

Proposed Changes to the Law Regulating the Sale and Supply of Alcohol in NI

Belfast City Council Consultation Response

October 2012

Respondent Details

In order for your response to be considered valid, you must provide the following information:

Name	Trevor Martin, Head of Building Control
Organisation (if any)	Belfast City Council
Address	Building Control 5th Floor, 9 Lanyon Place Belfast BT1 3LP
Telephone No	02890270283
Email	martint@belfastcity.gov.uk

Are you responding as an individual?

Or are you representing the views of an organization?

General Comments

Belfast City Council welcomes the Department for Social Development's consultation on 'Proposed Changes to the Law Regulating the Sale and Supply of Alcohol in NI' and in particular welcomes the opportunity to comment on proposals to align the hours for entertainment licensing and alcohol sales and consumption.

As advised in previous consultation responses the Council has expressed its opposition to the practice of inappropriate and dangerous drink promotions in pubs and clubs. The Council, primarily through representations of the PSNI to its Licensing Committee, is also fully aware of problems arising due to differing operational hours allowed under Entertainments Licensing legislation from those for the sale and consumption of alcohol. In recent months the Licensing Committee has discussed issues around the irresponsible sale of alcohol and the possibility of controlling drinks promotions through Entertainment Licensing. In a letter to the Minister for the Environment, the Committee has expressed support for the need to review the Local Government (Miscellaneous Provisions) (NI) Order 1985 and the associated Model Terms in order to expand these controls. It will be key, if future controls are to be exerted through the local government powers, that an urgent review is convened to allow the scope intended in the principle of these proposals to be realised.

The Council recognises that alcohol misuse in our society presents a significant problem in terms of the health and well-being of the people of Belfast, and increases anti-social behaviour, noise complaints, alcohol-fuelled disorder, crime, domestic violence and so on.

Belfast City Council has a civic responsibility to play a leading role in reducing alcohol misuse which will help it deliver its corporate objective of creating a healthier and safer city.

Alcohol harm is a significant problem in Northern Ireland and is proportionally more so in Belfast. In Northern Ireland alcohol causes:

- 730 deaths a year
- loss in over 12,000 expected years of life
- approximately 400,000 lost working days

The Department of Health, Social Services and Public Safety has estimated that in 2008/2009 prices the cost to society of alcohol misuse in Northern Ireland is estimated to be within a range of £500.8million and £884.4million. A significant amount of this cost is within the Belfast District area.

In Belfast there are over 750 alcohol related violent assaults within or outside bars.

Alcohol related death in the Belfast trust area was 69% higher than the Regional rate in 2008. The rate in deprived areas in the period 2001-2008 was consistently double that in the overall Trust over the period.

One of the largest sub-regional inequality gaps between the health outcomes experienced in those deprived areas in the Belfast Trust occurred in alcohol related mortality.

The harm caused by alcohol extends to all aspects of economic and social life within the city impacting upon communities, families, businesses and individuals. It has impacts across all generations and walks of life.

The Head of Environmental Health represents the Council on a group initiated by the Belfast Health and Social Care Trust entitled 'A Belfast Initiative for Violence Prevention'. A key driver for the group is looking at admissions data collated by hospitals for those patients attending due to alcohol related accidents and emergencies. It is aimed at linking those discussions with the other statutory agencies about how we can, in partnership, best use the collective evidence. There have only been two meetings but early data analysis has verified some of the information that could provide the local evidence base supporting the drive for behaviour change on alcohol.

Early data analysis gathered by the Mater Hospital, based on a model developed by Cardiff, shows the peak incident times are at 11pm, 2am and 3am with most incidents taking place on Saturday and Sunday into the early hours of Monday. The main type of injury was interpersonal with 83% of patients being male. Discussions to link this information with data from the PSNI and other enforcement agencies including the Council could help to inform 'hot spot' deployment of resources.

More interestingly, in-depth questioning of the people attending hospital showed that in almost 100% of cases 'preloading' had occurred, with 48% of alcohol being purchased from supermarkets. The data represents only emerging findings at this stage. It is hoped that other hospitals will join and, if the sample size is increased, this could present very informative research on which to base future actions. This initiative needs to be carefully considered in taking this consultation forward as the whole issue of 'preloading' and drinking at home and the social attitudes to alcohol will be a significant element of any future controls.

Conversely, the Council also recognises the importance of restaurants, pubs and clubs to the vibrancy and tourism offer and night-time economy of Belfast and accepts that the majority of the alcohol industry, including retailers, wish to act responsibly and work to address alcohol misuse.

Belfast City Council published the Belfast Integrated Strategic Tourism Framework 2010 – 2014 which sets out the city's targets and priorities for tourism growth for the next 2- 3 years. Events, pubs, restaurants and cultural experiences are identified as key components of the city's tourism offer, as is ensuring the city offers a safe and welcoming environment for all citizens and visitors.

In 2011, overall there were 7.86 million visitor trips to Belfast. The value of direct tourism spend in Belfast City during 2011 was an estimated £301 million. For every £1 spent by out-of-state overnight visitors in Belfast in 2011, 21p was spent on accommodation and 23p on eating out. The hospitality trade thus benefited from over half of income generated; 54p in every £1 spent. The three most popular attractions for overnight visitors were the Belfast shopping area, Belfast City Hall and the Crown Bar (43%). Visiting a traditional pub or bar proved very popular amongst out of state overnight visitors, almost a third had a meal out in a restaurant and more than half (51%) ventured into the heart of the City Centre in the evening. The most popular evening activities were to go for a drink in a pub (32%) and/or go for something to eat in a restaurant or café (18%). One of the main requests from visitors for improvements to the city's offer is for places to stay open later.

Recent research undertaken by NITB (NITB Visitor Attitude Survey 2011) shows that Belfast appeals to younger visitors, with around two in five aged under 35. Cafes and pubs/bars are the most popular places to eat and our visitors demand events and things to do e.g. pubs, contemporary festivals, shopping, street entertainment and attractions.

Within our Tourism Framework 2010 – 2014, we have identified a number of key priorities that are impacted by the sale and supply of alcohol:

- **Supporting the city's pubs and restaurants as a major contributor to the local economy – sustaining employment directly and indirectly.** The sector employs a range of skills from chefs and kitchen staff, to front of house, management and administrative personnel. Pubs and restaurants are predominantly independent enterprises and run by local companies unique to Belfast. The services that the sector provides increase the opportunity for visitors and citizens to spend money and a good experience will encourage people to share their knowledge and improve the perceptions of Belfast.
- **Café Culture** – on condition that it is well managed and attractive to visitors and citizens. Café culture should be embraced by non licensed and licensed premises and is not a promotion of drinking alcohol outside but enjoying food and drink in general. A well managed café culture enhances the urban space and environment.
- **City events and festivals** – the securing of large scale events is critical to achieving growth in visitor numbers and spend, contributing significantly to the economy and to the overall positive perceptions of Belfast. This remains difficult because of the current licensing laws and lack of flexibility. From an events perspective the Council would be keen to see an amendment that permitted an extension to licensing hours for special large-scale international events e.g. WPF 2013, All-Ireland Fleadh Cheoil, MTV EMA type event, etc. This would pertain to extending licensed operating hours across all seven days including Sunday.
- **Local Tourism Destinations** – our Tourism Framework identifies a number of local tourism destinations across the city e.g. Gaeltacht Quarter, Cathedral Quarter, Queen's Quarter, Shankill, Titanic Quarter. Belfast welcomes the work that Belfast City Centre Management have delivered with respect to the Cathedral Quarter being awarded the Purple Flag accreditation – which showcases the area as a well managed and safe area in the evening

- this supports our marketing messages to potential visitors and reinforces the safe experience on the ground when visitors get here.
- Belfast City has a range of arts venues including the MAC, Lyric Theatre, Black Box, Opera House, and the city hosts music events, literature events, entertainment and a range of festivals in venues throughout Belfast. Licences for these venues need to cater for customers and licensing proposals should consider this in final submission.
- Business Tourism is an important market for Belfast. Business visitor spend is high and they are potentially future leisure visitors. Belfast must offer a competitive and compelling proposition to secure conferences from both domestic and out-of-state. Licensing flexibility is important for Belfast to make successful bids against other cities and to win regular conferences and business meetings.

Regulating the Sale of alcohol in supermarkets and off-sales premises

1. **To what extent do you agree that mixed trading (i.e. selling alcohol in addition to other items) should be further restricted in supermarkets and shops?**

Suggested Council Response

Disagree - Most supermarkets have their own over 25 policy with regard to alcohol sales and have certain checkouts that do not sell alcohol. Our view is that the direct sale of alcohol to minors is not a major issue in supermarkets, although we recognise that proxy purchasing of alcohol can be an issue with supermarkets.

We believe that restricting mixed sales of alcohol will inconvenience customers without reducing the supply of alcohol to minors and the administration of this will cause widespread inconvenience for the regular shopper who wants to purchase a small amount of alcohol while shopping with their family.

2. **To what extent would you agree with increasing the degree of separation in supermarkets between areas where alcohol and other goods are displayed?**

Suggested Council Response

Disagree – Our view is that introducing the degree of separation between areas where alcohol and other goods are displayed will not reduce alcohol sales nor reduce the sale of alcohol to those purchasing for minors, chronic street drinkers or over 18's who wish to buy alcohol to "preload" before they go out.

3. **To what extent would you agree that persons under 18 should not be allowed to enter areas in supermarkets where alcohol is displayed?**

Suggested Council Response

Disagree - We have no evidence from a community safety perspective that not allowing persons under 18 to enter areas where alcohol is displayed would reduce underage drinking or anti-social behaviour.

Our view is that it is best for children to be with their parents at all times and that persons under 18 should be accompanied by an adult if entering an area where alcohol is displayed or sold and that appropriate warning signs should be displayed advising the responsible adult of their responsibility.

Excluding children from areas in supermarkets where alcohol is displayed, as well as being difficult to implement for supermarkets will, more importantly, be resource intensive to enforce.

In addition proposals to relax the legislation requiring 'on-sales' licensed premises to hold children's certificates appears to run contrary to this proposal and may be perceived as being discriminatory towards supermarkets.

4. To what extent would you agree that the purchase of alcohol in supermarkets should be restricted to alcohol only checkouts?

Suggested Council Response

Disagree - Most supermarkets have their own over 25 policy with regard to alcohol sales and the direct sale of alcohol to minors is not a major issue in supermarkets. Restricting the purchase of alcohol to alcohol-only checkouts would be difficult for businesses to comply with as well as inconveniencing customers and it is doubtful that it will either reduce alcohol sales or reduce the supply of alcohol to minors. Even if it reduces alcohol sales in supermarkets there is the possibility that there will be a resultant increase in alcohol sales in off sales as people will buy alcohol on a different shopping trip to their main grocery shop rather than queue twice in the supermarket.

5. To what extent would you agree with restrictions on advertising of alcohol in supermarkets and off sales premises?

Suggested Council Response

Agree – Our view is that alcohol advertising has a contributory effect on the levels of consumption and can support the development of pro-alcohol attitudes, particularly amongst young people. A restriction on advertising of alcohol in supermarkets and off sales premises may bring a long term reduction in alcohol fuelled violent crimes and antisocial behaviour incidents.

6. To what extent would you agree with prohibiting the advertising from taking place within the vicinity of the premises?

Suggested Council Response

Agree – Our view is that restrictions should be placed on advertising within the vicinity of supermarkets and off-sales premises for the same reason given in the previous proposal. It is also a concern that advertising within the vicinity of a premises may attract youths to affordable promotions and encourage them to ask customers to purchase alcohol for them.

Our view is that supermarkets and off sales premises should not be allowed to advertise alcohol offers anywhere other than within the licensed area of their premises. It is unclear if the intention would also be to stop off-sales premises having window displays in their premises.

7. To what extent would you agree with restricting the display of branded non-alcoholic products to the licensed area in supermarkets?

Council Response

Agree – Our view is that alcohol-branded non-alcoholic products that are being given away for free as part of alcohol promotions or offers should only be displayed in the licensed areas in supermarkets. Alcohol-branded non-alcohol products that are for sale should be allowed to be displayed anywhere in the premises and that restricting them to licensed areas may be anti-competitive for certain-types of non-alcoholic products, likely to reduce sales of those products whilst having no effect on alcohol sales.

8. **To what extent would you agree that advertising materials which relate primarily to alcohol should be restricted to licensed areas in supermarkets?**

Suggested Council Response

Agree – Our view is that advertising materials which relate primarily to alcohol should be restricted to the licensed areas in supermarkets as we believe reducing exposure to alcohol advertising may help change attitudes towards alcohol consumption and in turn reduce incidences of alcohol fuelled violent crime and antisocial behaviour. Careful consideration will have to be given to how this is defined however as it may be difficult to determine if a leaflet relates primarily to alcohol given that many supermarket flyers are distributed widely within and outside the premises and include both food and alcohol offers.

9. **To what extent would you agree with the proposal that young people under 18 years of age should not be allowed to accept a delivery of alcohol?**

Suggested Council Response

Agree – A significant issue within our communities in relation to ASB can be related to the delivery of alcohol to under 18's. Our community safety and parks and leisure staff who are addressing these issues in partnership with the PSNI have evidence to suggest that deliveries are made to under 18's through home shopping or taxis. This therefore involves minors consuming alcohol and engaging in antisocial behaviour and criminal activity. The PSNI confiscate alcohol from minors if they are found to be in possession of it in public and this measure would reduce any possibility of under-age people ordering alcohol online.

10. **To what extent would you agree with the proposal for identification to be shown and recorded on the delivery of alcohol?**

Suggested Council Response

Agree – Our view is that alcohol should not be delivered to a minor and verification of age should be sought when delivering alcohol – a system of introducing this to supermarket deliveries and also allow controls on other delivery options such as Taxis should be an enforceable offence and may require additional legislative control. This extra measure will help reduce the supply of alcohol to those who are underage.

11. **To what extent would you agree with the proposal to prevent third parties from profiting from the sales of alcohol?**

Suggested Council Response

Agree – The Council is strongly opposed to any illegal practices which increase the access to alcohol beyond the current licensing arrangements and third parties should not profit from the sale of alcohol. However, consideration must be given to how this would be enforced and if the PSNI would have the resources to carry this out.

Regulating the sale of alcohol in pubs and other on-sales premises

12. To what extent do you agree that public houses/ bars are important to the NI economy, including the tourism industry?

Suggested Council Response

Agree – As referred to in our opening general comments, our view is that public houses/bars are very important to the Northern Ireland economy, including the tourism industry. The statistics state that Belfast visitors; both leisure and business enjoy going to public houses/bars to not only enjoy the hospitality, food and beverages on sale but to also enjoy entertainment and the cultural experience. Visiting public houses/bars is one of the top activities for visitors when they are on holiday in the city.

Public houses/bars create employment directly and indirectly and contribute to the vibrancy and uniqueness of Belfast as a place to visit.

13. To what extent would you agree with the introduction of occasional additional late opening hours for certain licensed premises?

Suggested Council Response

Partially agree – Our view is that the introduction of additional late opening hours for certain licensed premises would be good for the economy and tourism, particularly for special large-scale international events e.g. World Police and Fire Games 2013, All-Ireland Fleadh Cheoil, MTV European Music Awards type events, etc. However we would caution that the following issues need to be considered:

- Licensed premises should operate additional late opening hours on a regular rather than infrequent basis so that customers become fully aware of the additional opening hours and can plan for a later closing time – rather than a rare one-off event.
- For a vibrant and safe night-time economy more than alcohol should be available including non-alcoholic alternatives, coffee, etc. If possible other businesses and entertainment venues should also be open in the area to create a mix of offers and in this regard consideration should be given to limiting the extent of occasional licences granted to premises in the same vicinity on the same occasion.
- Significant consideration needs to be given to the environment customers enter when they leave the premises and sufficient controls agreed around this, as well as infrastructure being in place to enable customers to get home safely, for example a robust public transport network should be available.
- Late night opening hours should be able to be reviewed in a timely manner should problems arise, such as increasing incidents of violence or disorder, and further opening must be able to be curtailed expediently.
- Currently, under the terms of the Local Government (Miscellaneous Provisions) (NI) Order 1985 entertainment may be provided up and until the latest hour to which alcohol may be served. Where the Council has restricted the hours during which entertainment may be provided on a premises because of objections from local residents about noise nuisance and disturbance a conflict will arise should additional hours be granted as proposed. It is suggested that proposals be worded in such a way that the Courts must have regard to any restrictions applied by the Council under the terms of the Local Government (Miscellaneous Provisions) (NI) Order prior to issuing an occasional licence or granting an order for additional permitted hours.

- A power to permit exceptional opening hours (beyond the latest additional permitted hour) for significant events should be considered. Reference is made to previous representations of the Council to the Minister supporting the Pubs of Ulster campaign for the creation of powers for the making of an Exceptional Hours Order to coincide with major events or occasions. Notwithstanding any other late night extended hours of opening it is suggested this matter could also be explored as part of the review of the Order and could provide similar powers to those which the Secretary of State has under section 172 of the Licensing Act 2003 in England and Wales. Powers which were last used for the extended Jubilee weekend to mark the occasion of Her Majesty the Queen's Diamond Jubilee.

14. In your view, what should the limit be on the number of occasions where additional late opening hours are granted each year?

Suggested Council Response

Provided appropriate control measures, such as those mentioned in the previous response, are in place our view is that the Court, in considering applications for occasional additional late opening hours, should defer to the views of the PSNI and the Council.

Business tourism is a lucrative market for Belfast and the city needs to be competitive in terms of facilities and have compelling reasons to secure/win a bid. Conferences and business meetings take place in diverse venues and the introduction of late opening hours should be flexible enough to apply to a range of venues including arts venues. The city hosts over 70 festivals, again venues are diverse and are located across the city. As well as granting late opening hours to already licensed venues, consideration should also be given to non-licensed venues.

There is concern that a limited number of occasional additional late opening hours will be of little benefit and may even lead to problems in organising transport home for patrons where trading is extended to 2.00am. If they are to generate any significant interest for the trade and add anything to the tourism offer of the city then it is suggested that additional late night opening hours should be available on more than 12 occasions. The number of occasional hours licences may well be determined by the process under which such applications are made.

However, such a proposal will be subject to political consideration and individual Party Groups may wish to express their own views on what they believe a limit on the number of additional late night opening hours should be.

To avoid any possible confusion it is also suggested that careful consideration is given to the language used in defining occasional additional late opening hours as provision for applying for an occasional licence is already included within the Order which is something entirely different.

15. To what extent would you agree with the conditions attached to the granting of occasional additional late opening hours?

Suggested Council Response

Conditions, such as those relating to restricting entry after certain hours, 'Challenge 21', CCTV and door supervisors are eminently sensible and readily enforceable. Others such as the late night levy seem onerous for a licensee to fulfil and it is doubtful if they will be prepared to meet the expense in order to gain the occasional one hour later opening. The conditions would seem more suitable for permanent late opening hours arrangement, or for the extension to licensing hours for special large-scale international events, as mentioned above, where there is a need to extend licensing hours for the duration of the event.

Consultation with the PSNI and the local council would be important for all such occasional licences and should be subject to review, as outlined above, where evidence of problems such as violence, disorder or noise nuisance and disturbance exists.

16. To what extent would you agree that the number of occasions that police may authorise late opening hours in small pubs should be increased?

Suggested Council Response

Agree – We agree in principle that the number of occasions that police may authorise late opening hours in small pubs should be increased as long as there is consideration given to location, other mixed-use services and infrastructure surrounding the business. In particular there is a concern that increasing the number of occasional licences may lead to increased incidents of noise, nuisance and disorder problems, principally where the pub is located in a residential area.

Police should consider these issues for small pubs when applications are received and we would strongly urge that provision is made within the Order that they must consult with their local council prior to granting such occasional licences to ensure that no such problems have arisen.

However, there again seems to be a contradictory approach developing given that under the Order at present article 44 extension licences may only be granted if the provision of alcohol is ancillary to the provision of substantial refreshment or entertainment. It is unclear why a licensed premise, simply because of its size, should be treated differently in terms of opening hours.

A clear definition of what constitutes a small pub is required if the number of occasional licences are to be significantly increased. If not the implications that some larger pubs will relinquish their article 44 licence, apply for occasional licences and not provide entertainment or substantial refreshment at all should be considered.

17. In your view, what should the limit be on the number of occasions where late opening hours are authorised?

Suggested Council Response

Given that the number of extension licences for private members clubs has recently been increased to 85 it would seem reasonable that a similar number be permitted for late opening authorisations for pubs. It is unlikely that there will be a demand for more than this in any 12 month period and given the concerns over increased noise nuisance and disturbance it is suggested that this figure be utilised and the impact reviewed once implemented.

This is on the proviso as stated in the previous response that Police consult with their local council prior to granting such occasional licences to ensure that no noise nuisance and disturbance problems have arisen.

18. To what extent do you agree with permitting late opening on the Thursday and Saturday before Easter Sunday?

Suggested Council Response

Agree – We agree with permitting late opening on the Thursday and Saturday before Easter Sunday as Easter is a key time in the city's holiday season and it would be beneficial to businesses to have more flexibility with regards to opening hours during these days.

19. To what extent would you agree that the current ‘drinking up’ time should be extended from 30 minutes to 1 hour?

Suggested Council Response

Agree - We agree the current “drinking up” time should be extended from 30mins to 1 hour in anticipation that this will encourage more responsible drinking with patrons, may help stagger patrons leaving times, lead to less pressure on the availability of taxis and also potentially lead to fewer incidents of alcohol related disorder.

There is a concern however that large amounts of drink may be sold at last orders and, unless measures are in place to encourage people to start leaving, it may therefore just move the existing situation 30 minutes further on into the evening. Responsible actions by licensees will be paramount in ensuring this makes an appreciable difference to the current situation and consideration must be given to including this within any revisions regarding increased “drinking up” time.

20. To what extent would you agree with the alignment of alcohol and entertainment licenses?

Suggested Council Response

Agree – It was highlighted by the Council as far back as the 2006 consultation on the proposed review of the Licensing Order that there was a need to review how alcohol and entertainment licensing hours could be better aligned.

At that time the anomaly which exists in the Local Government (Miscellaneous Provisions) (NI) Order 1985 which permits entertainment to be provided up and until the latest hour to which alcohol may be served was highlighted.

Where the Council has restricted the hours during which entertainment may be provided on a premises because of objections from local residents about noise nuisance and disturbance a conflict will arise should additional hours be granted as proposed.

The proposals would therefore require careful consideration to ensure consistency with entertainment licensing provisions in the Local Government (Miscellaneous Provisions) Order. Consideration should be given to ensuring that an occasional additional permitted hours order will only be operative provided the applicant has sought and obtained an appropriate variation to an entertainments licence (councils would probably need some expedited procedure to accommodate variation applications for this purpose). The grant of an additional permitted hours order should not affect the latest hour to which entertainment may be provided under the terms of any entertainment licence.

Similarly the Council are well aware of the concerns of the PSNI that allowing entertainment to be provided later than the latest hour to which alcohol may be sold encourages the illegal sale of alcohol to take place. It must be stated that a previous decision by the Council to restrict the hours of entertainment was successfully challenged and the court held that there is currently no provision in the Local Government (Miscellaneous Provisions) Order to restrict entertainment except under its own legislative framework.

The Council would seek further clarification on the mechanism by which the proposal that the grant of an occasional late alcohol licence will require that an associated entertainments licence will not extend beyond the latest time alcohol can be consumed will be implemented.

Given Council's responsibility for issuing entertainments licences we would be keen to ensure that the Court, in considering applications for occasional additional late opening hours, should have regard to the views of the Council on those applications.

It is suggested that another approach to the problem would be to re-introduce to the Order a provision making it an offence for a member of the public to be on the licensed premises after the latest hour to which alcohol may be sold or consumed. In this instance the hours associated with an entertainment licence would be of no consequence. If worded carefully this could be re-introduced such that it does not affect the sale of non-alcoholic beverages and food that has become an important part of the early morning trade for many bars and restaurants.

21. To what extent do you agree that the person providing the entertainment must be present and performing in the licensed premises?

Suggested Council Response

Agree – We agree that the person providing entertainment must be present and performing in the licensed premises. Our view is that it would be beneficial to have a definition of live entertainment so as to address any ambiguity with regard to current and emerging forms of entertainment provided in licensed premises.

It is again essential that in revising the definition that regard is given to the definitions of entertainment as set out in the Local Government (Miscellaneous Provisions) Order and ensure that both are consistently framed.

22. To what extent would you agree that the Department should change the law to ensure that entertainment provided in restaurants is ancillary to the business of providing food?

Suggested Council Response

Agree – There is a need to provide a diverse range of entertainment venues and care should be taken not to affect the current market for entertainment which complements the restaurant experience. However, there have been significant problems in the past associated with restaurants operating as a bar and providing entertainment when they only have the benefit of a restaurant licence and measures to prevent this are welcome.

23. To what extent would you agree with removing Children's Certificates and allowing young people under 18 years of age to be present in licensed premises until 9.00pm (subject to conditions)?

Suggested Council Response

Agree - We support a city which is child friendly and one that allows families to go out in the evening to enjoy theatre, entertainment and food. We agree with removing children's certificates and allowing young people under 18 years of age to be present in licensed premises until 9pm. It is suggested that even extending this until 10.30pm (subject to conditions) would make venues more family friendly and widen the vibrancy and mix of the evening economy offer.

As mentioned in the comments on the proposal to prohibit persons under 18 from entering areas in supermarkets where alcohol is displayed this proposal would appear to run contrary to that proposal.

24. To what extent would you agree with allowing young people under 18 years of age to attend functions in licensed premises (provided the bar is closed)?

Suggested Council Response

Agree – would support allowing young people under 18 years of age to attend functions in licensed premises provided that all alcohol is placed out of sight and there are no alcohol advertisements on the premises. It is our view that certain young people may not attend local youth clubs or activities because they feel they are too old and prefer going to the under 18 disco's in licensed venues which have a proper DJ, disco lights, etc.

The Council believes that protecting young people under 18 from being attracted to / being sold alcohol, while allowing them to enjoy suitable entertainment venues is important and would encourage the Department to work with colleagues in the DOE to review the Entertainment Licensing Model Terms to address this issue in an holistic manner.

25. We would also welcome your views on the types of arrangements that may be put in place to ensure alcohol is not sold, supplied or consumed on the premises at any event organised for young people under 18 years of age?

Suggested Council Response

The Council have introduced extensive guidance for under 18 functions in entertainment venues and would be more than happy to assist the Minister and his officials in drafting legislation/guidance to support any proposed changes in this area.

Some suggestions are that:

- All alcohol is removed from sight, optics should be taken down and beer pumps switched off and covered;
- Door staff should search individuals entering the premises and their bags for alcohol;
- Individuals should not be permitted to bring any liquids/drinks containers into the venues which may already be mixed with alcohol;
- Any individual with signs of alcohol consumption should not be permitted entry;
- Security staff should be trained to look out for signs of alcohol consumption and contact the minor's parents to collect them;
- Drinks should not be taken into the toilets and toilets should be monitored to ensure alcohol is not being consumed;
- An event for minors should only be for minors therefore over 18s should not be permitted entry;
- If a young person is refused entry due to intoxication, provisions should be put in place where parents are contacted and asked to come and pick up their children from a safe area on the premises set aside for this purpose.

26. To what extent would you agree with preventing the sale of alcohol via Pour Your Own Pint Tables?

Suggested Council Response

Agree – We agree with preventing the sale of alcohol via pour your own pint tables. Our view is that they do not encourage patrons to alternate their alcoholic drinks with non alcoholic drinks and so do not promote responsible drinking. Bar staff cannot monitor when individuals have consumed too much alcohol and therefore are not in a position to refuse service. This is not an activity which we would support and we believe it would have a negative reflection on the type of city we believe Belfast to be.

27. To what extent would you agree with preventing the sale of alcohol via Vending Machines?

Suggested Council Response

Agree – Our view is that staff cannot monitor if youths purchase alcohol from vending machines and bar staff cannot monitor when individuals have consumed too much alcohol and therefore are not in a position to refuse service.

28. To what extent would you agree with the law being changed to prevent the removal of alcohol (carry outs) from pubs after normal opening hours?

Suggested Council Response

Agree – It is our view that similar timings and conditions should exist for both the on and off trade for the sale of unopened alcohol to be taken off the premises. We would support a person not being able to remove alcohol after 11.30pm as alcohol being purchased after hours can lead to alcohol fuelled anti-social behaviour complaints, noisy parties, etc.

Regulating private member clubs

29. To what extent would you agree to the removal of advertising restrictions in relation to functions held on private member club premises?

Suggested Council Response

Agree – We agree with the removal of advertising restrictions in relation to functions held on private member club premises with the limitations as proposed. Consideration should be given to ensuring that such clubs do not undertake any fly-posting or leaflet-drops.

30. To what extent would you agree that young persons under 18 years of age should be permitted to be in a sporting club until 11pm during the summer months?

Suggested Council Response

We agree but cannot understand why this is restricted to summer months only.

31. What in your view constitutes summer months?

Suggested Council Response

We have no definitive view on this and suggest the views of the PSNI and the Federation of Clubs will best inform this proposal.

32. Would you agree that young persons under 18 years of age be permitted in a sporting club until 11pm, on one occasion a year, in order to attend an awards night?

Suggested Council Response

We have no definitive view on this and suggest the views of the PSNI and the Federation of Clubs will best inform this proposal.

33. To what extent would you agree that licensing and clubs' law should be amended to allow statutory approval for industry codes of practice?

Suggested Council Response

Agree – Our view is that industry codes of practice (such as 'The Responsible Retailing Code NI') are complimentary to statutory regulations and can be useful good practice guidance. We agree with the Department formally approving such codes of practice and licence holders and registered clubs having to sign up to an approved code but would welcome more detail on proposals as to how this will be enforced and the mechanism by which objections are made and who can make them. Unless the code is mandatory and any breaches are easily enforced then it will be of little value.

34. To what extent do you agree that the Department should change the law to ensure Angostura Bitters can only be sold in licensed premises?

Suggested Council Response

Agree - Considering the alcohol content it is more responsible that Angostura Bitters are only sold in licensed premises where consumption can be monitored.