



Northern Ireland
Assembly

Committee for Communities

OFFICIAL REPORT (Hansard)

Licensing and Registration of Clubs
(Amendment) Bill: Drumbo Park Ltd

13 October 2016

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Members present for all or part of the proceedings:

Mr Colum Eastwood (Chairperson)
Ms Michelle Gildernew (Deputy Chairperson)
Mr Andy Allen
Ms Nichola Mallon
Mr Fra McCann
Mr Adrian McQuillan
Ms Carál Ní Chuilín
Mr Christopher Stalford

Witnesses:

Mr Michael McAdam	Drumbo Park Ltd
Mr Linus Murray	O'Reilly Stewart Solicitors

The Chairperson (Mr Eastwood): I welcome Michael McAdam, director of Drumbo Park.

Mr Michael McAdam (Drumbo Park Ltd): Good morning everybody, and thank you for giving me the opportunity to come along and speak.

Nine or 10 years ago, my fellow directors and I went to Dublin to experience this new thing called greyhound racing. I had been there two or three years before that, at Shelbourne Park, which was quite a dodgy, overgrown and run-down experience. My main business is running cinemas, and it was the day we were going down to have lunch with Crocodile Dundee — do you remember him? He was in Dublin. The night before, my old dad and I went down and we experienced greyhound racing. Then, three years later, we were invited down by a friend of John, one my directors at the time, to experience the new Shelbourne Park and, my goodness, I was blown away. It was no longer a dingy place. It was bright; it was carpeted; it was air-conditioned; it had panoramic views; and then we came to the food. You were not having a burger or a curried chip in polystyrene. You were sitting down for a four-course meal. You were having table service. And I thought, "Wow!". And then the racing began and all the excitement, and I was looking around at men, women, parties of girls, groups of fellas, of all different ages, all enjoying an incredibly exciting night out. Our dream was to bring this to Northern Ireland, which, after a lot of time and an awful lot of money, we were able to do with Drumbo Park. That was nine years ago.

What we did was look at the Irish model of the Thursday being a corporate night, the Friday and the Saturday, and that is what we opened with. And, of course, our timing could not have been more disastrous, because at that stage, just as we thought the corporates were going to build up, we did not have the same amount of corporate buying power as they had in Dublin. Anyway, we were working with what we had and that was when the financial crisis hit, so anybody who was doing corporate

entertaining very quickly stopped; it was the first thing in their budget to go. And we struggled, and we suffered, and it got to the stage where we said, "You know what? We can't do this anymore". Any profit we were making on the other two days — we were having to close.

So, looking around as businessmen do, we have this wonderful facility: "What else can we do?". We looked at colleagues who were operating in Lifford in the Irish Republic, and while their Fridays were good, their Sundays were excellent — a whole different aspect of entertainment for families. It was complete families — mums and dads and their married sons and daughters for a day out, going along and having an excellent day out on a Sunday afternoon. And we thought, "Well, that's it. That's what we should do." And we tried it. Nothing is ever simple; we had to reapply for planning permission, because it was not covered originally when we put Drumbo Park together. After eight or nine months, we secured planning consent. We opened on Sundays; we were trading on our sixth week; it was flying; it was doing great. And then the police knocked on the door and said, "Guys, can we see your licence?". We produced it, only to discover that, in all innocence on our part, we were operating illegally because we do not operate under a restaurant licence, we do not operate under a pub licence, we operate under an entertainments licence, which, when it was last put together, excluded a live race track. On a Sunday, the only people who can actually — Linus will obviously give the legal part on this — serve alcohol using the entertainments licence is a live theatre, so we had to close.

Since then, we have tried everything in our power to think about how we could overcome this. Can we get a restaurant licence? Well, no we cannot — well, yes we can, in the restaurant, but that doesn't cover the people downstairs who want a burger and chip. OK, that has put that out. Can we buy a pub licence? Well, we don't really want to be a pub, but do we have to buy a pub licence? Well then, yes, but you can't charge admission into a pub.

So what we can do on a Sunday is we can provide you with a four-course meal, no problem. If you want to gamble on our Tote, you can legally gamble at a live track on a Sunday. Current legislation allows that; you can do it at Drumbo. Can you have a glass of wine with your meal? No, you cannot; not under current legislation. You can go into Marks and Spencer and push your trolley round on Sunday and you can have a glass of wine — within the licensed area, of course. I am not being facetious, and I am not trying to play smart, but we have worked very hard at Drumbo. We have proved that there is an appetite, if you will pardon the pun, for our restaurant and our entertainment on a Sunday. The statistics are there. We have tried it; we have proved it; people want to do it.

As a business, you cannot operate on two days a week. All we are doing is paying the bills. We have no money to reinvest into property, which we have to do. It is nine years of investment. We are paying the bank back; there is about £30,000 left. If you pull our accounts, you will see that there is about £30,000 or £40,000 left, which will go back into the company. As directors, we do not get paid; certainly, I have never got paid. There used to be three directors; there are now two. The two current directors have never received a salary. The most I see out of my investment, which is over £400,000 personally, is a couple of free meals a year when I go along.

Businesses cannot afford to sit still; we have to reinvest. I operate cinemas, and you will see from my 25 years of operating cinemas that we have gone from one thing to digital to this, that and the other, because our customer keeps changing and is more demanding. We really need to have our third day. We need to secure the employment of the 14 people who work for us full time and the 137 people who work part time. These are students and mums looking to bring in extra money at the weekend and so on. We need to secure their jobs. We need and want to reinvest, and we want to expand our operation. We want more people to experience the luxury we have. We do not want people standing at the track side; we want them up, covered in. We want them to have different levels they can stand on to see the track, to give an overall better experience. As such, we have come to you today to say, "With all the changes that we are asking for, can you please look sympathetically at what we are asking for?".

Mr Linus Murray (O'Reilly Stewart Solicitors): On the legislative point, as you will be aware, under the existing legislation, you can apply for 10 different types of licence for a pub, hotel or restaurant. The licence that Drumbo has is called a "place of public entertainment" licence. As Michael pointed out, under the existing legislation, for some reason — I believe it is an anomaly — it excludes Sundays in the permitted hours. Article 42 deals with general permitted hours in all licensed premises. Under article 42(1)(c), a place of public entertainment is excluded on a Sunday. One theory may be that, at the time when the legislation was drafted and brought in, it was not envisaged that there would be gambling taking place on a Sunday. As Michael points out, we now have a situation where the dog track can open and trade on a Sunday, and you can have food on a Sunday, but you cannot have a glass of wine.

I think that it is also very important to emphasise that this is a tourist product. Drumbo is very much an all-round experience. The average spend on gambling, as can be confirmed, is £1.40, so it is an overall tourist experience. I looked at all the different solutions, such as a pub licence, and nothing fitted with the product, so there was no point in doing that. It is an all-round experience for people to go and experience all the various parts of it. There is absolutely not a big emphasis on drinking. Anybody who has attended Drumbo — maybe a glass of wine with their meal.

The other point is that we do not believe it will open the floodgate, and I addressed that with the previous Committee. This is a very specific point and a very specific product. We have tourists coming to Northern Ireland at weekends, and people will ask hoteliers, "Where can we go on a Sunday? What is there to do?". Obviously, Drumbo is one of the key attractions that, we believe, people could be using. That is certainly the legal aspect.

The Chairperson (Mr Eastwood): Thank you. You seem to be caught in a very difficult trading position —

Mr McAdam: Yes, absolutely. That is right.

The Chairperson (Mr Eastwood): — because of a drafting error, or an error that we can maybe resolve. I know that, in the last mandate, Dolores Kelly was looking at a number of possibilities around amendments, and we can circulate those.

Ms Gildernew: You are very welcome, Michael. My history in this is that I was on the Social Development Committee back in the 1990s when we were talking about trying to get racing allowed here on a Sunday. Back in the day, there was no racing on a Sunday. I worked closely with Down Royal and Downpatrick, and we managed to get over the line on Sunday racing.

Mr F McCann: Good pun there.

Ms Gildernew: What?

Mr F McCann: "Over the line".

Ms Gildernew: "Over the line"; OK, Fra. Obviously I am not just as sharp as I normally am. *[Laughter.]* That is where the anomaly comes in. There was no Sunday racing 20 years ago, and that is why you have this particular difficulty. I have not got to Drumbo yet. I have been to dog racing in Cork, and I know the kind of night out it is. You are our only dog track. We lost ours in Dungannon a couple of decades ago. You are the only commercial greyhound track —

The Chairperson (Mr Eastwood): There is a greyhound track in Derry.

Ms Gildernew: Is there?

Mr McAdam: The Brandywell is still there, but it really is not the operation —

The Chairperson (Mr Eastwood): It is a very different thing altogether, but it is there.

Mr McAdam: It is a different experience.

Ms Gildernew: OK; it is there. We have taken our children to Down Royal, Downpatrick and Leopardstown, and they love the craic and the buzz. Drumbo has been mentioned a couple of times in this Committee. Naomi is not here today, but from earlier discussions that we had, we are all very sympathetic to the issues that you have, and we want to fix them. It might be easier if the Minister brings in an amendment to the legislation but, if he does not, it is my opinion that the Committee's view is that this should be tidied up and you should be able to trade on a Sunday the way you do on a Friday or a Saturday.

Mr McAdam: We would be very appreciative of that. We understand that we are asking for a change in legislation. It is not a thing to be taken lightly, and we appreciate all the other concerns that the Committee has to put in there. We are very concerned about our local neighbours. All we want to do is operate in the permitted operating hours on a Sunday, in line with other people. We know that we

have got a great experience. In all honesty, I fear that within four years we will founder if we cannot get an extra night. We must get it. We need to, from a business perspective.

Ms Gildernew: I just want to ask about the investment. Obviously there has been a considerable investment to have the product that you have. We are talking about a very different experience from the more basic dog tracks — the meals and the racecourse access and all that. What kind of investment have you put in?

Mr McAdam: We have put in £3.5 million at present.

Ms Gildernew: OK. You have 14 full-time staff and around 140 part-time staff?

Mr McAdam: That is right.

Ms Gildernew: That obviously has a big impact on the economic fortunes of Lisburn and the Drumbo area.

Mr McAdam: Absolutely, yes.

Ms Gildernew: From what I am hearing from the Committee, you are pushing an open door. We want to try and address this and, if the Minister cannot do it, I think we should.

Mr McAdam: That is lovely. Thank you very much for your consideration. It is very much appreciated.

The Chairperson (Mr Eastwood): We are not finished just yet, Michael.

Ms Mallon: I have been to Drumbo Park as part of a family event on a number of occasions. You have a unique and entertaining offering, which is most enjoyable. Michelle has touched on the economic impact of your struggle, and you put a time frame on it. You said that, realistically, you had four years if this anomaly is not addressed. I just want to make sure: if you had an ideal ask, would it just be for the extension and inclusion of Sunday?

Mr McAdam: Yes.

Ms Mallon: OK. Also, Linus, can you just share with us, because I do not know, how many place of public entertainment licences are in existence? Is anybody else remotely affected, or is Drumbo completely and utterly unique?

Mr Murray: I am not sure what sort of licence Down Royal or Downpatrick use. They might use an occasional or club licence. I am not aware of any other places where it is an issue. I am aware of places in Belfast that have a place of public entertainment licence. The Black Box, the MAC and various places like the Lyric fall within places of public entertainment, but I am not aware of it being an issue as far as they are concerned.

Ms Gildernew: Because you can have live theatre. Did somebody not say that?

Mr Murray: There is an extension under article 42(1)(c) that specifically refers to a theatre, for not exceeding 30 minutes in each case.

Ms Mallon: Just to reiterate, you have been caught up through no fault of your own in what clearly seems to be an anomaly that does not make sense.

Mr McAdam: Yes, that is right.

Ms Mallon: Just to reiterate, Drumbo has come up a number of times in Committee, and it came up in the Assembly. I do not want to pre-empt anything, but I can assure you that there is consensus and there is sympathy, as Michelle said, for your situation.

Mr McAdam: We very much appreciate that. When we set out, we looked at the Irish operation, because greyhound racing was phenomenal. They had the backing of the Irish Government and the Irish Greyhound Board. This is three guys from Northern Ireland who invested our own money in this. We never even considered Sunday. The model simply did not work. We do not have the corporates to pull a Thursday. I appreciate the concern that if we get Sunday, we will want Tuesday. We do not have the people. The sad thing is, it would be lovely if we could keep our business going seven days a week. We have 10 hours a week in which to pay the bills and keep the place going. It is a big ask. Because we had the opportunity to put our toe in the water and know that not only does it work but our customers want it, we just hope that you will hear what we say.

Mr Murray: In fairness to Michael, Drumbo has donated to charitable causes. A lot of events take place in Drumbo, and they have raised over £1 million of funds for charities throughout Northern Ireland, which is very commendable.

Mr F McCann: This is one of the issues that came before the Committee when Judith Cochrane was taking through the thing on rugby. The Committee looked for ways to put Drumbo through at that time. It is probably an injustice to it because of the anomaly that is there.

Mr Murray: I was in court on Friday, and the first stadium licence was granted in Belfast for Ravenhill.

Mr McQuillan: As Fra said, when the Bill concerning stadiums was going through, we tried to put Drumbo onto it, but there seem to be no way to do it. There was no objection from any quarter in the Committee, so I cannot see this now being a problem.

Mr McAdam: Wonderful. That would be great. Thank you very much.

The Chairperson (Mr Eastwood): It is subject to how we draft this and how we work it out. You can hear what people are saying. We will do our best.

Mr McAdam: I cannot ask for any more than that. Thank you for your time.

The Chairperson (Mr Eastwood): I know the situation around public funding on the other side of the border, and Lifford is not far away. I know it is difficult and that you have put a lot of your own money into it, and well done for doing it.

Ms Gildernew: Maybe we should have our Committee Christmas night out at Drumbo.

The Chairperson (Mr Eastwood): The next meeting is now on a Friday night. *[Laughter.]* Thank you very much.