



Northern Ireland
Assembly

Committee for Communities

OFFICIAL REPORT (Hansard)

Licensing and Registration of Clubs
(Amendment) Bill: Committee Report

11 May 2021

NORTHERN IRELAND ASSEMBLY

Committee for Communities

Licensing and Registration of Clubs (Amendment) Bill: Committee Report

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Members present for all or part of the proceedings:

Ms Paula Bradley (Chairperson)
Ms Kellie Armstrong (Deputy Chairperson)
Mr Andy Allen
Mr Mark Durkan
Mr Alex Easton
Mr Fra McCann
Ms Karen Mullan

The Chairperson (Ms P Bradley): Members, you are all very welcome to the extra meeting this morning. There is only one item of business to discuss today, which is the Committee's draft report on the Licensing and Registration of Clubs (Amendment) Bill. We are focusing on the text of the report. Formatting and spacing issues will be addressed once the text is agreed. I will ask for comments and then agreement on each section of the report.

We will start with "Powers and Membership". Are members content with the section as drafted?

Members indicated assent.

The Chairperson (Ms P Bradley): We now move to "Executive Summary". Members, do you have any comments, or are you content with the section as drafted?

Members indicated assent.

The Chairperson (Ms P Bradley): The next section is "Introduction". Members, do you have any comments, or are you content with the section as drafted?

Members indicated assent.

The Chairperson (Ms P Bradley): The next section is "Committee Consideration of Wider Issues and Recommendations". Members, do you have any comments, or are you content with the section as drafted?

Members indicated assent.

The Chairperson (Ms P Bradley): We will move to "Committee Consideration of the Bill". Members, do you have any comments, or are you content with the section as drafted?

Members indicated assent.

The Chairperson (Ms P Bradley): The next section is "Committee Deliberations on the Clauses of the Bill. Members, do you have any comments, or are you content with the section as drafted?"

Ms Mullan: What page are we on? We are flying through the report here.

The Chairperson (Ms P Bradley): I am sorry, Karen. We were at page 31 of the report. My device is playing up this morning, so it is not even on.

Are members content with that section as drafted?

Members indicated assent.

The Chairperson (Ms P Bradley): The next section is "Specific Deliberations on Amendments". Members, do you have any comments, or are you content with the section as drafted?"

Ms Armstrong: I wonder whether we need to say something about the late information that we received from the entertainment licence people, just to recognise that we received it.

The Chairperson (Ms P Bradley): OK. We can add that in.

Ms Armstrong: I do not want them to think that we have ignored them. We saw what they had, albeit it was very late, but we did consider it.

The Chairperson (Ms P Bradley): OK. That can be added in. Are members agreed?

Members indicated assent.

The Chairperson (Ms P Bradley): Are members content with that section as amended?

Members indicated assent.

The Chairperson (Ms P Bradley): We move to "Clause by Clause Consideration of the Bill". Members, do you have any comments, or are you content with the section as drafted?"

Ms Armstrong: We have said on page 91 that we "deliberated extensively" on clause 8, which deals with tap rooms. Is there enough there for us? Are we happy? It talks about the votes and that we had concerns. Some wanted more, while others wanted less.

The Chairperson (Ms P Bradley): Do you feel that that needs to be expanded on?

Ms Armstrong: It would help. I am thinking ahead of the review period for the Minister. If we are asking for reviews in the future, and the Department comes back to this, it may look at how the Committee considered things. We can say that there was a lot of debate. This seems like quite a short comment, even though we spent so long talking about it.

The Committee Clerk: The vast majority of the deliberations on that were in closed session, which means that there was no formal record taken. We can certainly beef it up and perhaps even add in the number of meetings in which we deliberated on the tap rooms issue. We could add that we considered a wide range of issues. I think that that is in the report.

The Chairperson (Ms P Bradley): Yes. Did members hear that? A lot of our discussions took place in closed session, so a lot of the detail was not minuted. The Committee Clerk says that she is more than happy to add in the number of meetings that we had on the subject.

Mr McCann: I may be wrong, but I thought that this was fairly clear-cut. By and large, this has been one of those Bills on which there was a lot of unanimity among the political parties. The exception was on the tap room issue. We were fairly clear on where we wanted to go with it, and that brought about a Division in the Committee. I do not know whether it is the correct protocol for that Division to be shown in the final report. That may answer Kellie's question. I am just worried that we could start to unravel a lot of the stuff that we have already agreed to. Kellie, are you talking about where there was a Division?

Ms Armstrong: No. Perhaps I did not explain myself well enough. I just want to highlight the fact that somebody else reading the report should understand that we went into a fair amount of discussion on the issue. We considered it for quite some time. I do not want anybody to think that we made a decision flippantly. The Committee deserves credit for the amount of consideration that we gave the issue. As the Committee Clerk said, even if we were to state the number of meetings that we spent on it, that would confirm how much it was discussed. Ours was a very considered approach. The draft report mentions that earlier, but I do not want anybody just to flick to page 92 and think, "That was it." An awful lot of input was provided by staff, the Department and us. We need to warm it up a bit more. We spent an awful lot of time on it.

The Chairperson (Ms P Bradley): On the other issue, about voting, I remind members that votes will be recorded in the Hansard report of any of our meetings that were live and to do with the Bill. The Hansard reports will form part of the complete report on the Bill, so that does not need to go into this part of our work.

I am more than happy for us to say that our deliberations were extensive and that we had meetings about it.

Mr Durkan: It does state that. It is the only thing on which we were not unanimous, is it not?

The Chairperson (Ms P Bradley): Pretty much, yes.

Ms Mullan: On Kellie's point, you want people to see and understand the time that we put in and the due consideration that we gave. We could probably talk about it for another couple of weeks, because —

The Chairperson (Ms P Bradley): No, please do not.

Ms Mullan: Definitely not, but I get where Kellie is coming from. We want people to see that we took everything on board, tried our best to work through the Bill and came up with something to give the tap rooms, while ensuring that we found that balance so as not harm to anybody else in the industry. As I said, I get where Kellie is coming from, but it is hard to get all of that on to a page in a report when we spoke about it for hours.

Mr Durkan: I do not want to put words into Kellie's mouth — I do not think that she needs anyone to do that — but Kellie and Andy both voted Aye but said that they would like to see the clause go further. I voted Aye as well but was perhaps thinking that it was going too far. It does not wed us to that Aye vote, if you know what I mean.

The Chairperson (Ms P Bradley): That will be reflected in Committee members' speeches when they are talking about the issue in the House. We can put only so much into the report, but we will also be including the Hansard reports from our meetings.

When we were taking the votes last Thursday, some members made comments. For instance, Robin made a couple of comments. He said that there were some things with which he was uneasy. He felt that it was the Committee's decision, however, so he went with that. That will have been picked up in the Hansard report from last week's meeting, which will form part of the report.

We cannot go too far in our report, albeit we need to reflect the detail of the discussions that took place. I remind members that they will have an opportunity in the Chamber to elaborate on their views and on why they think that the clause does not go far enough or goes too far. Thankfully, we have a review clause in there, which is good. That will help with lots of the discussions that will be had in the Chamber. Are members happy with the rationale behind where we are at?

The Committee Clerk: Robin wanted it to be noted in the report that he was uneasy with some aspects during the clause-by-clause consideration, so we have noted his concerns later in the report.

Mr Durkan: Very good.

The Committee Clerk: If Mark Durkan and Kellie Armstrong want us to include a line to note that, for example, Kellie wished the clause to go further, we can do that, but they will need to give us the words that they would like to be used.

The Chairperson (Ms P Bradley): Kellie and Mark, did you hear that?

Ms Armstrong: Not really.

The Chairperson (Ms P Bradley): The Committee Clerk said that, further on in the report, when dealing with clause-by-clause consideration, it is noted that Robin was not happy with various aspects but felt that it was the will of the Committee and thus voted with the Committee. We can include a note stating your opinions, Kellie and Mark. One of you felt that it did not go far enough, while the other felt that it went as far as it could possibly go. The Committee Clerk has said that that can be put in but that you will need to give her the text of what you want included. Is that fair enough?

Ms Armstrong: Yes. Thank you.

The Chairperson (Ms P Bradley): Do members want to have any further debate on the clause-by-clause consideration section?

I welcome Alex to the meeting.

Mr Durkan: I was a wee bit late getting on to the meeting, and I then had difficulty opening the report. I flew down through it to catch up with you, Chair. I had to declare an interest every week. I want to ensure that that is registered somewhere in the report.

The Chairperson (Ms P Bradley): I am being told that it is. It is in the minutes.

We cannot be content with this section until the amendments to it are done. I will move on from the clause-by-clause consideration section, if members are OK with that.

Members indicated assent.

The Chairperson (Ms P Bradley): The final section is "Appendices". Members, do you have any comments, or are you content with the section as drafted?

Members indicated assent.

The Chairperson (Ms P Bradley): Are members content that the minutes of today's meeting be included in the report?

Members indicated assent.

The Chairperson (Ms P Bradley): We now have two options, because some changes are required. The first option is that the Committee team can make the requested changes, do the formatting tidy-up and bring the report back to Thursday's meeting for final agreement. The second option is that, if the Committee is content that the changes are sufficiently minor that it does not need to see the report again on Thursday, we can agree now that, once the changes are made by the team, and the formatting is tidied up and the report is finalised, it can be printed. Are members of the opinion that they want it to come back on Thursday to rubber-stamp everything? I am probably of that opinion.

Members indicated assent.

The Chairperson (Ms P Bradley): All right. That is not a problem. I think that that is us.

Mr Durkan: Jeepers.

Ms Mullan: My God. I thought that we would be here for the whole morning. *[Laughter.]*

The Chairperson (Ms P Bradley): Do not get too excited. I have yet to read the concluding bit. Bear with me, members.

You will be delighted to know that this concludes the Committee Stage of the Bill. I thank you all for your in-depth scrutiny of the Bill. I put on record our thanks to all those who made submissions and gave oral evidence. I also thank the departmental officials again and our Bill Office officials for all their

hard work and help in working our way through the Bill, and I look forward to the debate at Consideration Stage.

Mr McCann: I echo that. Unfortunately, I missed most of the evidence sessions, but it is good to see such a Bill finally get to this stage. It has taken so long to come through, and it could make good changes to licensing laws, especially in and around tourism. I thank you as the Chair, as well as the Minister and departmental officials, who worked proactively with us to ensure that some of the mishaps of the past did not arise.

We hope that the Bill will get to the Chamber sooner rather than later so that we can move the legislation forward. It has fallen at the last hurdle a number of times, and let us hope that that does not happen again.

The Chairperson (Ms P Bradley): Thank you, Fra. You are one of the members who has been here long enough to remember similar legislation coming in front of the Committee at various times. I agree with everything that you said. It is great to get to this point.