year for an event and it is a major drawback for them not to be able to sell their own products.
262. The representatives from the **Federation of Small Businesses (FSB)** told the Committee that, reflecting what their members were telling them, they wanted local producers to have the capacity to do off-sales. A lot of producers were telling them that they are very much hampered by the inability to let people taste the product and then buy the product for consumption off the premises.
263. However, the appetite to take this further and develop taprooms was not expressed to them and there were a lot of potential unintended consequences that would need to be considered before that area is explored. The representatives stated that this was definitely not to say that they would be against a taproom special licence, but they do not yet have an evidence base to advocate for it.
264. When asked about a code of conduct, FSB stated that they felt that a code, and that way of working, builds a sense of responsibility and it is working to rule out the exception rather than the norm. They felt that the code of conduct should sit within the Department.

265. When asked if there were any elements of the Bill that they might change, the FSB stated that there were some elements that they would perhaps tweak such as, for example, the definition of 'entertainment'. They used the example of a self-employed DJ being able to do what they do and licensing laws applying to them. FSB also mentioned the loyalty scheme issue and stated that their preference was to ensure that its members, the producers and others in the industry could have the choice to act responsibly and for that to be policed properly.
266. At its meeting on 18 February 2021, the Committee was briefed by the **Wine and Spirit Trade Association**, the **Institute of Licensing NI**, the **Safeguarding Board for Northern Ireland** and **Tourism NI**.
267. The **Wine and Spirit Trade Association (WSTA)** representative told the Committee that they wanted to make five points. First, the organisation was a little disappointed that the bill failed to address licensed tills in supermarkets. They felt that the proposal to ignore the 75:25 split probably does not take account of how a retailing operation happens, how customers behave, the fact that unlicensed tills are used very irregularly, and the fact that those under 18 tend to use new technology to a greater extent than others.
268. Secondly, WSTA felt that the proposals on loyalty schemes were untargeted and would have unintended consequences, particularly because customers like loyalty schemes and local communities and charities benefit heavily from them.
269. Thirdly, they felt that some of the proposals seem not to understand fully the stringent safeguards in place for a business model where alcohol is delivered directly to home and left in a safe place. They stated that to say that deliveries directly to home could be collected by any member of the family exaggerates any risk as there is very little evidence of any problems with minors collecting what are thought-through purchases, made in advance by adults, that are usually a lot larger than just one bottle.
270. Fourthly, they stated that that all aspects of selling and advertising alcohol are pretty heavily regulated and controlled and it should be recognised and understood that retailers are keen on self-regulation. They did not understand why there needs to be additional regulatory controls.
271. Finally, they thought that there were significant benefits in Northern Ireland legislation being updated in line with that in England and Wales particularly when looking into the advent of technology and how it should be used to a greater extent, particularly for age verification.
272. Members questioned the representative on licensed tills in supermarkets and why there was a 75:25 split. WSTA stated that Northern Ireland is the only place in the UK where it exists and they did not see statistical evidence of different behaviour. In their view, it was aimed at discouraging customers from adding alcohol to their shopping, as, if they did, they

would not be able to go to what would be assumed to be a shorter queue. In practice, WSTA understood from its retailers that the 25% of tills not licensed tend to be less busy.

273. In relation to loyalty schemes, the representative said that if this becomes law, its retailer members would have to do something different and that one of the options would be to remove all loyalty schemes. The Scottish Government looked at something similar and concluded that loyalty cards should be treated in the same way as cash, i.e. no restrictions.
274. As far as the WSTA are aware, all loyalty schemes allow supermarkets to make donations locally. Some – the Co-op, for example – have a minimum percentage amount that they provide to the local community. There is a direct relationship between the health of the business in an area and, on the other side, the charitable benefit of the business being conducted.
275. WSTA's retailer members were particularly worried that if this legislation goes through then donations from loyalty schemes would reduce and there would be less available to the community.
276. Community alcohol partnerships continue to do incredibly well in England and Wales and increasingly well in Scotland and WSTA would be very keen to see community alcohol partnerships increase in number in Northern Ireland. Community alcohol partnerships are set up locally with seed corn funding from the 'Community Alcohol Partnerships' organisation, to tackle underage drinking and associated disbenefits in the local community. There was one in operation in Derry and it was extremely successful.
277. Members asked if implementing additional age checks upon delivery would lead to a substantial increase in costs for suppliers. WSTA stated that there was a misunderstanding of how much pre-purchase age verification requirements are undertaken by its retailers as it depends on the retailer's business model. It becomes more difficult where online businesses have a third party delivering for them but they have extremely stringent pre-purchase online tests about who is purchasing the alcohol and it would be incredibly expensive for them to introduce an additional check. WSTA further stated that it was very unclear whether there is evidence that this was a problem at all and were of the view that the risk of it leading to problematic drinking by a minor is incredibly low.
278. WSTA concluded their briefing session by questioning the proposal in the bill related to vending machines. The WSTA were unclear what the aim is in that area. They requested a definition of a vending machine and stated that they would need to understand what is within the scope of a vending machine to be able to comment in more detail on that proposal.
279. **The Institute of Licensing NI** told the Committee that the proposal on the alignment of liquor and entertainment licences may limit some of the flexibility in the current system, given that, under the Bill, licensees who

- wish to provide entertainment beyond the hours of their alcohol licence will not be able to do so. The organisation felt that this would fetter the discretion of local councils, which issue entertainment licences at present. The Institute of Licensing would support wider changes if there were an appetite to look at moving to a council-based licensing system.
280. The Institute of Licensing also supported the provisions on special events and the provision on a local producer's licence as well as the clauses that deal with young people in licensed premises, including children and young people at private functions.
281. The organisation had an issue with Clause 15, which deals with vending machines. They felt that this provision could limit innovation in the sector and stated that, although they could see where the clause was coming from, in that it relates to a straightforward vending machine that anyone can use, they did not want to limit innovation as technology changes.
282. The Institute of Licensing was supportive of the advertising changes but queried Clause 17 and asked why it was necessary if it restricted consumer choice under, for example, loyalty point schemes in supermarkets.
283. When questioned on their support for the proposals on advertising, the representatives stated that they could see how this could have an impact on some small businesses, but if the advertising is kept to a licensed area, that would hopefully work and that it was about striking a balance between protecting young people from advertising and allowing companies to advertise their products.
284. On the issue of taprooms, the organisation stated that in Scotland over the past number of years, there has been a boom in small, local craft breweries, which supply local beer to the pubs in the local area as well as to shops, and many of those breweries have taprooms. The presence of taprooms in brewery premises in Scotland is completely uncontroversial unlike in Northern Ireland, which, in their view, was perhaps because of the licence moratorium.
285. The **Safeguarding Board for Northern Ireland (SBNI)** told the Committee it was ever mindful that any extension to the time that children may stay in licensed premises could influence their relationship with alcohol. However, the Board felt that there were benefits to children in developing their social interactions and cultural experiences in an environment that is safeguarding aware. They went on to state that family functions that have the proper controls would allow children to be more fully involved in the major family occasions and celebrations that are highlights in the family calendar.
286. The SBNI did not support self-service vending machines in locations or premises where children could have access to alcohol.

287. In its view, normal approval and oversight by the Department of Health of regulated codes of practice, of which a breach could have licensing consequences, were a positive approach as SBNI felt that self-regulated codes of practice lose some element of public confidence over those seen as formal, where non-compliance has possible consequences.
288. In relation to advertising, the SBNI saw that as a good reminder of the rules regarding clubs and admission in regard to the specific advertising of events. On a more general point, the SBNI believed that advertising alcohol in a child-friendly environment was questionable as research tended to show that advertising increased awareness and cultural acceptance. The view of the SBNI was that less advertising of alcohol was generally a better thing in the world of children.
289. The SBNI's general position to the Committee was that it was not pro-alcohol but not anti-hospitality either, as society should be open to change in a managed and safe fashion. The importance to SBNI was the balance between facilitation of these experiences and ensuring built-in legislative protective measures that ensure adult oversight and adherence to a safe environment.
290. The SBNI stated that it liked the code of practice, identified individuals responsible for safe practice, the exclusion of alcohol when not directly supervised by parents and building on good practice of responsible control in clubs. These were seen as encouraging supportive changes to control the alcohol environment.
291. The Committee asked the SBNI for its views on underage functions such as formals and attendance at family events such as parties and weddings. The SBNI stated that it has been doing a lot of work over the last few years with the night-time economy. This was in relation to child protection matters in order to increase awareness among hotels, taxi drivers and pubs and clubs of the dangers for some young people – particularly in relation to child sexual exploitation and to make people aware of the dangers for children, especially where alcohol is involved.
292. When a hotel hosts, for instance, a school formal, it is SBNI's understanding that it will be a non-alcohol event and that it is about making sure that the venue was not linked with a bar and that people were not drinking in it. At a family event, they considered that the best protectors of children were their parents or significant family members. They had an expectation that, when children were at a wedding or a granny's birthday party or whatever, the supervision of those children and young people was the responsibility of their parents.
293. Members asked the SBNI about alcohol advertising and they stated that anything that promoted alcohol as a positive thing was not good because it was not positive for children or their families. In SBNI's view, there was nothing positive about alcohol, and they thought that advertising should

- be reduced as much as possible and advertising of alcohol around sport needed to reduce.
294. On the issue of age verification, SBNI stated that this wasn't easy as with modern technology, fake IDs can be produced easily so it is difficult to manage. A lot of bars and off-licences now say that customers must be 21, because that at least gives them a margin for error.
 295. When asked for their views on those under 18 working in bars, the SBNI stated that the Education Authority had a role in monitoring the employment permits for young people. They believed that work permits generally for young people who work in those types of industries needed to be looked at. Also, over the holiday period at Easter, the increase in opening hours will mean more children working longer hours and therefore, this needed to be controlled.
 296. **Tourism NI** told the Committee that it had been supportive of changes to liquor licence legislation since the original consultation in 2012. It believes that the introduction of a number of measures that are proposed in the Bill have the potential to provide vital support to business and will help to rebuild the tourism and hospitality industry in the wake of the COVID-19 pandemic.
 297. Tourism NI supported the introduction of a producer's licence that would permit the craft drinks sector to be able to sell products directly to the consumer as part of their visitor experience and also at festivals and events across Northern Ireland. Currently, if a tourist visits a distillery, they might have the opportunity to sample the products but are unable to purchase directly from the producer which is a really frustrating experience for both the visitor and the business owner. The likelihood of a purchase whilst on the premises is much greater than that of a chance encounter in the nearest off-licence or an online purchase when they arrive home. Tourism NI felt that the ability for visitors to purchase on-site was not just highly desirable, but that tourists and visitors expected to have the opportunity to do that.
 298. The representatives also believed that the Bill could go a little further to support producers who might wish to look at creating a taproom experience and felt that the current proposal would prohibit the opportunities for on-premises consumption and was, potentially, restrictive to enabling that growing market – particularly for the tourism market that had an opportunity to motivate visitors to travel, stay longer and spend a little bit more in Northern Ireland.
 299. Members asked the Tourism NI representatives for their views on people of faith having to work over the Easter holidays. They stated that they were supportive of the relaxation of the hours, particularly at a time when visitors have decided to travel to Northern Ireland. In their view, the removal of restrictions over Easter will bolster Northern Ireland's competitive edge and help the growth of the tourism and hospitality

sector. There was also concern that Northern Ireland could be placed at a competitive disadvantage, particularly as the Republic of Ireland (ROI) and other close-to-home destinations of choice have made legislative changes to permit extended trading hours over Easter. For Tourism NI, it was really about managing visitor expectations, and research told them that visitors wanted to be able to do things on Sundays and their visitor attitude survey showed that currently they were not meeting the expectations of visitors who travel to Northern Ireland at Easter.

300. In relation to major events, Tourism NI stated that previous events might have been impacted by the inability to vary the hours for the sale and consumption of alcohol. Tourism NI's message was that it would like to see a framework around special or major events that can help Northern Ireland come out on the 'front foot' post-pandemic.
301. Members asked Tourism NI if it had done any research on the economic impact of the current licensing framework on tourism. The representatives stated that Hospitality Ulster had taken the lead in looking at direct impacts on hospitality businesses but, from a tourism perspective, there were a number of proposals outlined in the Bill that Tourism NI have not been able to determine what the opportunities coming from them might look like in the future because they had not previously had the chance to move into that space.
302. When asked for their views on taprooms, Tourism NI stated that, from its perspective, this was about the ability to develop the sector to create new and compelling experiences and to try to motivate people to travel across all parts of Northern Ireland. They felt this was an opportunity to see if it was a sensible approach or an opportunity for the industry to get talking about taproom creation. In their view, it was important to suggest that not everyone who had the ability to create a taproom experience would want to do it. Tourism NI further stated that visitors to taprooms are highly motivated to travel to find out a little bit more about the product and where and how it was produced. From a tourism perspective, the representatives stated that they would be very keen to see if the conversations with industry could be ignited to discuss what that framework could look like and what the potential responsibilities are for craft brewers who want to develop a taproom experience for tourism and the very niche markets.
303. The Committee asked Tourism NI about how much the Bill could help the economy with potential new jobs and how many new tourists it could attract. The representatives stated that they did not have all the answers to that at the moment because a lot of what was proposed in the Bill was about the opportunity. However, they were very supportive of putting in some measures and quantities so that they could report on the direct impacts that the Bill has had on tourism, job creation and creating a more sustainable local tourism economy.

304. In conclusion, Tourism NI stated that the Bill's proposals for the producer's licence should encompass all facilities associated with drink production and that the proposals should have awareness of production sites at which visitor servicing and retail elements take place to make sure there was no ambiguity in how that was presented.
305. At its meeting on 25 February 2021, the Committee was briefed by the **Northern Ireland Alcohol and Drug Alliance (NIADA)**, the **Northern Ireland Local Government Association (NILGA)**, the **Police Service of Northern Ireland (PSNI)** and the **University of Stirling**.
306. **NIADA** told the Committee it agreed with the aims of the Bill, but its area of concern was children and young people. The group welcomed the proposals on the alignment of closing time for liquor and entertainment, the refreshment provision, the delivery of intoxicating liquor to young persons and the prohibition on self-service and sales by vending machines. They recommended that the public health messages about alcohol be the driving force behind the policy's objectives.
307. The group further recommended that all the necessary safeguards are put in place in order to protect children from the promotion of alcohol and to prevent access to alcohol when they are in licensed premises. The representatives felt that, rather than increase the opportunity for exposure, it needed to be reduced with positive alternatives. **NIADA** stated that minimum unit pricing would really have an impact.
308. The Committee asked **NIADA** if there was anything they would like to be brought forward to bolster the public health side of the matter. **NIADA** stated that there must be a review of extended hours and that they had concerns about individuals stockpiling and preloading and about the damage that binge and excessive drinking can do to an individual from an emotional and physical point of view.
309. **NIADA** expressed concern about advertising of alcohol, which normalises the culture of alcohol, particularly to young people, and how exposure from a very young age can impact on young people and adolescents. **NIADA** told Members that the younger the person is when they start to drink, the greater the risk of alcohol-related harm across their lifespan. In their view, advertising and the extended presence of young people in social clubs and sporting clubs should somehow be restricted. **NIADA** found the link between alcohol and sport to be contradictory.
310. Members then asked **NIADA** if excessive advertising, or advertising in general, specifically when it is geared towards younger people, has an effect on them and makes them more susceptible to drink in the first place. **NIADA** stated that they believed this was the case and that it can be very difficult for someone in recovery to see billboards about alcohol and the glamorous advertisements on TV about alcohol.
311. **NIADA** further stated that there were a lot of influences on young people in relation to alcohol and that advertising was seen in the alcohol field as

- glamorous and cool, and some young people buy into that. If young people choose to drink, they need good preventative education about how to drink and about harm minimisation.
312. **NILGA** welcomed Clauses 6 and 8, which, they believed, will be extremely valuable to local economies through the licensing of major events, support for local producers and enabling retail sales at markets.
313. The **NILGA** representatives further stated that they believed that there was a need to ensure that the Department keeps licensing requirements under regular review to meet the needs of our rapidly changing society, technology and entrepreneurs. They were keen to ensure that an evidence-based approach was taken to the development of legislation.
314. Members asked **NILGA** how it felt about the entertainment licence being tied to the liquor licence. **NILGA** stated that, in its view, it will handicap the councils in how they license and regulate premises, particularly late at night. Across Northern Ireland, there have been problems with late night licences, with or without alcohol, running to 2.00 am or 3.00 am and causing problems for the police. **NILGA** felt that this would very much limit what councils can do to try to alleviate the problems for people in local areas.
315. The Committee then asked **NILGA** for its views on the age limit at specified underage functions. **NILGA** stated that, when they looked at the Bill's proposal, it seemed to them that it was very much geared towards teenage events and they would like clarity for licensing officers on the age of children allowed to be at those events. The main concern expressed to **NILGA** about young people's events was that, at a later stage of the night, if everybody was released on to the street together, there was a danger of young people mixing with adults who had been drinking. **NILGA** is very supportive of the clauses that require parental supervision of younger children and wanted to make sure there was clarity and a cut-off point so that they can support teenagers who wanted to have events in grown-up premises while protecting much younger children.
316. Members asked **NILGA** about council enforcement powers. **NILGA** stated that there is a distinction between what the police can do and what the councils can do and that both parties know what they can do, but both have to be very proactive in taking those issues forward. At the moment, councils grant entertainment licences until 2.00 am or 3.00 am but control only the entertainment in those premises and the safety of the people there. Councils do not control people who are consuming alcohol or those who are underage drinking etc., as that is a police issue.
317. **NILGA** was then asked for its views on local producers being given the opportunity to operate taprooms. **NILGA** stated that they were strongly supportive of the clause that enables producers of alcoholic drinks to sell directly to visitors from their manufacturing premises and that they had no issue with the taproom idea at all and would support this

318. In relation to deliveries of alcohol that originate from outside Northern Ireland, NILGA stated that there was a need to ensure that people delivering alcoholic drinks are over 18. NILGA further stated that it is more likely that deliveries from further afield will be made by larger vehicles, which are more likely to be driven by an older person but Members needed to be aware that, if the Bill was not drafted properly, there was potential for an anomaly.
319. Members asked NILGA if they wanted to see party buses and taxis included in a new clause. NILGA felt that this was quite a difficult issue to deal with, and they would like to see something about party buses going into the legislation.
320. The PSNI told the Committee that Clause 2 generally applies to weekends and, as regards a policing footprint and their variable shift pattern, the PSNI would be able to absorb that without too much concern. They were also supportive of Clause 3, which is alignment of closing time for liquor and entertainment, as it provides clarity for customers, businesses and PSNI.
321. On Clause 4, the PSNI had done some research on this and, of all the premises across Northern Ireland that can apply for up to 20, none has actually availed of it. That was not just in the last year because of coronavirus but previous to that. The PSNI stated that it does not, in effect, pose them any real concerns. However, if it were to be taken up, the administration of it would have an impact on resourcing for the police and it would have an impact on resourcing on the ground. The previous element fitted with their shift pattern, but this clause would not and it tended to apply to what are classed as more rural pubs, where the PSNI does not have a night-time economy footprint at present, so this would cause some concerns.
322. Clause 6 relates to major events and the Department's potential administration role and the PSNI would like to see the detail of the consultation process on the granting of licences and how it was balanced with other businesses and the residential areas wherever they might be. The PSNI stated they needed to know more about the parameters, procedures, appeal mechanisms and inspection regime and who would be the final arbiter.
323. The PSNI welcomed the provisions around underage functions, which largely affected things such as school formals. It welcomed Clause 11, which proposed to come up with a solution to allow those to go ahead in a safe and controlled manner. The PSNI stated that when young people are able to enjoy themselves in a controlled environment, it was much safer than the alternative. The PSNI also welcomed Clause 12, which clarifies the law on young people being present at functions. There was also welcome for Clause 13, which provides clarity on the outlawing of the delivery of intoxicating liquor to young persons although concern was expressed on how it would be policed.

324. The Committee asked the PSNI for its views on a one-year trial period for provisions of the Bill. The PSNI stated that a one-year trial period would allow the chance to review it and see if it has achieved the objectives that were wanted: less nuisance, less antisocial behaviour and fewer assaults.
325. In relation to taprooms, the PSNI stated that their concern would be that these could create quite a number of other licensed premises in rural areas where the PSNI may not have a policing footprint to deal with any antisocial behaviour or noise created. The PSNI were not suggesting that they would create major issues, but should they require a policing response, the PSNI does not have the resource footprint for that.
326. On the alignment of entertainment and alcohol licensing, the PSNI stated that it welcomed this. In their view, if alcohol licensing times were extended, the PSNI has seen in other places was that the additional time evens out the alcohol
327. consumption and, therefore, it tends to neutralise itself. At weekends, the PSNI can deal with extended hours, particularly in the city and larger towns. The issue for them was that, if they start to see these being applied for and granted Monday to Thursday, it would have a significant impact on its resourcing requirement. The PSNI are not geared for a night-time economy in many places on those days and that is where it would have concern.
328. The PSNI was asked for its views on a night-time levy and stated that it is an idea it had taken from other cities across the UK as it is important in trying to provide for safety and is not just about police officers; it is about the entire community safety arena. As there are pressures on police resources, the PSNI supports the idea of a levy but understood that there were competing demands in the current environment.
329. On the issue of unregulated late-night drinking, the PSNI stated that when this occurs, so too does antisocial behaviour and on-street drinking. When there are large crowds of people, particularly when they have been drinking, you start to get low-level assaults and criminality of that nature, and you can see an increase in sexual offending and things such as that. The PSNI stated that the key to this was the clarity of that extension, particularly at the weekends, when there is already a policing footprint that will allow them to respond so that it was not impacting on its resourcing.
330. Researchers from the **University of Stirling** told the Committee that the main thing about licensing is that it controls the availability of a product and can make a difference to outcomes in terms of harms. If you do not have a licence, you cannot sell the product.
331. They also highlighted that the easier you make it for people to buy alcohol, the more they will buy and the more they will consume and that having a lot of premises in an area can mean that there is a pressure on

premises to sell more cheaply, people then purchase more, leading to more consumption.

332. On the issue of the surrender principle, they stated that although the surrender principle is not without its problems, it prevents a proliferation of premises and, from a public health perspective, the Northern Ireland approach, in their view, was a really good one. The rest of the UK does not have such a mechanism for capping availability, so, as far as UK systems go, Northern Ireland's surrender principle is regarded as the best for controlling spatial availability.
333. They discussed a range of research studies, which showed a clear link between extended late-night opening of alcohol premises and increased harms such as drunkenness, assaults, injuries or use of health, police and other services. In Norway, studies found that, for every extra one-hour extension to opening times, there was a 16% increase in police-reported assaults at night-time and that, if you reduce those opening hours, you get an exactly converse 16% reduction in those assaults.
334. The researchers went on to state that the potential impacts of granting an additional one-hour late-night opening time up to 104 times a year needed to be considered in conjunction with the proposal to extend drinking-up time from 30 minutes to one hour. Taken together, it effectively means extending late-night openings, most likely at weekends, by 90 minutes. Based on the evidence already presented, this could be expected to be associated with a substantial increase in alcohol-related ambulance call-outs and police-reported assaults.
335. They highlighted that the rationale for the proposal to extend drinking-up time from 30 minutes to 60 minutes in Northern Ireland was not entirely clear and quite unusual by comparison with other parts of the UK and noted that there was little to no evidence about whether extended drinking-up times leads to benefit or harm. For smaller premises, however, the costs of keeping staff on for longer during a period when alcohol cannot be sold may limited the appeal of the proposed measure. They noted also that there is also no evidence base to suggest that drinking-up time leads to easier dispersal of customers or decreases instances of disorder.
336. Stirling University researchers also expressed concerned about how any extension to drinking-up time would be enforced to ensure that it does not simply lead to later serving of alcohol. There was also the risk that consumers would purchase more alcohol at last orders.
337. In relation to children and young people, there are provisions in the Bill some of which the researchers fully supported, such as the proposal to prohibit vending machines and the strengthening of current laws on the delivery of alcohol to young people. There were also several proposed measures that gave rise to concern and these included permitting certain

premises to hold underage functions providing that specific conditions are met and permitting children and young people to be present in sporting clubs until 11.00 pm during the summer months.

338. There was concern that collectively these would serve to increase children's exposure to alcohol consumption and product packaging, as there would be multiple additional opportunities for such exposure. They urged the Committee to consider carefully whether that is what it wanted to achieve, given that in Scotland and elsewhere in the UK, the focus was firmly on reducing children's exposure to product packaging and alcohol consumption as such exposure is positively related to consumption in children who were already drinking and the evidence also demonstrated that it increased the likelihood that children will begin drinking.
339. Concerns about 'normalisation' were raised in Stirling University's recent excellence study and related specifically to children's exposure to alcohol on the morning school run as a result of early-morning off-licence sales. In their view, similar concerns about normalisation would apply to the measures currently proposed in the Bill their view.
340. When asked about multi-buy promotions, Sterling University told the Committee that the evidence it had in Scotland suggested that banning these had a small impact on creating an environment in which alcohol was sold more responsibly. One study showed that banning such promotions did not reduce alcohol purchasing in the short term. The industry appeared to respond to the ban by replacing multi-buys with a simple price reduction, which made it possible for consumers still to buy alcohol at a discounted price but with a smaller financial outlay.
341. Other evidence had been gathered to suggest that the ban on multi-buy promotions was associated with reduced sales of off-trade wine and pre-mixed alcohol drinks, which were the drinks that were most likely to be bought as a multi-buy deal in Scotland before the legislation was introduced. On balance, Stirling University felt that a ban could have a small impact, but it was not really the solution.
342. In relation to advertising, the researchers stated that there was a need to look at the whole system as all things together make a difference. They advocated a move towards a situation in which people have the freedom to drink or not but alcohol was not in their face all the time and children were not exposed to it. Anything that reduces this was to be seen as a positive in ultimately protecting children and young people from future consumption.
343. The Committee asked the representatives if they saw any positives in the Bill - they stated that they supported the measures that prohibit vending machines and that strengthen current laws on the delivery of alcohol to young people. Those measures are in line with its suggestions about

providing better protection of children when it comes to exposure to alcohol, product packaging and consumption.

344. Members asked the researchers for their views on a late-night levy and whether this was used in other UK jurisdictions to fund alcohol preventions programmes or health programmes. They responded by stating that, in England and Wales, where it applied, the levy was introduced on a local basis, with 70% going to the police and the other 30% going to the licensing authority in the local council which dispersed the money as it saw fit, which could include prevention activities.
345. At the final oral evidence sessions on 4 March 2021, the Committee was briefed by **Drinkaware**, the **GAA** and the **Institute of Public Health Ireland**.
346. **Drinkaware** representatives told the Committee that, by and large the pattern of harmful drinking in Northern Ireland mirrors that of the UK as a whole. Although Northern Ireland tends to have a slightly higher proportion of people who do not drink at all and daily drinking, or very frequent drinking, is a little less in Northern Ireland than it is in the UK as a whole.
347. A key concern for Drinkaware is people with habitual drinking behaviour who are drinking at harmful levels - drinking every day with no break. They had studied drinking habits during the pandemic, with a third of people, in May and June 2020, claiming to be drinking more than usual and a similar proportion, about a quarter or a bit less, claimed to be drinking less than normal, despite the closure of the hospitality sector. By August and September, the proportion that was drinking more had reduced.
348. Drinkaware further stated that there were four groups of key concern to them. Firstly, the people who were already drinking at harmful levels and had been doing for some time with their health already compromised. The drinking lifestyle tends to coexist with other risky lifestyle behaviours as well, such as smoking, being overweight, having low levels of physical activity, and having a poor diet.
349. Secondly, parents of under-18s, particularly mothers, have been under particular stress during the last 12 months and were reporting higher levels of drinking to cope.
350. The third group was relatively small (because of the protective effect of furlough in the short term), and is people who either have been made redundant or who are going through a redundancy process with their employer and were drinking to cope with the uncertainty and stress.
351. The fourth group of concern was people who reported that they are, to a large or very large extent, negatively impacted by the pandemic, particularly in relation to their mental health. There are overlaps between those groups, as some people will fall into two or three of them, but a

significant proportion of the population – about a third – is very negatively impacted.

352. Members asked the group whether, in their view, something should be put in the Bill that takes public health seriously. Drinkaware stated that they absolutely expected the Committee to consider public health in that context, and they fully supported that position.
353. The Committee then stated that the Bill proposed letting young people remain on licensed premises for longer and asked Drinkaware if there was any evidence on the impact of access to and seeing alcohol consumption on under-18s later in life.
354. Drinkaware stated that they did not have any specific evidence but did know that children who drink underage are much more likely to have parents who drank underage and that children who drink at a younger age are much more likely to drink more and to develop drinking problems later on. They highlighted that parents who are laissez-faire and happy for children to drink alcohol in front of them are more likely to be storing up problems for the future.
355. The **GAA** representatives told the Committee that having a social club can provide a valuable outlet for a number of reasons: a social space for older members; a benefit for clubs organising fundraising events; and generated income through bar sales and various entertainment initiatives. Some of its clubs provide employment opportunities, as they are operated by full-time or part-time bar staff, while others are looked after by volunteer members.
356. The representatives further stated that the GAA is proactive in addressing the health and well-being of its members and is acutely aware of its responsibilities around responsible alcohol consumption. A formal health and well-being structure is in place at national level, provincial level and county level, and each of those units has county health and well-being committees in place. At grassroots club level, there is a Healthy Club programme. Each club is required to have a Healthy Club officer, and the remit of that person is the promotion of key health messages to its members.
357. The GAA also offers educational advice to youth and adult members and players. Some clubs also use the services of external agencies and statutory bodies to deliver key messages on alcohol and substance abuse to various groups, and all clubs are asked to adopt and adhere to a GAA tobacco, alcohol and drugs policy. There is also great emphasis placed on safeguarding children, and the GAA has in place a 'Code of Behaviour: Underage', which outlines best practice in dealing with underage members. This includes the protection of children not only in all areas of a GAA club and its facilities but beyond that: to and from matches.
358. There was general agreement from the GAA with the proposals in the Bill. Its clubs want to do things correctly, and the overall feeling is that the

measures in the Bill will support efforts to do just that. Although not all of the measures proposed in the Bill were relevant to its social clubs, many of them were.

359. The representatives highlighted a small number of proposals that, in a survey of its clubs, had been broadly welcomed. Those include the authorisation for a sporting club to extend the area of its premises registered to supply alcohol for the purpose of holding a function on occasion, up to six times a year; the increase in the number of late-night openings to two or three nights a week; the easement of the current advertising restrictions on clubs; underage functions to be permitted to take place in specified areas of club premises; young people to be permitted to remain on licensed premises at private functions, provided that certain conditions are met; underage prize-giving to be permitted on club premises (they requested a juvenile be allowed to attend three – it is currently one – of those a year); and young people under 18 to be permitted in the bar area of a sporting club until 11.00 pm during specified months. The GAA feel that this would be particularly beneficial between May and September, which is when the GAA club season is in full swing, and there are games in the evening, particularly on Fridays and Saturdays.
360. The Committee asked for more information from the GAA on its views on alcohol advertising. The representatives stated that the GAA has a very responsible approach to advertising, not only at grounds but on playing gear. For example, it does not allow an alcohol company, public house or off-licence to advertise on an underage jersey and does not allow any alcohol sponsorship for underage teams. The GAA has been phasing out alcohol advertising in grounds over the last number of years and does not have any drinks company sponsoring any of its competitions.
361. Members asked about the impact that relaxation of advertising restrictions in Clause 31 would have on GAA clubs. The GAA stated that its specific rationale for welcoming this proposed relaxation related to its community-based ethos. The vast majority of the functions in GAA social clubs, whether they were table quizzes or fashion shows are for a charitable purpose. A relaxation of the current restrictions, which do not allow those to be advertised, would be extremely beneficial to the charitable functions that the GAA community up and down the country supports.
362. The Committee then asked for the GAA's views on the definition of a major event. The GAA stated that it was very encouraging that the Department was taking a proactive attitude to identifying that major sporting events and other events were not just about what happens on the green, on the pitch or in the arena; they stretch much further than that. The GAA stated that it wanted to attract events of major size and significance to Northern Ireland. The Scottish model, which makes a determination on the basis of the national significance of the event would be supported by the GAA as a responsible approach in that fashion.

363. The Committee asked the GAA representatives about young people being on premises up to 11.00 pm to coincide with the main GAA club playing season.
364. The GAA surveyed its clubs on this and stated that the reason why it had highlighted the summer months is that there were games on Friday, Saturday or Sunday evening, and people attend as a family. Families will not come to watch a training session and the GAA felt that an extension was appropriate because families will be at games, and parents may want to go in for a drink after the match. Those games probably will not finish until 9.15 pm or 9.30 pm, particularly during the months of May and June, so the GAA welcomed the extension to 11.00 pm. Its primary focus was on the family being there for a game, rather than nothing happening and bringing them there on a different night or for a particular occasion.
365. Members then asked about the award ceremonies that happen outside the summer period and the GAA representatives stated that they would welcome the opportunity for juveniles to be there on three occasions in a year. Their key point was that, where a bar is open on any occasion, any juvenile on the premises must be accompanied by an adult and properly supervised at all times. Moreover, the bar should not be open in any part of the premises where a specific juvenile event is going on.
366. The **Institute of Public Health Ireland** representatives told the Committee that measures that make alcohol easier to buy facilitate more drinking and that can drive more harms. Alcohol licensing also has some longer-term influence on norms around drinking. For example, making alcohol available in cafes, cinemas and sporting venues can fundamentally change the experience of those activities and create additional opportunities for drinking.
367. Without a clear reference to public health and safety in the stated objective of the Bill, it was possible that alcohol-related harms could increase as a consequence of the Bill and the policy objective still be met. With that in mind, the representatives invited the Committee to consider including some reference to the protection of public safety at least, and public health ideally, in the wording of the overall policy objective of the Bill.
368. The rest of the UK has licensing objectives, and Scotland has public health as a stated licensing objective. If there is no scope to do that within the Northern Ireland governance structures, the Bill could make alternative provisions to provide a meaningful role for local health authorities when licensing deliberations are made on, for example, the granting of new licences, licence renewal and granting of additional late-night opening or special events licences.
369. The Making Life Better public health framework promotes a "health in all policies" approach. One of the tools that the representatives felt may be useful to the Committee in that regard was health impact assessment.

That was a process by which a policy can be judged as to its potential effects on the health of a population and the distribution of those effects.

370. For the Institute of Public Health Ireland, home delivery of alcohol had become even more of a concern in the context of the pandemic and they really welcomed action being taken in that regard. In their view, it was a really important part of the Bill, and they strongly welcomed it. Regarding self-service and vending machines, they welcomed the commitment to close off what are novel avenues of alcohol supply but did question the scale of the impact. They had no data on the significance of this type of supply but did have evidence that 11% of 11- to 16-year-olds in Northern Ireland reported having bought alcohol from a pub or club. A focus on self-service and vending may have limited impact on reducing access, whereas greater regulation of serving practices to young people might be a better target for change and enforcement.
371. As regards alcohol promotions, the representatives welcomed the proposed restriction on off-sales drink promotion in supermarkets. However, similar to the other measures, that is a limited response to the broader challenge of alcohol promotion and advertising activities. The representatives also supported the practical alignment of entertainment and alcohol licences. In summary, they invited the Committee to progress the measures in the Bill as they relate to self-service and vending, promotions and home delivery, but also invited the Committee to enhance the scope of the regulatory measures in line with the evidence and with a firm commitment to statutory-led monitoring and enforcement.
372. With regard to extended trading hours and special events, the representatives stated that the net effect of additional licensing hours may well be increased accessibility of alcohol and consumption. They could not see in the Bill any limits to the number of additional special event licences that could be granted or the number of additional trading hours per premises or geographic area. It was their understanding that there was no publicly available record of the number of authorisations or additional hours granted. The representatives invited the Committee to include in the Bill a commitment to shared data on the application and granting of those extended drinking hours.
373. The Institute of Public Health Ireland also had concerns about the public health impact of proposals for alcohol licensing in sporting clubs. From a public health perspective, sports clubs are a real community asset. They support active and healthy lives and social inclusion. The representatives urged the Committee to protect against creating the conditions where both national sporting events and local club events could be transformed into drinking occasions through things like branding, marketing, promotions and licensing arrangements.
374. On the proposal on drinking time, the representatives did not really find any evidence to say that extending drinking time leads to the outcomes of reduced instances of drinking too quickly or supporting a more gradual

departure of customers. The representatives invited the Committee to defer the provisions for increased drinking until such time as there is better evidence on the health and social outcomes and impacts for policing.

375. The Committee asked the representatives for their views on an evaluation plan for the Bill. They stated that the earlier you can plan for evaluation, the better. Scotland had set up a number of studies to examine the impacts of minimum unit pricing which was supported by Public Health Scotland and other bodies, so there was a precedent to that approach being taken when new legislation on alcohol is put in place to monitor the impacts in an objective and neutral way. There was the potential for increases in alcohol consumption, but that would depend very much on the degree to which the licensed premises take up the full scope of what is available in any, essentially liberalised, licensing regime. The concern for the Institute of Public Health Ireland was that, in the absence of knowing how the business sector might respond to being given the opportunity for additional licences, and without any limits on the number or nature of those licences, and without public health having a voice in the decision-making, there would not be a balance from the public health perspective.
376. The representatives were asked for their views on including a public health objective in the Bill. They stated that a public health objective is hugely important to look at the availability and accessibility of alcohol in, for example, low income or more deprived communities in order to assess the impact that it has on individuals and families and to consider what conditions and measures around licensing can be put in place to ensure that no further harm is caused as a result of increased alcohol consumption or increased access to alcohol.
377. The Committee then asked for views on a late-night levy. The representatives thought it was a good idea and highlighted a good example in Newcastle-upon-Tyne. This has included funding for the police, the fire service, health and social care, the ambulance service and a medical pop-up facility in high-drinking areas.

Committee Deliberations on the Clauses of the Bill

378. The Committee commenced its deliberations on the clauses of the Bill at its meeting on 11 March 2021 and continued the deliberations at its meetings on 18 and 25 March 2021; 1, 8, 15, 22 and 29 April 2021; and 6 May 2021.
379. The Committee Chairperson informed Members that this was their opportunity to go through the clauses and comprehensively review with the Department any issues raised by stakeholders or by Committee Members. It was also the opportunity to ask for clarification on how the Bill addressed these concerns and any additional action that the Department intended to take on the back of the evidence the Committee had received.
380. The Chairperson sought agreement to conduct the deliberations by subject matter, rather than in strict numerical clause order. However, it was noted that the formal clause by clause scrutiny at the end of the deliberations process would be done in numerical order. The Committee agreed that this was a sensible approach given the nature of the Bill covering both licensed premises and clubs.
381. The following information is a summary of the key points discussed and agreed during the deliberations. The full discussions can be read in the Minutes of Evidence of the relevant meetings.

Permitted Additional Hours

Clauses 1 and 23 - Removal of additional restrictions at Easter

382. The Committee queried whether there was scope to consider staff protections in the Bill if staff chose not to work the additional hours over Easter for reasons of their faith. The Departmental Officials suggested that there was potentially nothing further required given that retail staff currently have opt-outs. They agreed to clarify whether the retail legislation, which sits with the Department for Economy, would also cover licensed premises.
383. The Committee was subsequently content with the clarification provided in the Department's response regarding staff protections over the Easter period.

Clause 2 - Public houses and hotels: further additional hours

384. Members raised the possible introduction of a night-time levy which might be used to pay for any additional costs in relation to antisocial activity as a result of longer trading hours in some licensed premises and clubs. However, it became clear during discussions that this was a much more significant issue than some stakeholders might imagine. As there has

been no consultation on this issue, it would require consultation and engagement with councils in particular.

385. After much consideration, the Committee accepted that, as society, and in particular the hospitality industry, emerges from the impact of COVID-19, to amend the Bill to impose a levy would not be appropriate at this point in time. However, the idea of 'future proofing' the Bill was discussed which might allow for the introduction of a late-night levy at a later stage.
386. The Committee also queried the issue that had been raised in evidence by Hospitality Ulster who requested that the legislation relating to an Article 44 'Permitted hours' (late licence) on Sundays, which currently only allows for the sale of alcohol until 12 midnight, should be brought into line with permitted hours for the other late nights granted for the premises under Article 44.
387. The Committee wrote to the Department to ask if this issue was covered in the proposed Bill and, if not, would the Minister agree to consider an amendment to cover it. The Committee were subsequently advised that the issue was not dealt with in the Bill and the Minister was minded to take forward an amendment. The Committee requested that the Minister take forward an amendment to bring the legislation relating to an Article 44 'Permitted hours' (late licence) on Sundays into line with the 'Permitted Hours' for the other late nights granted for premises. The Minister agreed to take this forward as Departmental amendments for licensed premises and registered clubs.
388. Also in relation to this clause, the Committee considered a request by Drumbo Park Ltd. in relation to allowing Places of Public Entertainment to be eligible for late-night authorisations. At first, the Committee sought the Department's views on two potential possibilities in this regard:
1. The Bill is amended to include Places of Public Entertainment and Outdoor Stadia as a category of premises that may apply for additional permitted hours, in line with other licensed premises; or
 2. Such places are not currently eligible as they are not currently allowed an Article 47. An amendment to Article 48 could then make them eligible for an Article 47.
389. The Committee asked if the Minister would agree to consider either of the above proposed amendments. The Minister was not minded to make either of those amendments for a number of reasons and the Committee considered these and issue of Drumbo Park in more detail when it deliberated on Clause 7.

Clause 4 - Police authorisations for additional hours

390. Members queried where the increase from the present 20 nights of police authorisations for additional hours to the 85 in the Bill originated. The Departmental Officials stated that this was to bring small pubs in line with

the proposals for clubs in the Bill. Members suggested that, given the 104 'late nights' in Clause 2, there was a logic in increasing this proposal to 104 nights for clubs and also for small pubs. The Committee agreed to discuss this in more detail at a future meeting.

391. The Committee subsequently asked Officials, during the meeting on 25 March, to bring forward an amendment that would increase the number of occasions provided for in the Bill that small pubs and clubs can apply for late opening, from 85 to 104.
392. The Department Officials informed Members that any increase in the number of occasions a small pub could apply for 1.00 am opening would assist in the economic recovery of those premises once the hospitality sector reopens. The Bill contains a power whereby the number of occasions can be amended by regulations and therefore any issues arising from such an increase could be addressed fairly quickly in the future.
393. The Minister accepted the Committee's request and agreed to take it forward as a Departmental amendment.

Clauses 5 and 24 - Extension of "drinking-up time"

394. The Committee asked if it would be reasonable to build in a review of the extension of 'drinking-up' time provision into the Bill. The Departmental Officials stated that there was no need for a review of the extension to be on the face of the Bill, rather that the Minister could give a commitment to the Assembly to review the extension.
395. The Officials also confirmed that 'drinking-up' time related only to an establishment or part of an establishment where alcoholic drinks were sold i.e. not to an underage event in a hotel.
396. Members asked the Officials if implementing 'drinking up' time was optional for the licence-holder. The Department Officials stated that it was optional but that it would be good practice for the licence-holder to advise patrons of the 'drinking-up' time they would be afforded.
397. The Committee discussed that there may be other parts of the Bill where a review of the provisions would be required and it would return to the issue once it became clearer what extent of review it felt was required.

Clause 7 - Licensed race tracks: Sunday sales

398. The Committee had considerable discussions around the issue of Drumbo Park and was of the understanding that Clause 7, as drafted, would permit the sale of alcohol at the venue on a Sunday. However, it sought clarification if this is contingent on a race meeting taking place. Departmental Officials confirmed that it was contingent on a race meeting taking place, however, confirmed that Drumbo Park could avail of a

restaurant licence under Article 44 and apply for an occasional licence under Article 47.

399. The Departmental Officials informed the Committee that a place of public entertainment is licensed to sell alcoholic drinks ancillary to the provision of the entertainment and therefore the sale of alcoholic drinks on a Sunday would be contingent on a race meeting taking place. The permitted hours for places of public entertainment on a Sunday would therefore include the period of the entertainment and 30 minutes preceding and succeeding the termination of the entertainment, within the period 12.30pm to 10.00 pm.
400. The Committee requested that the Department clarified if Drumbo Park is to be classified/categorised as an outdoor stadium in the near future as its status would impact on any Committee decision in this regard.
401. The Department confirmed that it had laid a statutory rule with the Assembly Business Office on 25 March 2021 which will designate Drumbo Park as a stadium of importance to the whole of NI (The regulations commenced on 1 May 2021 and allow Drumbo Park to apply to the courts for a liquor licence as an outdoor stadium). Outdoor Stadia are permitted to apply to the courts for extension licences to hold functions until 1.00 am.
402. The Department did not believe that an Article 45 would be suitable for places of public entertainment and outdoor stadia, as this allows for premises mentioned in Article 5(1)(a) which are not structurally adapted to provide food and/or entertainment (i.e. small pubs) to apply for additional permitted hours, without the need to provide such food and/or entertainment.
403. Officials advised that Drumbo Park may have other options available rather than changing primary legislation. Officials believed that Drumbo Park has a restaurant, and therefore could apply for a restaurant licence under Article 5(1)(e), which would then allow it to apply for an Article 44 order to provide food and/or entertainment on a habitual basis.
404. Based on all it had heard and discussed, Members then indicated that they were content with the clause.

Regulation

Clause 3 - Alignment of closing time for liquor and entertainment

405. After considerable discussion about what this would mean in practice and how it might impact on providers of entertainment, the Committee requested clarification from the Department on the alignment of closing time for liquor and entertainment and whether this meant that the entertainment must end as soon as the additional permitted hour of alcohol sales has ended or when the 'drinking-up' time has ended.

406. The Committee was content with the clarification provided in the Department's response regarding alignment of closing time for liquor and entertainment. The Departmental response stated that Clause 3 of the Bill requires entertainment to end when "drinking-up" time has ended.
407. The Committee did take account of correspondence in relation to night time entertainment and asked the Department for its views on whether the Bill went far enough to accommodate the night time entertainment sector. The Department stated the Bill will allow further additional hours, until 2am, up to 104 nights per year which is the equivalent of 2 nights per week and that current additional hours, until 1am, continue to be available to "nightclubs"/pubs who wish to provide alcoholic drinks along with food and/or entertainment throughout the week. For clarification, entertainment provided beyond 1am or 2am on the occasion of the 104 late licenses is not covered by this legislation.
408. Overall, the Committee indicated that it was content with the alignment of liquor and entertainment licences.

Clause 9 - Requirement for off-licence

409. In response to queries from Members, Officials clarified that where an organisation is receiving a delivery of alcohol an 'under 18' can receive it. There was also some discussion about the provision of 'open' pints from an off-licence or delivery van.
410. Members indicated that they were in favour of the proposed restrictions.
411. The Committee considered a potential gap in licensing legislation, highlighted by the PSNI in relation to roadside van sales of open pints and drinks and off-selling of open alcohol (pints/cocktails) from their off-sales.
412. The Committee requested the Department's view on whether the following proposed amendment would deal with the gap and, if so, would the Minister be in agreement to consider an amendment proposed by the PSNI to cover the issue:

Clause 9 - insert subsection:

"9 (1), line 14 at end insert

Intoxicating liquor dispensed from a vehicle from the side of the road is not considered to be a licensed premises";

9(2) (1A)(c) ensure that the liquor is dispatched in the manufacturer's original sealed packaging".

413. Members noted the Department's response that the wording of the PSNI proposed amendment was not suitable. The Committee was keen to see the gap addressed and requested that the Department take forward a

suitably worded amendment to deal with the issue for the Committee's consideration.

414. However, the Minister was not content to take forward an amendment on this issue and, after further deliberations and explanations from the Department on the current law in this area, the Committee was content with the clause as drafted as it seemed to be an enforcement matter rather than any gap in the current law.

Clause 14 - Restaurants and guest houses - notice displaying licence conditions

415. The Committee noted that the main comments they had received in evidence that the requirement is unlikely to make any difference. Members notes that the vast majority of restaurants and guest houses are responsible, but did know of establishments that flouted the rules and operated as a bar despite paying for only a restaurant licence.
416. However, Members saw no reason not to support the clause and indicated that they were content with this clause.

Clauses 15 and 30 - Prohibition on self-service and sales by vending machines

417. Members supported these clauses and asked the Officials about the use of an 'honesty box', for example in a guest house, to pay for alcohol. The Officials indicated that they would need to look at this further and would bring a reply back to a future Committee meeting.
418. The Departmental response stated that honesty boxes would indeed be captured in the prohibition under these clauses.
419. Members indicated that they were content with the response.

Clause 18 - Occasional licences: conditions

420. The Committee discussed how councils run events with an occasional licence and the Christmas market in Belfast was cited as an example. The question was asked how this might happen where the council has a licence and Officials noted that if a council had the appropriate licence then it could apply for an occasional licence.
421. The Committee indicated that, overall, it was content with the clause, however did note that they had received evidence that indicated there were potential disparities around the access to occasional licences across Northern Ireland.

Clauses 19 and 32 - Code of practice

422. The Committee requested that the Departmental Officials clarify exactly what these clauses provided for. They heard that under each of those clauses, the Department will be able to approve a code of practice that relates to the display, sale or promotion of alcoholic drinks. The Department will be required to consult the PSNI before approving any

code that is brought to it. When an applicant wants a licence granted or transferred, they need to prove to the court that they are aware of their responsibility under any code that applies to them. For renewal, the licence holder has to prove that they have complied with the responsibilities under the code.

423. Based on the various views from sectors with different interests expressed during its evidence sessions, there was considerable deliberation on whether the code of practice should be voluntary or mandatory. The Officials advised that if the licence holder does not sign up to the current voluntary code then the licence will not be renewed and the Bill as drafted takes this a step further in providing for the Department to approve such codes.
424. The Committee agreed that this issue would need further consideration and as part of its further deliberations on codes of practice, the Committee considered the potential to widen the scope of the persons or groups with relevant interest as specified in 76F(2), for example, to include non-industry groups.
425. The Committee wrote to ask whether the specific relevant additions would be supported by the Minister and subsequently sought a final point of clarification on this matter as to whether the clause as drafted allowed for the existence of a number of codes of practice written by different sectors and approved by the Department.
426. The Department confirmed that the clause as drafted will allow for the existence of a number of codes of practices, written by different sectors and approved by the Department. Members indicated that they were content with this explanation and the clause.

Clause 20 - Body corporate - change of directors

427. The Committee queried if this clause would deal with the issue of licences being passed around different family members in order to 'beat the system'.
428. The Department Officials confirmed that if there were any change of director at all, the police and the court have to be notified. That gives the police an opportunity to have that licence suspended if they have concerns about the appropriateness or fitness of one of the directors.
429. The Officials also highlighted that the decision on the level of fine is in line with companies' legislation. It is the same level of fine that a company director would have if there were no notification of a change of directorship.
430. A Member queried whether company directors should be subject to an Access NI-type check.

431. The Officials highlighted that this was not part of the Bill and if the police have any concerns, they have ways of checking criminal convictions already.

432. Members indicated that they were content with this clause.

Clause 21 - Removal of exemption for angostura bitters

433. Members indicated that they were content with this clause and noted that the practicalities of this clause mean that, although angostura bitters can currently be sold in the ordinary grocery part of a supermarket, they now have to be sold within the licensed premises part.

434. Members indicated that they were content with this clause.

Advertising and Loyalty Schemes

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

435. The Committee were reminded that this clause is about restricting advertisements or drinks promotions in a supermarket to the alcohol display area only and that off-sales premises will not be permitted to advertise their drinks promotions within 200 metres of any off-sales premises – that is, supermarkets or stand-alone off-licences – and the clause also allows that distance of 200 metres to be amended in the future by regulations, if there is a need to do so.

436. Members queried if there was scope to restrict advertising on public service vehicles and close to schools. The Departmental Officials highlighted that this Bill is about organising the sale of alcohol in licensed premises and associated with licensed premises and that a wider public health approach would be a matter for the Department of Health. It would be outside the scope of the Bill to impose restrictions on advertising on buses or close to schools.

437. Members discussed and sought clarity on the distribution of advertising leaflets/brochures within a 200m radius of licenced premises as Members had concerns around how this would impact on varying retail businesses of different sizes.

438. The Departmental Officials advised that they would seek legal advice on this as they stated that the legislation applied to specific licensed premises, not to generic advertising, for example on bus stops/buses etc.

439. The Departmental response to these queries stated that the distribution of leaflets within a 200m radius would indeed be captured under clause 16, however, that only leaflets/brochures which wholly or mainly promote the purchase on those premises are captured.

440. Members indicated that they were content with the Departmental response and generally content with the clause and understood the limitations of the Bill in that regard.

Clause 17 - Prohibition of Loyalty Schemes

441. The Committee noted the concerns it had heard that this clause could unduly penalise responsible drinkers and Northern Ireland consumers. It had heard that responsible promotions and marketing practices, including loyalty schemes, are seen by retailers as a legitimate way of maintaining and developing business.

442. However, Members noted the public health driver for this clause given the increase in home drinking in recent years. It confirmed the operation of different loyalty schemes by larger retailers that operate across the devolved administrations and the Republic of Ireland and that tobacco and lottery cards were not included in these schemes.

443. There was some concern that this clause could lead to larger retail chains no longer running their schemes in Northern Ireland and this would impact on customers and on community organisations who benefit from such schemes in various ways.

444. It was also recognised that retailers would require a sufficient lead-in time to make the relevant changes. The Departmental Officials agreed to check the variation in loyalty schemes across UK. Members indicated that they were content with this clause subject to the checks.

445. The Department subsequently responded to the Committee that alcohol and other products were exempted from some large retailers' schemes without detriment to the operation of the scheme generally.

Clause 31 - Restrictions relating to advertisements

446. The Committee heard from the Officials that under the clause, registered clubs will now be allowed to advertise their functions outside the club premises. That is currently not allowed. The new permission will be provided on the basis that the advertisement has to clearly state that only members and their guests are allowed to attend. There are functions where the proceeds are fully donated to charitable or benevolent purposes. Members of the public can attend those events, so the club will not be required to make that statement for members and guests on that advertisement.

447. The Committee noted that when it comes to charity events, those events are aimed at their own communities and charities in them, so you want the entire community to be able to attend and was generally content with the clause.

Major Events

Clauses 6 and 25

448. There was some debate between Members and the Departmental Officials as to what constituted a ‘major event’. The Officials stated that, broadly speaking it is a significant event that happens in Northern Ireland that can be used to promote Northern Ireland. However, it could be argued that an event that is happening outside of NI but being televised at a ‘big screen’ event could be a major event, but the merits would have to be established.
449. Members felt that based on the evidence they had heard there was considerable work to be done around devising a framework for how applications would be made for major event status to be granted and how decisions would be taken in that regard.
450. The Committee asked that if, in the absence of a Minister, the Department would have the power to designate major events. The Departmental Officials stated that this was a good point and that they would come back to the Committee with a response.
451. The Departmental response confirmed that, should there be a situation in the future where no Minister was in place, the power to designate a major event under Clauses 6 and 25 could still be taken by a senior officer of the Department.
452. Members indicated that they were content with the Departmental response and the clause in general.

Local Producers

Clause 8

453. The Committee devoted a substantial amount of time to deliberations on the clause as drafted and also on the additional issue of ‘taprooms’, which was not covered in the Bill.
454. Deliberations on the clause and the taprooms issue began at the meeting on 11 March 2021 and continued until the meeting on 6 May 2021, a total of 8 meetings with at least 10 hours of discussion devoted exclusively to these issues.
455. A very considered approach was taken by all Members to the issues in relation to local producers and taprooms, as Members were very aware of the gravity of any decisions they would make. Lengthy and thorough debate and discussion took place in closed sessions to allow all Members to take time and space to consider all the evidence that had been presented to the Committee and to consider the difficult decisions facing them to find a way forward.

456. The Committee all felt that they wanted to further support local producers and tourism in some way through the Bill, without causing harm to other sectors of the hospitality industry.
457. The Committee was generally content that the clause as drafted gave local producers considerably more scope to market and sell their product than ever before. However, as they had received substantial information and evidence (both for and against the issue of ‘taprooms’) from a wide range of organisations and individuals from across the hospitality sector, from small breweries, distillers and cideries, the Committee felt that the matter would need to be considered in significant detail.
458. Departmental Officials advised Members that the licensing of taprooms could have wide-ranging implications, some of which related to additional competition to existing licensed premises. However, as they had not consulted on taprooms, the Department’s comments on taprooms is anecdotal.
459. Members noted that taprooms had been an issue since the proposed 2016 legislation and queried the rationale behind the fact that the Department had not included it in the Bill consultation or done any of the extensive research, which the Officials now stated would be necessary before they could make any recommendations in this area.
460. Members had concerns around potential unintended consequences of legislating for taprooms in the Bill but a majority of the Committee felt that they wanted to further support local producers and tourism through provision for taprooms, without causing harm to other sectors of the hospitality industry.
461. The Committee decided to request that the Bill Office bring forward a number of proposals for the Committee’s consideration at a subsequent meeting on enhancements to Clause 8 and also on taprooms - such as the sample amounts and hours of tours and how taprooms might operate in a limited capacity in terms of linkages to tours, opening hours, review etc.

Clauses Relating to Under 18s

462. During deliberations on this set of clauses, the Committee remained mindful of the views it took during its ‘Zoom’ informal stakeholder engagement event with young people on 9 March who made many comments of relevance to the deliberations on these clauses (see Appendix 5 for summary of issues raised at the event). The Committee had been very pleased with the success of the event and referred to the notes of the meeting on numerous occasions to inform their discussions and highlighted specific comments that had been made by the young people.
463. There were a considerable number of issues in this set of clauses which Departmental Officials agreed to check, and then respond with either

clarification, suggested changes to wording or, where having heard Committee evidence and discussions, the Minister was already minded to make an amendment if the Committee proposed.

Clauses 10 and 26 - Removal of requirement for children's certificate etc.

464. The Committee deliberated on the considerable support for this proposal to remove the need for a separate children's certificate, as the current system is seen as bureaucratic and costly and can be replicated in the main liquor licence conditions, meaning that the PSNI will not have to check continually whether premises have a certificate in place.
465. However, the Committee noted that there were some concerns that the safeguards be properly enforced and monitored and that all necessary provisions to protect children should be built into a statutory code of practice.
466. Members then indicated that they were content with this clause.

Clauses 11 and 27 - Underage functions

467. The Committee expressed concern that one of the key issues that came up in the young person's event was that, although the event may be over at 1.00 am, there is potential for those young people to be coming out at the same time as people who have been drinking. They did not seem to be so concerned about that, but they did want to have time in which to be collected by taxis, by parents etc.
468. Based on this, the Committee queried whether an underage event would need to stop earlier in order to have young people off the premises completely by 1.00 am. Departmental Officials agreed they needed to seek advice and would respond to the Committee.
469. Officials subsequently advised that the Bill as drafted would indeed mean that a licence holder would commit an offence if under 18s were still on the premises, albeit in the process of leaving, after 1.00 am.
470. The Departmental Officials thanked the Committee for highlighting the need for a very necessary amendment and that the Minister had advised the Officials to clarify the policy intent of the provision by tabling an amendment allowing a young person to remain on the premises while in the process of leaving/waiting to be collected.

Clauses 12 and 28 - Private Functions

471. The Committee first queried the definition of a 'main course' in the clause. The Departmental Officials agreed to check with the draftsman on the wording of 12(1)(c) and 28 3A(c) - 'a meal consisting of at least a main course is being served at the function' - there were concerns that this would need to be clarified in the Bill or EFM or a separate guidance

document. Members wished to know whether it would cover, for example, a buffet-style meal or food brought by hosts to a club venue etc.

472. The Committee also had concerns about the wording in terms of 12(1)(b) and 28(b) and asked the Department to check with the draftsman - Members highlighted that it was potentially too restrictive to require an U18 to be 'attending the function in the company of a parent' and gave some examples (i) of a child bringing a friend or (ii) a 16- or 17-year-old care leaver who has no 'parent'. A number of alternatives were discussed, including being 'supervised by a responsible adult' or using a ratio of adults to children as per education-related settings or events.
473. The Committee was subsequently content with the Department's clarification on the 'main course' issue but legal Counsel needed to provide advice on the matter of the supervision of children.
474. The Departmental Officials thanked the Committee for raising very valid points regarding the supervision of young persons at private functions. The Department's concerns in considering alternative wording in this regard were around relaxing the provisions so much that it provides a loophole in the legislation, or about tightening the definition so much that it makes it impossible to implement. Having sought legal advice, the Minister subsequently advised her Officials to table an amendment with the Committee which would provide for allowing a young person to be in the company of their own "parent" or the "parent" of another child attending the function.
475. The Officials highlighted that the definition of "parent" in the Bill was explained in 12(2) and 28(3C) as being someone with parental responsibility within the meaning of the Children (NI) Order 1995.

Clause 13 - Delivery of intoxicating liquor to children

476. The Committee noted there was widespread support for the prohibition of the delivery of alcohol to people under the age of 18 and for requiring proof of age to be shown and recorded on delivery. However, also that a number of concerns had been highlighted to them about the exaggerated risk around such deliveries, the practical implications and the policing aspects.
477. The Committee discussed the evidence that had highlighted new technologies for age verification may become commonplace in the future.
478. Members then indicated that they were generally content with this clause.

Clause 29 - Young people prohibited from bars

479. Based on the discussions the Committee had around its evidence from sporting clubs and the NI Federation of Clubs, the Committee was advised that the Minister was minded to extend the time period in 29(1) and the number of award nights in 29(3) if the Committee wished to propose an amendment.
480. After deliberation, the Committee agreed to request that the Minister proceeded to make an amendment to extend the time period in 29(1) from 1st May to 30th September and the number of nights in 29(3) to “not more than three”.
481. The Departmental Officials informed the Committee that the Minister had accepted both requests and would take these forward as Departmental amendments.

Sporting clubs

Clause 22 - Sporting clubs

482. The Committee discussed evidence it had received from the PSNI regarding the issue of Clubs wishing to alter their premises (potentially to avail of an extension authorisation) and queried whether clubs should have to apply to the Court before any work is carried out; rather than just advise the court when their registration is due for renewal.
483. The Departmental Officials stated that there was indeed an anomaly here between clubs and other licensed premises and that the Minister would be minded to consider an amendment.
484. In addition, the Committee highlighted concerns over the use of one-day club memberships, which have been used by some clubs to allow access to the bar facilities and not to make use of the sporting facilities, which is the intention of such one-day memberships. With this matter also, the Minister was minded to make a clarifying amendment.
485. The Committee requested these amendments be made and the Departmental Officials subsequently informed the Committee that the Minister had accepted both requests and would take these forward as Departmental amendments.

New Clauses Proposed by the Committee

Duty to Produce Guidance

486. The Committee considered the number of clauses in the Bill where it or stakeholders giving evidence had needed to seek further clarification and/or explanation on the intent or extent of provisions.

487. The Committee was of the view that licensed premises and clubs should not have the onus put on them to decipher what the Bill means in practice for their establishment.
488. The Committee proposed an additional clause providing for a statutory duty on the Department to produce and publish guidance on the provisions of the final Act, similar to the guidance produced for the Licensing (Scotland) Act 2005. The Committee wrote to the Minister to ask if she would be in agreement to consider such an amendment.
489. Although the Department subsequently responded that it would be the usual course of action to produce guidance and that it did not need to be included in the Bill, the Committee remained of the strong view that the evidence they had heard meant that such a new clause had considerable merit and requested that the Minister reconsider taking forward a new clause in this regard.
490. The Departmental Officials then informed the Committee that the Minister had accepted the request and would take this forward as a Departmental amendment.

Future Review of the Act

491. The Committee first started to consider a Review of the Act when deliberating on Clause 5 and then, during its wider deliberations in many areas of the Bill, it became clear to Members that there were a considerable number of new provisions that warranted Review to determine the impact of the provisions on the industry and wider society as a whole.
492. The Committee decided to write to the Department to ask if the Minister would consider adding a new clause in the Bill where all necessary reviews of the legislation, including a review of 'drinking-up' time, could be covered.
493. The Committee noted a subsequent written commitment of the Minister to review implementation of the Bill and that work had already begun on an evaluation plan.
494. However, after further discussions of the issue, the Committee remained strongly of the view that it wished to see a separate 'Review' clause in the Bill. The Committee requested that the Minister take forward an amendment for a clause which contained a review of the implementation of the provisions of the Bill and subsequent report to the NI Assembly by the end of three years of the Bill getting Royal Assent and, following that first review, subsequent reviews and a report should happen within five years of the previous report.
495. At a subsequent meeting, the Departmental Officials informed Members that there was concern about the initial three-year review period for a number of reasons. Following receipt of Royal Assent, Officials will

continue to be engaged in the development and progression of the necessary commencement orders and secondary legislation to ensure implementation of the provisions within the resulting Act.

496. The Departmental Officials further stated that licensed trade will require some time to rebuild from the restrictions place on them by Covid-19. Early figures are expected to be skewed given premises have been closed for so long, and there is expected to be some level of restrictions going forward for some time.
497. Restrictions to date have included curfews, which would impact on the evaluation of provisions relating to permitted hours, and social distancing, which impacts on the numbers of patrons and would not provide a true reflection of any impact on local residents etc.
498. The Officials also told the Committee that the Minister would be willing to take forward an amendment where the first review is carried out *as soon as practicable* after three years following commencement of the provisions.
499. In respect of subsequent reviews every five years, Officials considered other pieces of legislation over the past 13 years and determined that such a prescriptive approach is the exception. The Department had also taken advice and understood that the more common approach was to have just an initial review, or an initial review followed by subsequent reviews as and when the Department *thought appropriate*.
500. In the Department's view, to require a review every five years would commit resources from different branches from within the Department for Communities, the Department of Health, PSNI, Courts, local Councils, and others to gather the relevant evidence and produce a report. Should the reviews prove to be of little or no benefit after a number of years, primary legislation would be necessary to remove the requirement.
501. The Departmental Officials informed the Committee that the Minister would be willing to take forward an amendment where subsequent reviews are carried out as and when the Department thinks appropriate.
502. The Committee was still of the view that the clause was needed, so requested that the Bill Office draft a 'Review' clause to cover all the issues it had raised and that this clause should propose that the first review could take place as soon as was practicable for the Department after three years, a subsequent review five years after that and then a 'sunset' subsection could be included so that it could be considered at that stage if further reviews were necessary.
503. The Committee highlighted its plans for such a Committee amendment these proposals to the Department and was pleased to subsequently be informed that this would now be taken forward as a Departmental amendment.

Additional Issues Considered

504. The Committee received a wide range of evidence highlighting important issues that, although connected to the health, social and economic impacts of alcohol consumption and licensing issues, were not directly within the scope of the Bill and indeed, at times, fell outside the remit of the Department of Communities.
505. However, the Committee felt that much of this evidence was of such significance that it wished to consider some of them in further detail for possible inclusion within the Bill or for its recommendations.

Entertainment Venues

506. Due to the evidence it heard from the sector, the Committee queried if the Minister would be minded to include cinemas in the list of 'Places of Public Entertainment' in order that they could serve alcohol, similar to theatres etc.
507. Over a number of discussions with the Committee on this matter, the Departmental Officials raised a number of points with the Committee.
508. They advised that this would be against the policy intention of the Bill and would only increase the number of licensed premises.
509. They also informed Members that they had concerns regarding an amendment allowing, in primary legislation, drink to be sold in cinemas without public consultation having been done.
510. The Officials also stated that, given there are so few entertainment options for families or people who prefer not to be in the company of those consuming alcohol or in the presence of alcohol itself, there was potential for the public, and cinema staff, to hold strong views on the issue.
511. Having investigated the matter further for the Committee, the Officials believed that there may be an opportunity in current legislation to include cinemas within the definition of a "place of public entertainment" via regulations, and sought legal advice.
512. The Departmental Officials subsequently informed the Committee that legal advice had confirmed that cinemas could be included in the definition of "place of public entertainment" by Regulations. The Department proposed that a public consultation could be carried out on this specific issue over the summer months and the outcome brought to the Committee on completion in the autumn. Providing the consultation raised no serious issues, the Regulations could be made in a relatively short timescale in the autumn. The Committee requested that the Minister confirmed, in writing, her agreement to this timetable.

513. The Minister confirmed that she had instructed Officials to carry out a short focused public consultation over the summer months and subject to no serious concerns being raised, regulations would be brought to the Assembly in the autumn.

514. The Committee was content with this response on the matter of cinemas.

Article 31 of the Current Licensing Order

515. The Committee heard concerns during its evidence around Article 31 of the current Licensing Order, which describes the consent required for certain alterations to licensed premises. The Department agreed to check with the Courts if any applications are delayed over the summer period when courts are closed.

516. The Committee was then content with the Department's response on the issue of court sittings over the summer in terms of Article 31 applications and did not take this issue forward.

List of Licenses

517. The issue of the number of licences and the geographic spread was discussed a number of times during the Bill sessions as Members were concerned that there was no central database to check for any imbalances in the range and spread of licences.

518. The Research and Information Service brought to the Committee's attention mapping work done by the Department a few years ago and, on request, the Department supplied the maps (See Appendix 5).

519. The Department agreed that there was indeed a piece of work to be done to compile a full and accessible list of all licensed premises.

520. The Committee asked if the Minister would be minded to take forward such a piece of work with the Justice Minister.

521. The Committee was pleased to hear of the Minister's subsequent engagement with the Justice Minister on this matter and requested to be kept up to date with progress on this issue.

Minimum Unit Pricing

522. During a considerable number of the evidence sessions, particularly from those with an interest in public health and the health impact of alcohol consumption, the matter of Minimum Unit Pricing (MUP) was raised and discussed.

523. The Committee understood that the Minister for Health, Robin Swann MLA, made a commitment in July 2020 to undertake a consultation on the introduction of MUP in NI and did not feel at first that it was within its remit.

524. However, an Assembly Bill Office Official advised the Committee that the issue was *potentially* within the scope of the Bill.
525. After deliberation, the Committee asked the Assembly Bill Office to draft an amendment that would place a duty on the Minister for Health to introduce MUP within a certain timescale.

Specific Deliberations on Amendments

526. The deliberations and decisions on amendments - Departmental and Committee - took place mostly in the latter few weeks and completed on 6 May.

Clause 4 - Police Additional Hours and New Clause 24A Authorisations for

Clause 4, page 5, line 26

Leave out "85" and insert "104".

New clause

After Clause 24 insert—

"Increase in number of authorisations for special occasions

24A. In Article 26 of the Registration of Clubs Order (authorisation for special occasions), in paragraph (2), for "85" substitute "104".

527. The Chairperson informed Members that the Departmental amendments put in place what the Committee had requested - it would increase the number of times provided for in the Bill that small pubs can apply to the police for late opening from 85 to 104.
528. The Chairperson further informed Members that the new Clause 24A would do the same for clubs by increasing the number of times provided for in the Registration of Clubs (NI) Order 1996 that registered clubs can apply to the police for late opening for special occasions from 85 to 104.
529. Members indicated that they were content with the text of the draft amendments.

Clauses 11 and 27 - Underage Functions

Clause 11, page 16, line 38

After "force" insert "or during the first 30 minutes after the authorisation has ceased to be in force"

Clause 27, page 29, line 84

After "force" insert "or during the first 30 minutes after the authorisation has ceased to be in force".

530. The Chairperson informed Members that the Departmental amendments dealt the Committee's issues of concern and allowed a young person to

remain on the premises while in the process of leaving/waiting to be collected from such a function.

531. Members indicated that they were content with the text of the draft amendments.

Clauses 12 and 28 - Private Functions

Clause 12, page 17, line 28

Leave out “of a parent” and insert “either of a parent of that person or of a parent of another person who is under 18 and attending the function”.

Clause 28, page 29, line 29

Leave out “of a parent” and insert “either of a parent of that person or of a parent of another person who is under 18 and attending the function”.

532. The Chairperson informed Members that as the Committee requested the Departmental amendments allowed a young person to be in the company of a parent of another child attending the function.
533. A Member sought clarification from the Departmental Officials in relation to Section 75 and the definition of “parent” within the proposed amendments.
534. The Member was content with the clarification provided by the Departmental Officials.
535. Members indicated that they were content with the text of the draft amendments.

Clause 8 and Taprooms

536. As stated earlier in this report, the Committee devoted a substantial amount of time to deliberations on the clause as drafted and also on the issue of ‘taprooms’, which was not covered in the Bill and that deliberations on the clause and the taprooms issue began at the meeting on 11 March 2021 and continued until the meeting on 6 May 2021, a total of 8 meetings with at least 10 hours of discussion devoted exclusively to these issues.
537. The majority of the Committee was content that Clause 8 as drafted gave local producers considerably more scope to market and sell their product than ever before, however commenced deliberations on specific proposals brought by the Assembly Bill Office to further support local producers and tourism in some way through the Bill.
538. The Committee subsequently deliberated extensively on a range of draft amendments proposed by the Assembly Bill Office and narrowed down the options to be considered further and then requested that more specific

proposals be brought back by the Bill Office for consideration at the meeting on 29 April.

Taprooms:

New Clause - Proposed New Article 48C to the Licensing (NI) Order 1996

539. The Committee subsequently considered revised proposals from the Bill Office on a new clause, which provides that local producers can apply to the court for an order specifying any part of the production premises as being suitable for the sale and consumption of intoxicating liquor.
540. Members gave their views on the proposed new clause and the Chairperson informed Members that they needed to take a vote.

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

The Committee divided: Ayes 5; Noes 3; Abstain 0

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

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

Agreed: The Committee agreed that it was generally content with the new Clause, pending further refinement by the Bill Office

New Clause 8B: Taprooms

541. The operation of a taproom, once the premises was approved, was then covered in a new Clause 8B as drafted by the Committee Bill Office.
542. 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 generally content with Clause 8B, pending further refinement by the Bill Office.

543. Ms Armstrong and Mr Allen wished it to be noted that, although in agreement with Clause 8B as drafted, they would have wished to see longer opening hours for taprooms.
544. Mr Durkan wished it to be noted that, although in agreement with Clause 8B as drafted, he had reservations about the opening hours as stated in Clause 8B as this may have a detrimental impact on the hospitality industry.

545. At the next meeting, the Committee considered the clauses again as redrafted by the Bill Office:

New Clause - Proposed new Article 48D to the Licensing Order 1996

546. The proposed new taproom clause, which provides that those premises that hold an Article 48C order can apply to the court for an extension licence to allow them to sell intoxicating liquor produced in the premises for consumption in the premises from 4.00 pm to 10.00 pm.

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

The Committee divided: Ayes 8; Noes 0; Abstain 0

AYES: Ms Paula Bradley, Ms Kellie Armstrong, Mr Mark Durkan, Mr Andy Allen, Mr Alex Easton, Mr Fra McCann, Ms Karen Mullan, Sinéad Ennis.

Agreed: The Committee agreed that it was generally content with the new Clause, pending further refinement by the Bill Office.

Proposed Amended Clause 8 - Provision of samples/measures on tours of the production premises

548. The Committee also considered proposed amendments drafted by the Bill Office, which would amend Clause 8 of the Bill to replace lines 27 - 33 in the current draft of the Bill to provide enhancements to the provisions of samples on tours of the production premises.

549. The eight Committee Members present were in unanimous agreement with the amended Clause 8, pending some further checks on the drafting.

550. Members agreed to return to these amendments at the meeting on 6 May 2021 once final drafting checks had been completed by the Bill Office, particularly around the issue of links with use of occasional licences.

551. **At its meeting on 6 May 2021 the Committee considered final amendments provided by the Department and the Assembly Bill Office.**

552. Members were in agreement with the following Departmental amendments:

Removal of restrictions on late opening on Sunday:

553. Amendment to bring the additional opening hours on any Sunday into line with those currently permitted on weekdays for both licensed premises and registered clubs.

New Clause 1A (for licensed premises)

After Clause 1 insert –

“Removal of restrictions on late opening for on-sales on Sunday

1A.– (1) In Article 30 of the Licensing Order (occasional licences), in paragraph (1)(c), for paragraphs (ii) and (iii)–

“(ii) on Sundays, between half past 12 in the afternoon and 1 in the morning of the day next following,”.

(2) In Article 42 of the Licensing Order (general permitted hours)–

(a) in paragraph (1), after sub-paragraph (a) and the following “and” insert–

“(aa) on Sundays, other than Christmas Day, from half past 12 in the afternoon to 11 in the evening;”,

(b) in paragraph (1)(c), for the words from “except” to “Christmas Day” substitute “on Christmas Day,”, and

(c) in paragraph (3), for “paragraph (1)(c)” substitute “paragraph (1)(aa) and (c)”.

(3) In Article 42 of the Licensing Order, after paragraph (1) insert–

“(1A) Neither paragraph (1)(aa) nor, in a year when Christmas Day is on Sunday, paragraph (1)(c) applies in the case of premises of a kind mentioned in Article 5(1)(a) with respect to which a direction under Article 7(10) or 15(5)(a) is in force.”.

(4) In Article 44 of the Licensing Order (orders for additional permitted hours), in paragraph (2), for the words from “the hours–” to “shall” substitute “the hours on any day from 11 in the evening to 1 in the morning of the day next following shall”.

(5) In Article 45 of that Order (authorisations for additional permitted hours), in paragraph (1), for the words from “the hours–” to “in addition to” substitute “the hours on any day from 11 in the evening to 1 in the morning of the day next following in addition to”.

(6) In Article 47 of that Order (extension licences), in paragraph (1)(b), for paragraphs (ii) and (iii) substitute–

“(ii) on Sundays, between half past 12 in the afternoon and 1 in the morning of the day next following,”.

New clause 23A (for registered clubs)

After Clause 23 insert–

“Removal of restrictions on late opening on Sunday

23A.— (1) In Article 24 of the Registration of Clubs Order (general permitted hours), in paragraph (1)—

(a) after sub-paragraph (a) and the following “and” insert—

“(aa) on Sundays other than Christmas Day, from half past 12 in the afternoon to 11 in the evening; and”, and

(b) in sub-paragraph (c), omit “Sunday or”.

(2) In Article 26 of the Registration of Clubs Order (authorisations for special occasions), in paragraph (1)(a), for paragraphs (ii) and (iii) (but not the “or” following paragraph (iii)) substitute—

“(ii) on Sundays, from 11 in the evening to 1 in the morning of the day next following,”.

Alterations to Registered Clubs

554. Amendment to require registered clubs to apply to the courts for approval to make alterations to club premises.

New Clause 22A

After Clause 22 insert—

“Alterations to premises

Consent required for alterations to premises

22A.— (1) After Article 12 of the Registration of Clubs Order insert—

“Alterations to club premises

Consent required for certain alterations to premises

12A.— (1) An alteration shall not, subject to paragraph (2), be made to the premises of a registered club if the alteration—

(a) gives increased facilities for drinking in any part of the premises which contains a bar; or

(b) adds to any part of the premises which contains a bar or substitutes one such part of the premises for another; or

(c) conceals from observation a part of the premises in which intoxicating liquor is supplied; or

(d) affects the means of passage between a part of the premises which contains a bar and the remainder of the premises or any road or other public place.

- (2) An alteration such as is mentioned in paragraph (1) may be made if—
- (a) an application under this Article has been made by the secretary of the club to a county court and the court has made an order consenting to the alteration; or
 - (b) the alteration is required by order of some lawful authority and, before the alteration is made, notice of the requirement is served by the secretary of the club on the clerk of petty sessions.
- (3) The procedure for applications under paragraph (2)(a) is set out in Part 1 of Schedule 4A, and Part 2 of that Schedule has effect in relation to notices under paragraph (2)(b).
- (4) If an alteration such as is mentioned in paragraph (1) is made to premises otherwise than in accordance with an order of the county court or an order of some lawful authority, a court of summary jurisdiction may order the registered club to restore, as far as is practicable, the premises to their original condition within a period fixed by the order.
- (5) The period fixed by an order under paragraph (4) may be extended by order of a court of summary jurisdiction on the application of the secretary of the club.
- (6) If paragraph (2)(b) is not complied with, the registered club and every official of the club is guilty of an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (7) If the registered club makes default in complying with an order under paragraph (4), the club and every official of the club is guilty of an offence and is liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months or to both.
- (8) This Article does not apply to an extension such as requires authorisation under Article 15A.”.”.

(2) After Schedule 4 to the Registration of Clubs Order insert—

“SCHEDULE 4A

APPLICATIONS AND NOTICES UNDER ARTICLE 12A

PART 1

APPLICATIONS FOR CONSENT TO ALTERATIONS

1. In this Part “application” means an application under Article 12A(2)(a).
2. The secretary of a club which intends to make an application must, not less than 3 weeks before the time of the opening of the court sittings at which the

application is to be made, serve notice of the application upon the chief clerk and at the same time serve a copy of the notice upon—

(a) the district commander for the police district in which the premises of the club are situated; and

(b) the person whose name is recorded in the register of clubs as the owner of the premises of the club.

3. The notice mentioned in paragraph 2 must be in such form and, without prejudice to paragraph 4, must contain such other information as may be prescribed by county court rules.

4. The applicant must attach a plan of the premises showing the alteration to—

(a) the notice mentioned in paragraph 2, and

(b) the copy of that notice which is served upon the district commander.

5. The district commander upon whom notice is required by paragraph 2 to be served or the person whose name is recorded in the register of clubs as the owner of the premises of the club may appear at the hearing of the application and object to the court consenting to the alteration to which the application relates.

6. A person intending to object under paragraph 5 must, not less than 1 week before the time of the opening of the court sitting at which the application is to be made—

(a) serve upon the applicant notice of the intention to object, briefly stating the grounds for so doing;

(b) serve a copy of the notice upon the chief clerk.

PART 2

NOTICES OF ALTERATIONS REQUIRED BY AUTHORITIES

7. The notice must be in such form and, without prejudice to paragraph 8, must contain such other information as may be prescribed by magistrates' courts rules.

8.— (1) The secretary of the club must attach to the notice a plan of the premises showing the proposed alterations.

(2) The alterations shown in the plan mentioned in sub-paragraph (1) must be authenticated by or on behalf of the authority in question in the manner prescribed by magistrates' courts rules.”.

(3) In Article 16 of the Registration of Clubs Order (register of clubs), in paragraph (2), after paragraph (d) insert—

“(da) particulars of any order made under Article 12A(2)(a), (4) or (5) in respect of the premises of the club and of any requirement in respect of those premises notice of which is served under Article 12A(2)(b);”.

(4) In Part 3 of Schedule 6 to that Order (penalty points punishable with level 5 fine) at the appropriate place insert—

“12A(7) Failure to comply with court order to make alterations etc.

5-6”.

Clause 29 - Young people prohibited from bars

555. Amendment to provide a regulatory making power to amend the months referred to in 29(1) and the number of prize giving ceremonies, referred to in 29(2).

Clause 29, page 30, line 29

At end insert—

“(5) In that Article, after paragraph (14) insert—

“(15) Regulations may modify paragraph (13)(a)(i) so as to substitute a different period for the period for the time being specified there.

(16) Regulations may modify paragraph (13A) so as to substitute a different number of prize-giving ceremonies for the number for the time being specified there.

(17) Regulations may not be made under paragraph (15) or (16) unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.”.

Duty to produce guidance

556. Amendment to require the Department to publish guidance on the provisions of the final Act.

New Clause 32A

Before Clause 33 insert—

“Guidance

32A.— (1) The Department for Communities must issue guidance about—

(a) the effect of the Licensing Order,

- (b) the effect of Part 1 of this Act on that Order, and
 - (c) such other matters as the Department considers appropriate in connection with licensing premises for the sale of intoxicating liquor (within the meaning of the Licensing Order).
- (2) The Department for Communities must issue guidance about—
 - (a) the effect of the Registration of Clubs Order,
 - (b) the effect of Part 2 of this Act on that Order, and
 - (c) such other matters as the Department considers appropriate in connection with the registration of clubs.
 - (3) The Department for Communities must—
 - (a) keep any guidance issued under this section under review, and
 - (b) revise any guidance issued under this section if the Department considers revision to be necessary in light of review.
 - (4) The Department for Communities must publish any guidance issued or revised under this section.”

Review of the Act

557. Amendment to require the Department to carry out a review and make a report on the implantation of the Act, lay a copy of the report before the Assembly and subsequently publish the report.

New Clause 32B

Before Clause 33 insert—

“Review

32B.— (1) The Department for Communities must review and make a report on the implementation of each provision of Part 1 and of each provision of Part 2—

- (a) as soon as practicable after the third anniversary of the commencement of that provision, and
- (b) at least once in every five years after the making of the previous report on the implementation of that provision.

(2) The Department for Communities must—

- (a) lay a copy of each report under this section before the Assembly, and

(b) having done that, publish the report.

(3) The Department for Communities may by regulations provide that subsections (1) and (2) are to cease to have effect on the date specified; but the regulations may not specify a date which is earlier than the tenth anniversary of this Act receiving Royal Assent.

(4) Regulations under this section are not to be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.”

One Day Membership

558. Amendment to Schedule 1 to clarify the policy in respect of the Registration of Clubs (NI) Order 1996 that allows a member of the public to pay a fee that allows them to use the facilities if a sporting club for a day, to ensure that it is not used to allow someone to simply use the bar facilities.

Schedule 1, page 35, line 34

At end insert–

“18A. In Schedule 1 (provisions to be included in club rules), after paragraph 13 (day membership at sporting clubs) insert–

“13A. But paragraph 13 entitles a person to use facilities of the club on the day in question only if the person also engages in sporting activities of the club on that day; and paragraph 14 applies subject to this paragraph.”.”.

Clause 8 and Taprooms

559. The Committee also considered the following amendments provided by the Assembly Bill Office. The Committee agreed to the amendments other than those on Taprooms when Members divided as outlined below.

Clause 8 - to revise 52B (Local producer’s licence: sales on own premises) to:

- Increase the quantity of alcohol that local producers may provide as part of a tour from 1 sample to not more than 4 samples and 1 measure.
- Secondary legislation-making powers to prescribe the content, amount or strength of intoxicating liquor in each sample and measure (negative resolution).
- Secondary legislation-making powers to alter the number of samples and measure(s) to be provided (draft affirmative).
- Limit the permitted hours for consumption of samples in the premises from 10.00 am to 7.00 pm
- Opening hours for off sales remain unchanged.

- Provide definition of “tour”.

Clause 8, Page 8, Line 27

‘Leave out lines 27-33 and insert–

- (2) But a local producer’s licence shall, where one or more persons are being given a tour of the production premises, authorise the provision to each person of no more than a total of four samples and one measure of any combination of intoxicating liquor produced in the premises for consumption in the premises, so long as no charge is made for providing the samples or measure separate from the charge being given by the tour.
- (3) In paragraph (2), “sample”, in relation to intoxicating liquor means, a serving which does not exceed the content, amount or strength prescribed in regulations.
- (4) In paragraph (2), “measure”, in relation to intoxicating liquor means, a serving which does not exceed the content, amount or strength prescribed in regulations.
- (5) Regulations may modify paragraph (2) so as to substitute a different number of samples and measures to be provided to each person for the number for the time being specified there.
- (6) Regulations may not be made under paragraph (5) unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.”

Clause 8, page 8, line 33

At end insert–

- (3A) ‘In Article 42 of the Licensing Order (permitted hours) –

- (2) in paragraph (2)(a) leave out “and” and insert “,”,
- (3) in paragraph (2)(b) at end insert “and”,
- (4) after paragraph (2)(b) insert–

“(c) in the case of premises of a kind mentioned in Article 5(1)(m) which are authorised under Article 52B to provide samples and measures as part of a tour of production premises, these samples and measures may be provided from 10 in the morning to 7 in the evening, other than Christmas Day.’

Clause 8, Page 9, Line 3

At end insert–

(5A) Where the holder of a local producer’s licence, personally or by servant or agent, provides a person with intoxicating liquor in contravention of paragraph (3A), the holder is guilty of an offence.

Clause 8, Page 9, Line 23

At end insert–

(9A) A person guilty of an offence under paragraph (5A) is liable on summary conviction on to a fine not exceeding level 5 on standard scale.

Clause 8, Page 9, Line 28

‘At end insert–

“tour”, means a tour of the premises of a kind mentioned in Article 5(1)(m) that –

- a) includes an explanation of, or information relating to, the process, whereby the intoxicating liquor is manufactured on the premises in accordance with a relevant licence,
- b) is carried out in person, whether the tour is guided or not, and
- c) requires a ticket to be issued to the person participating in the tour.’

Clause 8, Page 12, Line 21

‘After “sample” insert “or measure”’

Clause 8, Page 13, Line 2

‘At end insert–

(10) In Part 3 of Schedule 10A to that Order (penalty points for offences punishable with level 5 fine)

52B	Provision of sample or measure, otherwise than during permitted hours	5-6
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New Clause 8A - Taprooms

To allow local producers to operate a taproom during limited hours (4.00 pm-10.00 pm) for 104 days in any year. Restrict the sale of alcohol to that produced in the production premises only.

After Clause 8 insert–

“Suitability of local producer’s premises for sales and consumption on own premises

8A– (1) After Article 43 of the Licensing Order insert–

43A.- (1) In respect of premises to which this Article applies, –

- (a) a county court which grants a licence or declares a licence provisionally granted to be final, on the application of the person applying for the grant or declaration, or
- (b) a court of summary jurisdiction, at any time, upon the application of the holder of the licence for those premises made in compliance with the procedure set out in Schedule 9,

may, by order, specify any part of the premises as being suitable for the sale of intoxicating liquor produced in the premises for consumption in the premises during the hours specified in Article 42(4).

(2) A court shall not make an order under paragraph (1) unless it is satisfied that the part of the premises specified in the order is suitable for the sale of intoxicating liquor produced in the premises for consumption in the premises.

(3) An order under paragraph (1) may be revoked by a court of summary jurisdiction–

- (a) on the application of the holder of the licence; or
- (b) where, on complaint made under Part VIII of the Magistrates Courts (Northern Ireland) Order 1981 the court is not satisfied that the requirements of paragraph (2) have continued to be complied with.

(4) The premises to which this Article applies are–

(a) any part of a premises of a kind mentioned in Article 5(1)(m) which is structurally adapted, and used or intended to be used, for the purpose of providing persons frequenting the premises with intoxicating liquor produced in the premises for consumption in the premises.

(5) In Schedule 9 to the Licensing Order (procedure for certain applications)–

- (a) in the title, after “43” insert “,43A”,
- (b) in paragraph 1, after “43” insert “,43A”, and
- (c) after paragraph (4)(a)” insert–

(aa) in the case of an application under Article 43A, on any ground mentioned in Article 43(2).

(2) In Article 42(4) of the Licensing Order (general permitted hours) after paragraph (3) insert—

(4) Subject to Article 43B, the permitted hours for premises of a kind mentioned in Article 5(1)(m) to which an order under Article 43(A) applies are the hours on any day, other than Christmas Day, from 4 in the afternoon to 10 in the evening.

(3) After Article 43 of the Licensing Order insert—

“Permitted hours for sale and consumption of liquor in local producer’s production premises

43B- (1) In respect of premises of a kind to which an order under Article 43A applies, —

- (a) a county court which grants a licence or declares a licence provisionally granted to be final, on the application of the person applying for the grant or declaration, or
- (b) a court of summary jurisdiction, at any time, upon the application of the holder of the licence for those premises made in compliance with the procedure set out in Schedule 9,

may, by order, direct that the permitted hours for a part of the premises for which an order under Article 43A is in force, shall be the hours mentioned in Article 42(4).

(2) Nothing in this Article shall authorise the sale of intoxicating liquor—

- (a) for consumption in or off the premises unless it is produced in the production premises,
- (b) for consumption in the premises to which this Article applies other than during the hours specified in in Article 42(4); and
- (c) for consumption off the part or parts of the premises specified in the licence other than during the hours specified in Article 42(2), or
- (d) to a person admitted to a premises less than 30 minutes before the permitted hours specified in Article 42(4).

(3) In the case of premises to which an order under Article 43A applies, not more than 104 orders shall be granted under this Article to the holder of the licence of the premises in any one year.

(4) Regulations may modify paragraph (3) so as to substitute a different number of orders for the time being specified there.

(5) Regulations may not be made under paragraph (4) unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(6) Where the holder of a local producer's licence to which an order under Article 43A applies, personally or by a servant or agent, sells intoxicating liquor or makes it available for purchase in the production premises in contravention of paragraph (2), the holder is guilty of an offence.

(7) Where intoxicating liquor is available for purchase in accordance with this Article, the holder of the local producer's licence to which an Article 43A applies, shall at all times display in the production premises a notice in the form and manner, and containing the information prescribed in the regulations; and a person acting in contravention of this paragraph is guilty of an offence.

(7) A person guilty of an offence under paragraph (2a) is liable on summary conviction on to a fine not exceeding level 4 on the standard scale.

(8) A person guilty of an offence under paragraph (2b), (2c) and (2d) is liable on summary conviction on to a fine not exceeding level 5 on the standard scale.

(9) A person guilty of an offence under paragraph (7) is liable on summary conviction on to a fine not exceeding level 3 on the standard scale.

(10) In Part 1 of Schedule 10A of the Licensing Order (penalty points for offences punishable with level 3 fine)

43B	Failure by local producer to display notice on own premises.	3-4
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(11) In Part 2 of Schedule 10A of the Licensing Order (penalty points for offences punishable with level 4 fine)

43B	Failure by local producer to comply with licence on own premises	4-5
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(12) In Part 3 of Schedule 10A of that Order penalty points for offences punishable with level 5 fine)

43B	Selling intoxicating liquor etc., otherwise than during permitted hours	5-6
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The Committee considered Clause 8A as drafted 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.

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

560. Ms Armstrong and Mr Allen reiterated that, although in agreement with the new Clause 8A as drafted, they would have preferred to see longer opening hours for taprooms and Mrs Armstrong wished to have more days available for taprooms.

561. Mr Durkan reiterated that, although in agreement with new Clause 8A as drafted, he still had reservations about the opening hours as this may have a detrimental impact on the hospitality industry.

New Clause 8B

To restrict the use of occasional licences:

After Clause 8 insert–

'8B - Restrictions on occasional licences

(1) In Article 30 of the Licensing Order (occasional licences), after paragraph (1), insert

“(1A) The holder of a licence for premises for which this Articles applies shall not make an application on behalf of a person who is the holder of a licence for premises to which an order under Article 43A applies”.

(2) In paragraph (5)(b) of that Article, at the end insert –

(c) the sale of intoxicating liquor in premises to which an order under Article 43A applies.’

The Committee considered Clause 8B as drafted 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.

562. The Committee agreed that it was content with Clause 8B as drafted for the Committee by the Bill Office.
563. The 'taproom' issue was, by the end of deliberations, the only issue in the Bill on which unanimity could not be achieved, although the Committee tried its best to come up with a fully agreed workable solution.

New Clause 17A - Minimum Unit Pricing

564. To place a statutory duty on the Department of Health to legislate for minimum unit pricing within 3 years of this Act coming into operation.

After Clause 17 insert New Clause –

'17A Minimum Unit Pricing

Within 3 years of this Act coming into operation, the Department of Health must bring forward to the Assembly legislation introducing minimum pricing provisions for the sale and supply of intoxicating liquor in Northern Ireland.'

Clause by Clause Consideration of the Bill

565. Having considered the written and oral evidence received on the Bill, the Committee undertook its formal Clause-by-Clause consideration at its meeting on 6 May 2021 - see Minutes of Proceedings in Appendix 1 and Minutes of Evidence in Appendix 2.

566. Information on the Committee's deliberations on the individual Clauses in the Bill and on proposed amendments and additional provisions can be found in the previous two sections of this report.

Clause 1 - Removal of additional restrictions at Easter

567. The Committee was content with the clause as drafted by the Department.

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

568. The Committee was content with the clause as drafted by the Department.

569. Mr Newton registered his concerns in relation to Clause 1 and new Clause 1A but accepted that it was the mind of the Committee to agree these Clauses.

Clause 2 - Public houses and hotels: further additional hours

570. The Committee was content with the clause as drafted by the Department.

Clause 3 - Alignment of closing time for liquor and entertainment

571. The Committee was content with the clause as drafted by the Department.

Clause 4 - Police authorisations for additional hours

572. The Committee was content with the clause as amended by the Department.

Clause 5 - Extension of "drinking-up time"

573. The Committee was content with the clause as drafted by the Department.

Clause 6 - Major events

574. The Committee was content with the clause as drafted by the Department.

Clause 7 - Licensed race tracks: Sunday sales

575. The Committee was content with the clause as drafted by the Department.

Clause 8 - Licence for off-sales

576. The Committee was content with the clause as amended by the Committee.

New Clause 8A - Taprooms

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

578. 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 by the Bill Office.

579. Ms Armstrong and Mr Allen wished it to be noted that, although in agreement with new Clause 8A as drafted, they would have wished to see longer opening hours for taprooms and Mrs Armstrong wished to have more days available for taprooms.

580. Mr Durkan wished it to be noted that, although in agreement with new Clause 8A as drafted, he had reservations about the opening hours as stated in Clause 8A.

New Clause 8B: Restrict use of occasional licences

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

582. 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 by the Bill Office.

Clause 9 - Requirement for off-licence

583. The Committee was content with the clause as drafted by the Department.

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

584. The Committee was content with the clause as drafted by the Department.

Clause 11 - Underage functions

585. The Committee was content with the clause as amended by the Committee.

Clause 12 - Private functions

586. The Committee was content with the clause as amended by the Committee.

Clause 13 - Delivery of intoxicating liquor to young persons

587. The Committee was content with the clause as drafted by the Department.

Clause 14 - Restaurants and guest houses: notice displaying licence conditions

588. The Committee was content with the clause as drafted by the Department.

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

589. The Committee was content with the clause as drafted by the Department.

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

590. The Committee was content with the clause as drafted by the Department.

Clause 17 - Prohibition of loyalty schemes

591. The Committee was content with the clause as drafted by the Department.

New Clause 17A - Minimum Unit Pricing

592. The Committee was content with the clause as drafted for the Committee by the Bill Office.

Clause 18 - Occasional licences: conditions

593. The Committee was content with the clause as drafted by the Department.

Clause 19 - Code of practice

594. The Committee was content with the clause as drafted by the Department.

Clause 20 - Body corporate: change of directors

595. The Committee was content with the clause as drafted by the Department.

Clause 21 - Removal of exemption for angostura bitters

596. The Committee was content with the clause as drafted by the Department.

Clause 22 - Sporting clubs

597. The Committee was content with the clause as drafted by the Department.

New Clause 22A - Consent required for alterations to premises

598. The Committee was content with the clause as drafted by the Department.

Clause 23 - Removal of additional restrictions at Easter

599. The Committee was content with the clause as drafted by the Department.

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

600. The Committee was content with the clause as drafted by the Department.

601. Mr Newton registered his concerns in relation to Clause 23 and new Clause 1A but accepted that it was the mind of the Committee to agree these clauses.

Clause 24 - Extension of "drinking-up time"

602. The Committee was content with the clause as drafted by the Department.

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

603. The Committee was content with the clause as drafted by the Department.

Clause 25 - Major events

604. The Committee was content with the clause as drafted by the Department.

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

605. The Committee was content with the clause as drafted by the Department.

Clause 27 - Underage functions

606. The Committee was content with the clause as amended by the Department.

Clause 28 - Private functions

607. The Committee was content with the clause as amended by the Department.

Clause 29 - Young people prohibited from bars

608. The Committee was content with the clause as amended by the Department.

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

609. The Committee was content with the clause as drafted by the Department.

Clause 31 - Restrictions relating to advertisements

610. The Committee was content with the clause as drafted by the Department.

Clause 32 - Code of practice

611. The Committee was content with the clause as drafted by the Department.

New Clause 32A - Guidance

612. The Committee was content with the clause as drafted by the Department.

New Clause 32B - Review

613. The Committee was content with the clause as drafted by the Department.

Clause 33 - Interpretation

614. The Committee was content with the clause as drafted by the Department.

Clause 34 - Minor and consequential amendments

615. The Committee was content with the clause as drafted by the Department.

Clause 35 - Repeals

616. The Committee was content with the clause as drafted by the Department.

Clause 36 - Commencement and short title

617. The Committee was content with the clause as drafted by the Department.

Schedule 1 - Minor and Consequential Amendments

618. The Committee was content with Schedule 1 as amended by the Department.

Schedule 2 - Repeals

619. The Committee was content with Schedule 2 as drafted by the Department.

Long Title

620. The Committee was content with the Long Title of the Bill.

Appendices

Appendix 1 - Minutes of Proceedings

Appendix 2 - Minutes of Evidence

Appendix 3 - Written submissions

Appendix 4 - Memoranda and Papers from the Department for Communities

Appendix 5 - Other Papers

Appendix 6 - Research Papers

Appendix 7 - List of Witnesses

Appendix 1 - Links to Minutes of Proceedings

- 08 October 2020
- 05 November 2020
- 12 November 2020
- 19 November 2020
- 26 November 2020
- 3 December 2020
- 14 January 2021
- 21 January 2021
- 28 January 2021
- 4 February 2021
- 11 February 2021
- 18 February 2021
- 25 February 2021
- 4 March 2021
- 11 March 2021
- 18 March 2021
- 25 March 2021
- 01 April 2021
- 15 April 2021
- 22 April 2021
- 29 April 2021
- 06 May 2021
- 11 May 2021
- 13 May 2021

Appendix 2 - Minutes of Evidence

Links	Minutes of Evidence
08 October 2020	Oral Evidence session with the Department for Communities
12 November 2020	Oral Evidence session with NI Retail Consortium
19 November 2020	Oral Evidence session with Drumbo Park
26 November 2020	Oral Evidence session with RaISe
03 December 2020	Oral Evidence session with NI Brewery and Independent Pub Association
03 December 2020	Oral Evidence session with NI Federation of Clubs
14 January 2021	Oral Evidence session with NI Hotels Federation
14 January 2021	Oral Evidence session with Belfast Chamber of Commerce
14 January 2021	Oral Evidence session with Hospitality Ulster
21 January 2021	Oral Evidence session with CAMRA
21 January 2021	Oral Evidence session with Lacada
21 January 2021	Oral Evidence session with Moviehouse
21 January 2021	Oral Evidence session with Society of Independent Brewers
21 January 2021	Oral Evidence session with Unite the Union
28 January 2021	Oral Evidence session with Armagh Cider Company
28 January 2021	Oral Evidence session with Omniplex Cinemas
28 January 2021	Oral Evidence session with Public Health Agency
04 February 2021	Oral Evidence session with Copeland Distillery
04 February 2021	Oral Evidence session with NI Drinks Industry Group
04 February 2021	Oral Evidence session with Presbyterian and Methodist Churches
04 February 2021	Oral Evidence session with Retail NI
11 February 2021	Oral Evidence session with Federation of Small Businesses

Links	Minutes of Evidence
11 February 2021	Oral Evidence session with Food NI
11 February 2021	Oral Evidence session with The Law Society NI
18 February 2021	Oral Evidence session with Bill Tourism NI
18 February 2021	Oral Evidence session with Institute of Licensing
18 February 2021	Oral Evidence session with Safeguarding Board NI
18 February 2021	Oral Evidence session with Wine and Spirit Trade Association
25 February 2021	Oral Evidence session with Bill PSNI
25 February 2021	Oral Evidence session with Northern Ireland Local Government Association
25 February 2021	Oral Evidence session with Northern Ireland Alcohol and Drug Alliance
25 February 2021	Oral Evidence session with Institute for Social Marketing & Health, University of Sterling
04 March 2021	Oral Evidence session with Drinkaware
04 March 2021	Oral Evidence session with GAA
04 March 2021	Oral Evidence session with Institute of Public Health
11 March 2021	Committee Deliberations on 11 March 2021
18 March 2021	Committee Deliberations on 18 March 2021
25 March 2021	Committee Deliberations on 25 March 2021
01 April 2021	Committee Deliberations on 01 April 2021
15 April 2021	Committee Deliberations on 15 April 2021
22 April 2021	Committee Deliberations on 22 April 2021
29 April 2021	Committee Deliberations on 29 April 2021
06 May 2021	Committee Formal Clause by Clause consideration of the Bill
11 May 2021	Committee consideration of Draft Committee Report on the Licensing and Registration of Clubs (Amendment) Bill
13 May 2021	Committee agreement of Report on the Licensing & Registration of Clubs (Amendment) Bill.

Appendix 3 - Links to written submissions from organisations and individuals

1. Drumbo Park Submission
2. Belfast Interface Project Submission
3. NI Federation of Clubs Submission
4. Retail NI Submission
5. NI Brewery and Independent Pub Association Submission
6. Saltwater Brig Submission
7. Hospitality Ulster Submission
8. Ards and North Down Borough Council Submission
9. Committee for the Economy Submission
10. Armagh Cider Company Submission
11. British Medical Association Submission
12. Pub is the Hub Submission
13. Law Society NI Submission
14. Armagh City, Banbridge and Craigavon Borough Council Submission
15. Presbyterian Church in Ireland Submission
16. Lacada Brewery Ltd Submission
17. Association of Convenience Stores Submission
18. Institute of Alcohol Studies Submission
19. NI Drinks Industry Group Submission
20. Wine and Spirit and Trade Association Submission
21. NI Retail Consortium Submission
22. NILGA Submission
23. Public Health Agency Submission
24. NI Alcohol and Drug Alliance Submission
25. Royal College of Psychiatrists Submission
26. The Society of Independent Brewers Submission
27. NI Commissioner for Children and Young People Submission
28. PSNI Submission
29. Belfast Chamber of Commerce Submission
30. NI Hotels Federation Submission
31. CAMRA NI Submission
32. Omniplex Submission
33. Institute of Social Marketing and Health University of Stirling Submission

34. Unite the Union Submission
35. Brunswick Moviebowl Submission
36. Cancer Focus NI Submission
37. Food NI Submission
38. Institute of Licensing Submission
39. Institute of Public Health Submission
40. Movie House Cinemas Submission
41. The Helping Hand Submission
42. The Jet Centre Submission
43. Tourism NI Submission
44. British Beer and Pub Association
45. Department for Health Submission
46. Department for Justice Submission
47. Drinkaware Submission

Links to submissions from individuals

A total of 10 submissions from individuals were received. The submissions have been anonymised.

1. Individual Submission 1
2. Individual Submission 2
3. Individual Submission 3
4. Individual Submission 4
5. Individual Submission 5
6. Individual Submission 6
7. Individual Submission 7
8. Individual Submission 8
9. Individual Submission 9
10. Individual Submission 10

Appendix 4 - Memoranda and Papers from the Department for Communities

Links	Memoranda and Papers from the Department for Communities
12 November 2020	Departmental response re Evidence in Respect of Abolishing the Surrender Principle
17 November 2020	Departmental response re Cash N Carry Businesses
17 December 2020	Departmental response re Licensing and Registration of Clubs (Amendment) Bill
09 February 2021	Departmental response re Licensing & Registration of Clubs (Amendment) Bill re Departmental response to RaLSe paper on Licensing & Registration of Clubs Bill.
09 February 2021	Departmental response re Liquor Licensing Mapping Exercise.
01 March 2021	Departmental response re Licensing Bill Evaluations
19 March 2021	Department response to Committee Deliberations on Licensing and Registration of Clubs Bill
23 March 2021	Departmental response to Committee queries on Taprooms
24 March 2021	Departmental response to Committee Deliberations on Licensing and Registration of Clubs (Amendment) Bill
14 April 2021	Departmental response to Committee Deliberations on the Licensing Bill and Registration of Clubs (Amendment) Bill
19 April 2021	Departmental response to Committee Deliberations on the Licensing Bill and Registration of Clubs (Amendment) Bill
27 April 2021	Departmental response to Committee Deliberations on the Licensing and Registration of Clubs (Amendment) Bill
29 April 2021	Departmental response to Committee Deliberations on the Licensing and Registration of Clubs (Amendment) Bill
04 May 2021	Departmental letter regarding Deliberations on the Licensing and Registration of Clubs (Amendment) Bill
4 May 2021	Departmental Amendments Licensing and Registration of Clubs (Amendment) Bill

Appendix 5 - Other Papers

Links	Other Papers Considered by the Committee
20 Oct 2020	Licensing and Registration of Clubs (Amendment) Bill Explanatory and Financial Memorandum
3 Nov 2020	Licensing and Registration of Clubs (Amendment) Bill Delegated Powers Memorandum
26 Nov 2020	Response from the Committee for Agriculture
28 Jan 2021	Making Life Better - Preventing Harm & Empowering Recovery A Strategic Framework to Tackle the Harm from Substance Use
28 Jan 2021	Social Costs of Alcohol Misuse in Northern Ireland for 2008 2009
15 Feb 2021	Response from Minister for Health on Minimum Unit Pricing
25 Feb 2021	NI Alcohol and Drug Alliance Review of Drug and Alcohol Use in the Workforce in NI
25 Feb 2021	NI Alcohol and Drugs Report Service Users Experience During Lockdown
8 Mar 2021	Letter from Wine and Spirit and Trade Association on advertising and alcohol consumption
14 Mar 2021	NI Alcohol and Drug Alliance Oral Evidence Presentation
15 Mar 2021	Correspondence from Northern Ireland Brewery and Independent Pub Association regarding Taprooms
16 Mar 2021	Institute of Public Health follow up to Oral Evidence Session
18 Mar 2021	PSNI letter regarding Late Night Levy
18 Mar 2021	Stakeholder Event on Licensing and Registration of Clubs Event and Young People
23 Mar 2021	Letter from Hospitality Ulster regarding Pub is the Hub
24 Mar 2021	Letter from LJs Tavern Magherafelt regarding Taprooms
24 Mar 2021	Letter from Magherafelt Publican regarding Taprooms
24 Mar 2021	Letter from The Market Inn Draperstown regarding Taprooms
25 Mar 2021	NISRA News Release re Associations of Alcohol-specific mortality in Northern Ireland
26 Mar 2021	Letter from Front Page Bar Ballymoney regarding Taprooms
29 Mar 2021	NI Brewery and Independent Pub Association paper March 2021 regarding Taprooms
31 Mar 2021	Correspondence from Independent Craft Brewers of Ireland regarding Taprooms
15 Apr 2021	Letter from Free the Night
19 Apr 2021	PSNI response re Extra Cots of Late Night Opening

Links	Other Papers Considered by the Committee
21 Apr 2021	NI Brewery and Independent Pub Association and the Society of Independent Brewers Briefing Paper on Taprooms
27 Apr 2021	Institute of Public Health Late Night Levy Briefing Paper
6 May 2021	Final Committee Amendments

Appendix 6 - Research Papers

List of links to RaISe papers considered by the Committee:

- RaISe briefing paper on Licensing and Registration of Clubs (Amendment) Bill
- RaISe briefing paper on Alcohol in Northern Ireland
- RaISe briefing paper on Hospitality Sectors Economic Impact and Effect of COVID-19
- RaISe briefing paper on Employment in the Hospitality Sector
- RaISe briefing paper on Institute for Public Health webinar Alcohol Related Harms in Night Life Settings on the Island of Ireland
- RaISe briefing note Multiagency partnerships and engagement with local communities: Local Licensing Forums in Scotland

Appendix 7- List of Witnesses that gave evidence to the Committee

- Mr Liam Quinn, Department for Communities
- Ms Carol Reid, Department for Communities
- Ms Suzanne Reid, Department for Communities
- Aodhán Connolly, Director, Northern Ireland Retail Consortium
- John Connor, Operations Director, Run with Passion Ltd, Drumbo Park
- Eleanor Murphy, NIA Researcher
- Aidan Stennett, NIA Researcher
- Ray Russell, NIA Researcher
- William Mayne, Northern Irish Brewery and Independent Pub Association
- Pedro Donald, Owner of Sunflower Public House
- Matthew Dick, Founder of Boundary Brewing Co-Operative
- Harry Beckinsale, Secretary, Northern Ireland Federation of Clubs
- Lawrence Shearer, Accountant, Northern Ireland Federation of Clubs
- Maura McKay, Solicitor, Northern Ireland Federation of Clubs
- John Davis, Chairman, Northern Ireland Federation of Clubs
- Colin Neill, CEO, Hospitality Ulster
- Stephen Magorrian, Managing Director, Horatio Group
- Phil Patterson, Managing Director, The Approachable Group
- Janice Gault, Chief Executive, NI Hotels Federation
- Maurice Meehan, Public Health Agency
- Michael Owen, Public Health Agency
- Michael Bell, NI Food and Drink Association
- Simon Hamilton, Chief Executive, Belfast Chamber of Trade and Commerce Limited
- Michael Stewart, President, Belfast Chamber of Trade and Commerce Limited
- Rodger Doherty, Director, Company Secretary Lacada Brewery Co-operative
- Erol Bucukoglu, Director, Chairperson Lacada Brewery Co-operative
- Laurie Davies, Director, Head Brewer Lacada Brewery Co-operative
- Barry Watts, Head of Policy and Public Affairs, The Society of Independent Brewers
- Bruce Gray, Left Handed Giant Brewing Co
- Tom Stainer, Chief Executive, CAMRA
- Neil Moore, Hospitality Official, Unite the Union
- Mr Michael McAdam, Managing Director, Movie House
- Helen Troughton, Armagh Cider Company
- Carole King, Omniplex Cinemas
- Paul Anderson, Director, Omniplex Cinemas
- Miss Karen Jardine, Public Affairs Officer, Presbyterian Church in Ireland
- Rev David Clements, Council for Social Responsibility, Methodist Church in Ireland
- Mr Lindsay Conway, Council for Social Witness, Presbyterian Church in Ireland
- Glyn Roberts, Chief Executive, Retail NI
- Gareth Irvine, Director, Copeland Distillery

- Nicola Carruthers, NI Drinks Industry Group
- Roger Pollen, Head, Federation of Small Businesses
- Neil Hutcheson, Head of Policy, Federation of Small Businesses
- Michele Shirlow MBE, Chief Executive, Food NI
- Maeve Fisher, The Law Society of NI
- Colin Mitchell, The Law Society of NI
- Miles Beale, Chief Executive Officer, Wine and Spirit Trade Association
- Rosemary McHugh, Director of Product Development, Tourism NI
- Gary Quate, Tourism NI
- Stephen McGowan, Head of Licensing Scotland, Institute of Licensing NI
- Eoin Devlin, Legal Director, Institute of Licensing NI
- Bernie McNally, Independent Chair, Safeguarding Board
- Andrew Thomson, Chair of Case Management Review Committee, Safeguarding Board
- Ms Karen Smyth, Head of Policy and Governance, NILGA
- Mr David Brown, Regional Vice Chair of the Institute of Licensing and officer from Ards and North Down Borough Council
- Cllr Frances Burton, Vice President of NILGA and member of Mid Ulster District Council
- Assistant Chief Constable Mark McEwan, Community Safety Department, PSNI
- Ms Pauline Campbell, Vice Chair NI Alcohol and Drug Alliance and Director of Dunlewey Addiction Services
- Ms Andrea Trainor, Support Officer, NI Alcohol and Drug Alliance
- Ms Niamh Fitzgerald, Institute for Social Marketing & Health, University of Sterling
- Ms Rachel O'Donnell, Institute for Social Marketing & Health, University of Sterling
- Ms Helen McAvoy, Director of Policy, Institute of Public Health Ireland
- Ms Joanna Purdy, Public Health Interventions Officer, Institute of Public Health Ireland
- Mr Brian McAvoy, Provincial Secretary and CEO, GAA
- Mr Diarmaid Marsden, Head of Community Development Department, GAA
- Mr Stephen McGeehan, Project Sponsor, Casement Park Stadium Redevelopment, GAA
- Ms Elaine Hindal, Chief Executive, Drinkaware
- Mr Adams Jones, Director of Partnerships, Business Development and Public Affairs, Drinkaware