

## **Re: General Scheme of the Sale of Alcohol Bill 2022**

### **Give Us The Night opening statement to Joint Committee on Justice**

24/1/23

Thank you Cathaoirleach and to Committee members for having us here today. We're happy that the General Scheme of the Sale of Alcohol Bill has been published, and would like to also commend Minister McEntee and her officials for bringing it this far.

It is nearly 20 years in the making, during which time the night-time industry has noticeably downsized. When we protested outside The Dáil in 2008 we predicted that the nightclub industry was going to be destroyed if the sudden and unnecessary amendments in the Intoxicating Liquor Act were introduced. We were unfortunately right.

So when people ask what happened to nightclubs, and why we have approximately 85 now versus 328 in 2008, this isn't simply down to changing social trends or rising running costs. This is also because the Government went out of its way to obstruct our industry by providing no workable licence, ending late opening on Sundays (which was at that point our "industry night"), and piling on unaffordable licensing costs that caused many venues to shut. The Government committed what is the biggest sin if you're a DJ or live performer - it cleared the dancefloor.

I will keep it brief for now as I know we will have time to go through this in greater detail shortly. I am going to prioritise some of the top issues for us, which we see as still being unresolved in the bill as it currently reads. We are happy to provide more thoughts and solutions in relation to these issues during today's discussion.

First of all, we need the current exorbitant licensing costs for all late-night venues to disappear. Venues should simply pay a yearly court administration fee for the newly created late permits, no more than the European standard, which ranges from €500-€2,500 per year.

We asked that dance venues be given a specific venue licence, instead a nightclub permit is proposed which keeps us tied directly to the pub licensing system. A club is not a pub, and vice versa. They are completely different business types. Given the severe downturn of the nightclub industry while fully fenced into this system since 2008, it has proved to be an unhealthy union.

And this is set to continue.

While the removal of extinguishment is designed to enable easier access to the market, for a full three years after the legislation is enacted new nightclub operators will still have to purchase a 7-day Publican's Licence on the open market (currently selling for circa €60,000). Given the setup costs of a nightclub, the limited trading hours, and escalating running costs (with some insurance premiums that have quadrupled post-pandemic) - adding the hefty cost of a pub licence will be enough to dissuade new entrants to the market. It should not be assumed that new operators, especially younger ones, have access to an endless flow of money or come from generational wealth. New nightclub operators should be encouraged into the market and exempt from any extinguishment process.

Although the Cultural Amenity Licence sounds promising, it is a culturally regressive development considering that it has been spawned from the current theatre licence (which was once the premier late-night licence). Unlike purpose-built bars and nightclubs, other cultural venues that currently use the theatre licence will have no new permit to operate late unless they purchase occasional late hours orders (the renamed special exemption orders) in court. This needs to be addressed. Similarly, we feel that adjustments to the National Cultural Institutions Licence are unnecessary. The proposal to create a new National Cultural Amenity Licence should be scrapped.

Despite a succession of ill-judged amendments to licensing laws post-millennium, the Department of Justice has never reviewed the effectiveness of these specific changes on the night-time industry, and their necessity in the first place. It is our view that the current proposed reform is moderate and could go further, and that regulations may continue to hinder the sector. With this in mind, we believe that a review (potentially independent) of the reform should take place within two years of the laws being enacted.

Finally, issues involving safety of all types - inside and outside of venues - have been a priority for the Night-time Economy Taskforce. We welcome a new safety-related sub group being formed within the Taskforce that can hopefully help to inform safety policies and staff training for night-time venues in Ireland. Work has also commenced by the HSE to look at health and social responses in nightlife settings, and we believe that work will continue to develop this year based on European best standards.