

Report on	The Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021 – Phases 3, 4 & 5
Date of Meeting	10 th May 2022
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Is this report restricted for confidential business? If 'Yes', confirm below the exempt information category relied upon	Yes	
	No	X

1.0	Purpose of Report
1.1	The purpose of this report is to advise Members on further changes and the effective dates of Phases 3, 4 and 5 to the liquor licencing laws in Northern Ireland by virtue of the Licensing and Registration of Clubs (Amendment) Act (NI) 2021, some of which will have implications for Entertainment Licensing.
2.0	Background
	<p>Members will recall previous papers brought to Committee for information purposes in regards to the Licensing and Registration of Clubs (Amendment) Act (NI) 2021 as summarised:</p> <ol style="list-style-type: none"> 1. On 9th November 2021 Committee were updated on Phase 1 of the amendments of the relevant sections of the legislation have been introduced and effective since 1st October 2021. It was resolved that Entertainment Licensing premises may have permitted hours extended to 3.00am where requested by the applicant, and were the PSNI have no comments in relation to Public Order or Disturbance (Appendix 1) 2. On 8th March 2022 Committee were updated on Phase 2 of the liquor licensing legislation being effective from 6th April 2022. (Appendix 2) 3. Phases 3 and 4 will come into effect on 1 June 2022 and 1 October 2022 respectively. 4. Phase 5 will come into effect on 6 April 2023.

3.0	Main Report
3.1	<p>Members will note correspondence received from the Department for Communities (DfC) relating to The Licensing And Registration Of Clubs (Amendment) Act (Northern Ireland) 2021 (Appendix 5) which states confirmation of dates of when the remaining Phases 3, 4 and 5 are to come into effect.</p>
3.2	<p>The key changes in Phase 3 which comes into effect on 1 June 2022 are contained in the Licensing and Registration of Clubs (Amendment) Act (NI) 2021 DfC Guide, April 2022 (Appendix 4), and are summarised as follows:</p> <p>Section 11: Local producer’s premises: suitability for on-sales</p> <p>This section introduces a new Article 52E (Local producer’s premises: suitability for on sales) to the Licensing Order, allowing local producers to apply to the court for a suitability order for a specific part of their premises for the sale and consumption of intoxicating liquor in the premises and can make an application to the county court at any time</p> <p>Once a suitability order has been granted, a new Article 52F (Local producer’s premises: authorisations for on sales) allows for the application for an authorisation for the sale and consumption of the intoxicating liquor in the premises on specific dates. The permitted hours on these dates are between 4pm and 10pm. No more than 104 authorisations may be granted during a 12-month period and an authorisation may not include Christmas day</p> <ul style="list-style-type: none"> • Drinking-up time of 60 minutes is permitted under Article 46 of the Licensing Order • Holder of the licence must display a notice in the part of the premises to which an order under Article 52E applies when Article 52F is in force detailing: <ul style="list-style-type: none"> • Specific dates of consumption • Time of consumption between 4pm and 10pm • No consumption after 60 minutes drinking up time.
3.3	<p>The key changes in Phase 4 that comes into effect on 1 October 2022 are contained in the Licensing and Registration of Clubs (Amendment) Act (NI) 2021 DfC Guide, April 2022 (Appendix 4), and are summarised as follows</p> <p>Section 18: Prohibition on self-service and sales by vending machines</p> <p>Section 18 of the Act introduces a new Article 54A in the Licensing Order, which prohibits the sale of intoxicating liquor not made under the direct supervision of a licensee or a member of staff.</p> <p>Section 19 – Restrictions on off-sales drinks promotions in supermarkets etc.</p> <p>Section 19 of the Act introduces new Article 57ZA in the Licensing Order, which restricts the advertising of drinks promotions in supermarkets to the</p>

<p>3.4</p>	<p>area in which intoxicating liquor may be displayed in such premises. Supermarkets and other licensed premises which sell intoxicating liquor for consumption at home will also not be permitted to advertise drinks promotions available in the premises within the vicinity of the premises, or any other premises licensed to sell for consumption off the premises. Section</p> <p>Section 25 – Code of practice</p> <p>Section 25 of the Act introduces a new Article 76F in the Licensing Order which allows the Department for Communities to approve a relevant code of practice produced by a person or group of persons who have a relevant interest in matters surrounding intoxicating liquor. A court must be satisfied that for grant or transfer of a licence, any prospective licence holder is aware of any approved code, and for renewal of a licence that licence holders are aware and have been complying with such code.</p> <p>The key changes in Phase 5 that comes into effect on 6 April 2023 are contained in the Licensing and Registration of Clubs (Amendment) Act (NI) 2021 DfC Guide, April 2022 (Appendix 4), and are summarised as follows:</p> <p>Section 20 – Prohibition of loyalty schemes</p> <p>Section 20 of the Act introduces new Article 57ZB in the Licensing Order, which prohibits the award or redemption of loyalty or bonus points for the purchase of intoxicating liquor in all licensed premises.</p> <p>3.5 A further report will be brought to a future Committee setting out any potential implications for Council’s Entertainment Licencing policy.</p>
<p>4.0</p>	<p>Other Considerations</p>
<p>4.1</p>	<p>Financial, Human Resources & Risk Implications</p> <p>Financial:</p> <p>Human: Within Current Resources</p> <p>Risk Management: None</p>
<p>4.2</p>	<p>Screening & Impact Assessments</p> <p>Equality & Good Relations Implications: None</p> <p>Rural Needs Implications: None</p>

5.0	Recommendation(s)
	That Members note the content of this report
6.0	Documents Attached & References
6.1	Appendix 1 – The Licensing and Registration of Clubs Committee report of 9th November 2021
6.2	Appendix 2 – The Licensing and Registration of Clubs Committee report of 8th March 2022
6.3	Appendix 3 – The Licensing and Regulations of Clubs (Amendment) Act (NI) 2021
6.4	Appendix 4 – Licensing and Registration of Clubs (Amendment) Act (NI) 2021 DfC Guide, April 2022
6.5	Appendix 5 – Letter received from the Department of Communities (The Licensing And Registration Of Clubs (Amendment) Act (Northern Ireland) 2021)