



Northern Ireland  
Assembly

Committee for Social Development

# Report on the Licensing Bill (NIA Bill 69/11-16)

Together with the Minutes of Proceedings, Minutes of Evidence,  
Memoranda and Submissions relating to the Report

Ordered by the Committee for Social Development to be printed 16  
February 2016

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## Powers and Membership

The Committee for Social Development is a Statutory Departmental Committee established in accordance with paragraphs 8 and 9 of the Belfast Agreement, section 29 of the Northern Ireland Act 1998 and under Standing Order 48.

The Committee has power to:

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

The Committee has 11 members including a Chairperson and Deputy Chairperson and a quorum of 5. The membership of the Committee since 23 May 2011 has been as follows:

Mr Alex Maskey (Chairperson)

Mr Fra McCann<sup>21</sup> (Deputy Chairperson)

Mr Jim Allister<sup>7</sup>

Mr Roy Beggs<sup>14</sup>

Ms Paula Bradley<sup>1</sup>

Mr Gregory Campbell<sup>3</sup>

Mr Stewart Dickson<sup>11</sup>

Mr Sammy Douglas<sup>8,12,13,15,16,17</sup>

Mr Phil Flanagan<sup>22</sup>

Mrs Dolores Kelly<sup>10</sup>

Mr Adrian McQuillan<sup>19,20,23</sup>

- <sup>1</sup> With effect from 20 February 2012 Ms Paula Bradley replaced Mr Gregory Campbell
- <sup>2</sup> With effect from 26 March 2012 Mr Alastair Ross replaced Mr Sammy Douglas
- <sup>3</sup> With effect from 01 October 2012 Mr Gregory Campbell replaced Mr Alex Easton
- <sup>4</sup> With effect from 01 October 2012 Mr Sammy Douglas replaced Mr Alastair Ross
- <sup>5</sup> With effect from 11 February 2013 Mr Sydney Anderson replaced Mr Sammy Douglas
- <sup>6</sup> With effect from 07 May 2013 Mr Sammy Douglas replaced Mr Sydney Anderson
- <sup>7</sup> With effect from 09 September 2013 Mr Jim Allister replaced Mr David McClarty
- <sup>8</sup> With effect from 16 September 2013 Mr Trevor Clarke replaced Ms Pam Cameron
- <sup>9</sup> With effect from 16 September 2013 Mr Sammy Wilson replaced Mr Sammy Douglas
- <sup>10</sup> With effect from 30 September 2013 Mrs Dolores Kelly replaced Mr Mark H Durkan
- <sup>11</sup> With effect from 01 October 2013 Mr Stewart Dickson replaced Mrs Judith Cochrane
- <sup>12</sup> With effect from 06 October 2014 Mr Sammy Douglas replaced Mr Trevor Clarke
- <sup>13</sup> With effect from 17 November 2014 Mr Maurice Devenney replaced Mr Sammy Douglas
- <sup>14</sup> With effect from 09 February 2015 Mr Roy Beggs replaced Mr Michael Copeland
- <sup>15</sup> With effect from 25 March 2015 Mr Maurice Devenney retired as a Member
- <sup>16</sup> With effect from 20 April 2015 Mr Gary Middleton was appointed as a Member to the committee
- <sup>17</sup> With effect from 18 May 2015 Mr Sammy Douglas replaced Mr Gary Middleton
- <sup>18</sup> With effect from 03 June 2015 Mr Mickey Brady resigned as a Member
- <sup>19</sup> With effect from 29 July 2015 Mr Sammy Wilson resigned as a Member
- <sup>20</sup> With effect from 07 September 2015 Mr Gordon Lyons was appointed as a Member to the Committee
- <sup>21</sup> With effect from 08 September 2015 Mr Fra McCann was appointed as Deputy Chairperson to the Committee
- <sup>22</sup> With effect from 14 September 2015 Mr Phil Flanagan was appointed as a Member to the Committee
- <sup>23</sup> With effect from 05 October 2015 Mr Adrian McQuillan replaced Mr Gordon Lyons

## List of Abbreviations used in the Report

IFA	Irish Football Association
IRFU	Irish Rugby Football Union
MLA	Member of the Legislative Assembly
PSNI	Police Service of Northern Ireland
Ulster GAA	Ulster Gaelic Athletic Association

# Table of Contents

Executive Summary and Recommendations	6
Introduction	8
Consideration of the Bill	9
Clause-by-Clause Scrutiny	22
Links to Appendices	24

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## Executive Summary and Recommendations

1. The Bill aims to establish outdoor stadia on the same footing as the SSE Arena - an indoor stadium - in respect of liquor licensing.
2. The Committee believes that the requirement for outdoor stadia, exemplified by the Kingspan Stadium, to make repeated applications for occasional licences was not consistent with the aim of the principal Order.
3. The Committee therefore accepts that the licensing arrangements that apply to the SSE Arena are applicable as a template for outdoor stadia.
4. The Committee therefore supports the Bill's aim to introduce a new type of licence applicable to outdoor stadia as defined in the Bill.
5. The Committee acknowledges that the stadia business plans are likely to include the use of licensed areas for functions. The Committee noted that functions could only be held in those parts of the stadium that have been deemed suitable for functions.
6. Where there are applications for late licences these are restricted to 6 functions per year for the licence holder. The Committee also noted that an occasional licence allows a licensed area to open until 1am. The Committee was therefore content that the Bill is more restrictive in that regard than the current arrangements.
7. External bodies can also hold functions in a stadium, subject to agreement of the stadium management and in accordance with the principal Order, and also apply for a late licence if required. The Bill only allows for *applications* to be made for such extensions and, as with any application for an extension to a licence, objections can be lodged with the clerk of petty sessions. Where an objection is not withdrawn then under article 47(3) of the 1996 Order the application for the extension must be made to the court.
8. The Committee is therefore content that the Bill simply reflects the existing provisions in the principal Order and that there are sufficient checks and balances to ensure that applications for late licenses can be challenged and decided upon by the court.
9. In relation to allowing under-18s in licensed parts of a stadium after 9pm the Committee was content that clause 4 provides sufficient flexibility for conditions to be attached to a license if the PSNI have concerns.

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10. The Committee also acknowledges that the three governing bodies of the sports in question are professionally managed organisations whose primary focus is on the promotion of their respective sport not the selling of alcohol, though the Committee also notes that sponsors of the two competitions Ulster Rugby participates in include drinks companies.
  11. The Committee believes an anomaly in the principal Order in relation to Sunday opening can be addressed by a new clause which would bring consistency to licensing law in respect of places of public entertainment namely, licensed tracks.
  12. The Committee notes the concerns of residents about antisocial behaviour fuelled by alcohol that can arise following a sport's game. It therefore welcomes the establishment of a stadium community committee by Ulster Rugby to address these concerns.
  13. The Committee therefore makes the following recommendations:

#### **Recommendation 1**

14. The Committee welcomes the assurance given by Ulster Rugby to establish a stadium community committee to discuss and address concerns of residents regarding the operation of the stadium and its impact on the local area.

The Committee recommends that all outdoor stadia, as defined in the Bill, that are located in residential areas, should establish a stadium community committee for this purpose. The Committee will be writing to the Ulster GAA and the IFA Stadium Development Company seeking assurances on this matter.

#### **Recommendation 2**

15. The Committee also agreed to recommend in its End-of-Mandate report that the Committee for Communities monitors progress on this issue over the course of the new Mandate.

#### **Recommendation 3**

16. It is clear to the Committee that reform of liquor licensing laws is long overdue. Legislation to address this should be introduced to the Assembly by the Minister for Communities in the new Mandate as a matter of priority.

## Introduction

17. The Licensing (Northern Ireland) Order 1996 (“the principal Order”) requires a person wishing to sell alcohol in the course of business to hold a licence. A licence may be granted in respect of premises such as public houses, off-licences, hotels, guest houses, restaurants, conference centres, higher education institutions, and places of public entertainment.
18. The development of the SSE Arena (formerly the Odyssey Arena) in Belfast led to consideration of the need to amend the principal Order as this type of facility was not envisaged when the order was formulated. Subsequently, this issue was addressed by the Licensing (Indoor Arenas) (Northern Ireland) Order 2004.
19. This is of relevance as plans were announced in September 2010 for state-of-the-art *outdoor* sports stadia to be developed at the GAA’s Casement Park, Ulster Rugby’s Ravenhill Park and the IFA’s Windsor Park. Such outdoor stadia are not covered by the principal Order and parallels, in respect of licensing arrangements, have been drawn between the situation faced by the then Odyssey Arena and the planned outdoor stadia.
20. The Bill aims to apply the licensing provisions that apply to the SSE Arena to outdoor stadia.
21. During the Second Stage debate on 7 December 2015 the Chairperson of the Committee stated that the Committee was content with the principles of the Bill.
22. Following Second Stage the Bill was referred to the Committee for Social Development on 8 December.



# Consideration of the Bill

## Overview of the Bill

23. The Licensing Bill is a Private Member's Bill and was introduced in the Assembly on 24 November 2015 by Mrs Judith Cochrane MLA.
24. The Bill as introduced contains 8 clauses.
25. At Introduction Mrs Cochrane made the following statement under Standing Order 30:

*"In my view the Licensing Bill would be within the legislative competence of the Northern Ireland Assembly"*

26. The Bill would introduce a new category of licence for outdoor stadia deemed to be of regional or national importance. The purpose of the Bill is to introduce a new type of licence for outdoor stadia mirroring that which applies to the only indoor stadium in NI - the SSE Arena.

## Committee's Approach

27. The Kingspan Stadium (formerly Ravenhill) is the first of 3 stadia to be redeveloped. It has therefore been the focus of Committee discussions in relation to the current licensing arrangements and the potential impact of the proposed changes as provided for in the Bill.
28. However, evidence sessions raised issues that are also pertinent to the other two planned stadia. These primarily related to:
  - the protection of children in licensed areas of stadia; and
  - steps taken by the relevant stadia authorities to minimise anti-social behaviour experienced by residents following a game.
29. The Committee sought written submissions to assist it in its scrutiny of the Bill by contacting stakeholders directly and by placing advertisements on the Northern Ireland Assembly website, in the Belfast Telegraph, the Newsletter and the Irish News.
30. The Committee subsequently received 13 responses to its call for evidence from a range of stakeholders. Written submissions can be accessed [here](#).

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31. The Committee received a pre-introductory briefing from Mrs Cochrane on 15 October 2015 and subsequent briefings from her on 7 January and 28 January 2016.
  32. Stakeholders provided oral evidence at the Committee meetings of 14 January and 21 January 2016. Minutes of Evidence relating to the Bill can be found [here](#).
  33. The Committee took oral evidence from:
    - Ulster Rugby;
    - The Irish Football Association (IFA);
    - Ulster Gaelic Athletics Association (Ulster GAA);
    - Hospitality Ulster;
    - Ravenhill Steering Group; and
    - The PSNI
  34. The Assembly agreed Committee motions on 12 January 2016 and 8 February to extend the Committee Stage of the Bill to 12 and 19 February respectively.
  35. The Committee conducted its clause-by-clause consideration of the Bill on 11 February 2016 and agreed its report on 16 February.

### **Clause 1 Interpretation**

36. No issues were raised in relation to this clause.

### **Clause 2 Meaning of “outdoor stadium”**

37. This clause amends the Licensing (Northern Ireland) Order 1996 so that it applies to outdoor stadia. Clarity on the definition of ‘outdoor stadium’ was therefore essential during the Committee’s consideration as this would determine to which stadia the Bill will apply to.
38. Following discussions with the PSNI Mrs Cochrane advised the Committee that she would be amending clause 2 to clarify the definition of ‘outdoor stadium’ and to ‘future-proof’ the Bill i.e. to ensure that stadia that may be built in the future could also be included.

39. To that end the Committee considered the following amendment:

**“Meaning of “outdoor stadium”**

*2B.–(1) In this Act “outdoor stadium” means any premises-*

*which are structurally adapted and used, or intended to be used, for the purpose of providing a venue for outdoor events involving the use of some or all of the playing area or pitch at the premises and consist of an area or areas for indoor activities which do not involve the use of the playing area or pitch; and*

*have been designated as a regional or national stadium in regulations, subject to negative resolution, made by the Department.*

40. The Committee was content with Mrs Cochrane’s amendment to clause 2.

**Clause 3 Licences for outdoor stadia**

41. This clause adds ‘outdoor stadia’ to the list of premises in Article 5(1) of the Licensing (Northern Ireland) Order 1996 for which licences may be granted.

42. The Committee noted that under this clause the sale of alcohol would be ancillary to an event or activity in the stadium i.e. an individual will only be able to purchase alcohol in an outdoor stadium if they are attending an event or activity *at* the stadium.

43. The Committee welcomed this provision which restricts the sale of alcohol only when events or activities are taking place.

44. The clause also confirms that the licence does not authorise the sale of alcohol for consumption off the premises i.e. off-sales are not permitted.

45. Some members queried who would actually hold the licence. Questions also arose around the operation of the licence i.e. contracted caterers, in-house staff. Indeed the PSNI raised this issue noting that they are required to carry out a suitability check to determine whether an applicant is a fit person to hold a licence.

46. Mrs Cochrane confirmed that the licence applicants would be the Ulster GAA, the Ulster branch of the IRFU and the IFA Stadium Development Company.

47. The Committee accepted that regardless of the operational matters it would be the licence holder who would ultimately be responsible if there were

breaches of the licence and the PSNI would, in any case, still carry out their assessment of whether the applicant was fit to hold the licence in the first place.

48. There was some discussion as to whether there would be a cost associated with obtaining a licence which is usually the case when there is a transfer of a licence i.e. the licence has a commercial value. The Committee noted that as this is a new type of licence the only costs to the applicants will be court fees.

49. The Committee noted that this was the case when the then Odyssey Arena was awarded a licence and that the current Bill mirrors that approach.

50. The Committee noted in the application for a licence and in accordance with Schedule 1 3(2) of the 1996 Order, the stadium would have to provide a plan of the premises for which the licence is sought. It states:

*The plan ..... shall clearly delineate by appropriate colourings or markings and a legend or key thereto—*

*(a) except in the case of an hotel, the part or parts of the premises in which intoxicating liquor is to be sold*

51. The Committee also noted that the Kingspan Stadium already provides this information when applying for its occasional licences.

52. The requirement to provide a plan also relates to the position of the PSNI that alcohol should be sold from fixed sales points to protect children and to prevent 'hawking'. This issue is addressed under clause 7.

53. Although specific to the Kingspan Stadium it is worth noting the Committee was informed that the current licensing regime "raises major questions" about Ulster Rugby's ability to sign off participation agreements for their two main competitions: the Pro 12 and European rugby.

54. The Committee was also informed in oral evidence that Ulster Rugby and the GAA are part of a bid to host the 2023 World Cup but they would have to withdraw this bid if the licensing law was not changed as they could not fulfil the criteria for access to alcohol bars or family access to entertainment that are required for the 2023 World Cup.

55. However, in a subsequent letter from Ulster Rugby it is made clear that the Invitations to Tender for the 2023 World Cup have not been finalised though

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the letter also states that *previous* World Cups did require certainty around licensing. The relevant written correspondence can be found [here](#).

56. The Committee acknowledges that, on past experience, it is perhaps likely that the 2023 World Cup bid *will* require certainty about licensing laws but to state this categorically in oral evidence when the details of the tender have yet to be finalised was, in the Committee's view, presumptuous/inaccurate.
57. One member expressed reservations on this clause but the Committee was content with the clause as drafted.

#### **Clause 4 Attachment of conditions to licences**

58. This clause amends the 1996 Order to include outdoor stadia in the provision that allows a court to attach conditions to the licence at the time it is granted or renewed.
59. The clause also provides for a district PSNI commander of the district in which the stadium is situated to apply to the court to attach conditions to the licence at any time during the life of the licence.
60. This provision was strongly supported by the PSNI who noted the flexibility this would allow them in tailoring requirements to each event.
61. The Committee was provided with the details of competition Participation Agreements by Ulster Rugby which indicates the requirement to sell alcohol before, during, and after a game and that this had been set at 1.5 / 2 hours before and after games for 6 years.
62. The Committee was also forwarded a statement from the Guinness PRO 12 tournament by the Ravenhill Steering Group - a recently convened group of residents in the Ravenhill Park area - which has concerns about anti-social behaviour by rugby fans, associated with alcohol use, following games.
63. This statement indicates that that the length of time sales of alcohol can continue after the final whistle is up to the competing clubs and in accordance with local licensing laws. The suggestion from the residents is that Ulster Rugby is *not* contractually bound to sell alcohol for up to two hours and could actually sell it for less than the time stated.
64. However, the Committee noted that the statement also indicates the majority of clubs sell alcohol for 90-120 minutes after a game. In addition, the

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Committee acknowledged that Ulster Rugby, although currently operating under an occasional licence which allows alcohol to be sold until 1am, chooses not to do this.

65. Instead, like the majority of clubs referred to above, alcohol is sold for up to two hours following a game depending on the competition requirements. This, the Committee acknowledged, reflects the fact that selling alcohol is ancillary to their key focus which is the participation in, and promotion of, Rugby Union Football.
66. The Committee discussed the potential to vary the closing time i.e. either 1.5 hours after a game finishes or at a set time of 10pm - an option proposed by Ravenhill Steering Group - and to put this on the face of the Bill.
67. In relation to their approach of restricting alcohol sales for up to 2hrs following a game Shane Logan, the Chief Executive of Ulster Rugby, stated *'We have no intention of doing anything else. We want things to be tightly controlled, and we realise we are in a residential area'*.
68. Members also noted that under clause 4 a district police commander could apply to vary or remove any condition attached to the licence. Therefore the Committee felt that there were sufficient protections provided by this clause.
69. During the clause-by-clause consideration two members expressed reservations on this clause but the Committee was content with the clause.

#### **Clause 5 Temporary continuance of business**

70. The Committee noted that this is a standard provision in the 1996 Order and applies to all premises licenced to sell alcohol.
71. For example, where an outdoor stadium is undergoing major renovation it could apply to continue selling alcohol in other premises as long as the court was satisfied that the alternative premises were adequate.
72. The PSNI are of the view that in such circumstances the proposed temporary venue should be consistent with the definition of 'outdoor stadium'. However, Mrs Cochrane noted that as only 3 stadia meet (or are likely to meet) that definition (and therefore most likely already hold a licence) the clause is intended to allow *alternative* premises to be considered if required.
73. The Committee was content with this explanation and the clause.

### Clause 6 Additional permitted hours and suitability for functions

74. When considering this clause Mrs Cochrane advised the Committee that she proposed to amend the title of the clause to 'Suitability for functions'.

75. The Committee was content with this amendment.

76. This clause would allow an outdoor stadium to be added to the category of premises in Article 48(4) of the 1996 Order for which an application could be made to the court for an order specifying the premises, or part of the premises, as being suitable for functions.

77. When premises, or part of premises, have been so specified then the licence holder can apply under Article 47 of the 1996 Order for an extension to the licence.

78. The Committee noted that Under 47 (5) there are two categories of functions. These are as follows:

*(a) functions organised by any body established for social, charitable or benevolent purposes or for furthering the common interests of persons associated with any trade, profession, educational or cultural activity, game or sport; .*

*(b) functions (not exceeding 6 in number in any year) organised by the licence holder.*

79. In both cases the selling of alcohol still has to be ancillary to the function in question.

80. Should a court approve an application the licence holder can sell alcohol as follows - depending on which day the function is held:

(47(1)(b)

*(i) on week-days between half past 11 in the morning and 1 in the morning of the day next following, or .*

*(ii) on Sunday, not being 31st December, between half past 12 in the afternoon and 12 in the evening, or .*

*(iii) on Sunday, being 31st December, between half past 12 in the afternoon and 1 in the morning of the day next following...*

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81. The Committee noted that functions could only be held in those parts of the stadium that have been deemed suitable for functions.
  82. The Committee had some concerns at the prospect of external bodies, referred to in paragraph 67, regularly applying for late licences to facilitate events.
  83. However, the Bill only allows for *applications* to be made for such extensions and, as with any application for an extension to a licence, objections can be lodged with the clerk of petty sessions. Where an objection is not withdrawn then under article 47(3) of the 1996 Order the application for the extension must be made to the court.
  84. The Committee is therefore content that the Bill simply reflects the existing provisions in the principal Order and that there are sufficient checks and balances to ensure that applications for late licenses can be challenged and decided upon by the court.

#### **Other issues related to functions**

85. In addition to functions held under the late licensing provisions referred to above the Committee also noted that under the definition of 'outdoor stadia' proposed under clause 2, a licensed part of the stadium deemed suitable to hold a function could sell alcohol at that function between the normal opening hours i.e. 11.30 am and 11pm. This would apply to functions run by the licence holder and to functions organised by bodies referred to in article 47(5)(a) - paragraph 67 above.
86. The Committee was told in evidence that the business cases of each of the governing bodies *do* include provision for ancillary use i.e. functions.
87. The extent of this ancillary use was not defined for each of the stadia although it was suggested that for Windsor Stadium this could be between 20 and 30 functions a year. It was noted that the maximum capacity of the banqueting facilities in Windsor was around 500.
88. The Committee acknowledged that the issues faced by residents on the day of a game, when potentially thousands of fans may be present, are likely to be significantly different than those as a result of a *function* held in the stadium.



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89. The Committee also recognised that it was difficult to estimate the number or type of function that each of the stadia would hold. For example, functions could be held during the day and organisers may wish to avail of the licensed facilities while others may not; while the number of people attending a function could range from tens of people attending a seminar, to hundreds attending charity fund-raising event.
90. However, regardless of the details of such functions, the Committee also acknowledged that residents of those areas within which the stadia are located are likely to have concerns about the ancillary use of a licensed stadium and its impact on the local area.
91. In evidence to the Committee the Ravenhill Steering Group called for the establishment of a body or monitoring committee along the lines of the Aviva Stadium community committee to help consider and address concerns about antisocial behaviour.
92. In evidence the Group provided examples of anti-social behaviour in their area following a game and their desire to resolve these issues with Ulster Rugby.
93. The Committee raised this with Ulster Rugby during an evidence session and subsequently received confirmation that they would establish a Stadium Community Committee. The Committee very much welcome this development.
94. The Committee agreed to write to each of the other two sporting bodies with regional stadia under development - Ulster GAA and the IFA - seeking assurances that they would also establish formal committees, which will include representation from local residents.
95. The Committee also agreed to recommend in its End-of-Mandate report that the Committee for Communities monitors progress on this issue over the course of the new Mandate.

#### **Clause 7 Requirements with respect to sale of intoxicating liquor**

96. Article 58 of the principal Order relates to young persons prohibited from certain premises. The clause amends Article 58(13) to allow young people under 18 years of age attending events and activities at an outdoor stadium

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- to be in the areas where alcohol is sold and to make purchases (other than intoxicating liquor) at a kiosk or other sales point.
97. This clause also amends Article 52A of the principal Order to place conditions on the sale of alcohol in an outdoor stadium similar to that in an indoor arena and establishes an offence and fine for contravention of the Article.
98. The Committee heard that sporting events are increasingly becoming family-focussed and with the development of modern stadia this is likely to increase. In respect of the Kingspan Stadium for example the Chief Executive estimated between 40-50% of the crowd attends as families.
99. Currently, as a result of the licensing requirements, children under 18 years old must leave the licensed area after 9pm. The Committee heard that this undermines the family-focussed nature of the sporting event as families in the licensed areas with children under-18 must either separate, or leave the stadium.
100. The Committee considered this issue with the PSNI who voiced concerns particularly about mixed retailing i.e. the selling of alcoholic drinks and non-alcoholic items from the same sales point. They were of the opinion that alcohol and non-alcoholic items should be sold from separate sales points.
101. The Committee noted that mixed retailing takes place in the SSE Arena and queried if there had been an issue with at that venue. However, the PSNI were not aware of any such problems and the Committee noted that Mrs Cochrane stated in a paper to the Committee there had been no conditions placed on the licence in relation to this matter.
102. The Committee also noted in correspondence from the Kingspan Stadium that there are 14 food concessions that are not mixed retail. These serve food and non-alcoholic beverage *only* and are the main conduit for all food and non-alcoholic beverage in the stadium.
103. The Committee also highlighted the cessation of mixed retailing could lead, however inadvertently, to children being separated from their parents thus creating a child protection issue.
104. The Committee believes that child protection in general must be central to the operation of stadia. However, in relation to mixed retailing at the two stadia where this occurs - the SSE Arena and the Kingspan Stadium - the Committee did not hear any evidence that this puts children at risk.
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105. Indeed, it is clear that in addition to mixed retailing, provision is already made in these venues for food and non-alcoholic beverages to be sold separately and to accommodate fans who want to be in an alcohol-free zone.
  106. The Kingspan Stadium is a case in point and the Committee noted that, at the request of supporters, one stand is kept 'dry' i.e. no alcohol is allowed in the stand.
  107. Regardless of the Bill, persons under 18 years of age are still not permitted to consume alcohol on or off the premises.
  108. The Committee did not hear any evidence to suggest that allowing under-18s to be in a licensed section of a stadium after 9pm could lead to child protection issues particularly where there was sufficient and responsible stewarding in each of the stadia.
  109. The Committee had considered an initial amendment by Mrs Cochrane to the clause to require a person under 18 to be accompanied by an adult after 9pm in licensed areas. However, following discussions with the Department she advised the Committee that that *“such an amendment could have unintended consequences as, depending on the plans submitted by each stadium, which delineate the areas where alcohol is sold, it could mean that U18s must be accompanied by an adult in all areas of the stadium after 9pm. This was not the policy intention but due to the different designs of each stadia (sic) it becomes too difficult to adequately place this on the face of the bill”*.
  110. The Committee agreed that such an amendment could be too restrictive particularly as two of the stadia are still in development.
  111. The Committee again noted that a district police commander in the area where a particular stadium is located could apply to have conditions attached to the licence if it is felt that additional measures are required.
  112. During the clause-by-clause consideration one member expressed reservations about this clause but the Committee was content with the clause as drafted.

### **Clause 7A Premises on licensed tracks: extension of permitted hours to Sundays**

113. During discussions on the Bill the Committee returned to an issue first raised in January 2013 relating to the principal Order and Sunday opening and its application to Drumbo Park Dog Racing Track.
114. At that time the Committee heard that as a result of an ‘anomaly’ in the principal Order Drumbo Park cannot serve alcohol on a Sunday.
115. This ‘anomaly’ relates to the fact that at the time of the drafting and implementation of the principal Order it was not envisaged that there would be legal track gambling on a Sunday.
116. Track racing and on course gambling are now allowed on a Sunday in Northern Ireland.
117. At the time of the original discussion the Committee was supportive of this change and wrote to the Department to recommend that article 42 of the Licensing (Northern Ireland) Order 1996 be amended so public entertainment other than theatres should be permitted to sell alcohol on a Sunday.
118. It was anticipated that this issue would be addressed by the Committee in its consideration of a bill to reform liquor licensing laws which had been expected to be introduced by the Department by now. However, that bill has yet to be brought forward.
119. Given that the *current* bill refers to ‘outdoor stadia’ the Committee therefore explored the possibility of an amendment to include Sunday opening for racetracks.
120. Following discussions the Committee agree to include a new clause, clause 7A:

#### **“Premises on licensed tracks: extension of permitted hours to Sundays**

In Article 42 of the principal Order (general permitted hours), in paragraph (3), after “in the case of a theatre” insert “or premises on a licensed track”.

After paragraph (3) of that Article insert—

“(4) In the application of paragraph (3) to premises on a licensed track, the reference to paragraph (1)(c) is a reference to that provision with the omission of the words “or Christmas Day”.

- (5) In paragraphs (3) and (4), “licensed track” has the same meaning as in the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985.”.”
121. This new clause would allow licensed racetracks (as defined in the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1995) to sell alcohol on a Sunday during the period of entertainment and 30 minutes before and after the period of entertainment.
122. The Committee believes that this new clause would bring consistency to licensing law in respect of places of public entertainment.
123. During the clause-by-clause consideration one member expressed reservations about this amendment to the Bill but the Committee was content with the new clause.

#### **Clause 8 Commencement and short title**

124. The Committee was content with the Mrs Cochrane’s amendment to insert a specific date for commencement of the provisions i.e.

*Clause 8, page 3*

*Leave out subsections (1) and (2) and insert -*

*This Act comes into operation on 1 September 2016*

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## Clause-by-Clause Scrutiny

125. The Committee completed its Clause-by-Clause Scrutiny of the Bill on 11 February 2016.

Clause 1: Interpretation

126. At its meeting on 11 February the Committee agreed that it was content with Clause 1 as drafted.

Clause 2: Meaning of “outdoor stadium”

127. At its meeting on 11 February the Committee agreed that it was content with Clause 2 as amended by the Member in charge of the bill.

128. This amendment is set out under option 3 in Mrs Cochrane’s paper of 28 January 2016.

Clause 3: Licences for outdoor stadia

129. At its meeting on 11 February 2016 the Committee agreed that it was content with Clause 3 as drafted.

Clause 4: Attachment of conditions to licenses

130. At its meeting on 11 February 2016 the Committee agreed that it was content with Clause 4 as drafted.

Clause 5: Temporary continuance of business

131. At its meeting on 11 February 2016 the Committee agreed that it was content with Clause 5 as drafted.

Clause 6: Additional permitted hours and suitability for functions

132. At its meeting on 11 February 2016 the Committee agreed that it was content with Clause 6 as amended by the Member in charge of the bill.

Clause 7: Requirements with respect to the sale of intoxicating liquor

133. At its meeting on 11 February 2016 the Committee agreed that it was content with Clause 7 as drafted.

New Clause 7A: Premises on licensed tracks: extension of permitted hours to Sundays.

134. At its meeting on 11 February, the Committee agreed that it was content with its amendment to insert new Clause 7A as drafted.

Clause 8: Commencement and short title

135. At its meeting on 11 February 2016 the Committee agreed that it was content with Clause 8 as amended by the Member in charge of the bill.

Long Title of the Bill

136. At its meeting on 11 February 2016 the Committee agreed that it was content with the Long Title as drafted.

## Links to Appendices

You can view the Licensing Bill [here](#).

You can view the Explanatory and Financial Memorandum [here](#).

Memoranda and papers from the member in charge of the Bill can be viewed [here](#).

Memoranda and papers from DSD can be viewed [here](#).

Minutes of Proceedings can be viewed [here](#).

Minutes of Evidence can be viewed [here](#).

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