

BETTING, GAMING & LIQUOR LICENSING

Liquor Licensing Reforms: *Extended trading hours & the removal of restrictions at Easter*

Northern Ireland's liquor licensing legislation has undergone significant reform with the Licensing and Registration of Clubs (Amendment) Bill 2021 receiving Royal Assent on 26 August 2021.

Under the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021, we now have a more modern and flexible licensing system which will undoubtedly be welcomed by the hospitality industry, patrons and tourists alike.

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During the Final Stage Assembly Debate, Communities Minister Deirdre Hargey said *“the changes set out in the Bill will provide much-needed support to our hospitality sector and our tourism industry, particularly at a time when both are rebuilding their businesses while still subject to a level of restrictions as a result of the pandemic. It will give them an opportunity to expand their offering and continue to provide the high levels of service that locals and visitors have come to expect and to demand.”*

In recognition of the importance of the hospitality and tourism sectors to the local economy, the following measures have been introduced, the majority of which are expected to take effect from 1 October 2021:

Further later opening hours for certain licensed premises

Pubs and hotels which are authorised to open late can now apply to the court to extend their late opening hours by an additional one hour up to 104 times per year except for Christmas Day. Such venues will therefore be allowed to serve alcohol until 2.00am on weekdays and 1.00am on Sundays.

During the further later opening hours, premises may be used for the sale of alcohol only if they are also being used to provide entertainment and/or substantial refreshment.

Smaller premises which do not have the facilities to provide food or entertainment may apply for further later opening hours up to 85 times a year.

Extension of “drinking-up time”

The period of “drinking up time” at the end of normal opening hours or later opening in licensed premises has been extended from 30 minutes to 1 hour with the aim being to discourage customers drinking too quickly and to allow more gradual departure from venues.

The hospitality industry will be able to avail of the extended hours in time for the festive period.

Removal of restrictions on late opening for on-sales on Sunday

The general and additional permitted hours on Sundays have now been brought into line with those permitted on any other day of the week.

Removal of additional restrictions on Easter trading arrangements

The new legislation calls time on Northern Ireland’s Easter licensing restrictions for pubs, clubs and hotels.

The permitted hours for both on and off sales during Easter weekend are now the same as those which apply to any other weekend during the rest of year.

This change is expected to come into force from 6 April 2022 in time for next Easter.

Alignment of liquor and entertainment licences

Under the new legislation, any grant of late opening hours or further later opening hours will require that an associated entertainment licence does not extend beyond the latest time for consumption of alcohol on the premises (i.e. the period of “drinking up time”). Where entertainment continues beyond the drinking up time, the court order granting late or further later opening hours is invalidated, and the sale of alcohol must cease at 11pm.

The legislation also includes provision for a full statutory review of Northern Ireland’s licensing system within one year of Royal Assent. The review will include an analysis of the long-established surrender principle which prevents a new pub or off-sales licence being granted unless an existing one is surrendered.



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