

THE OFFICIAL VOICE OF THE NORTHERN IRELAND FEDERATION OF CLUBS

# Club Review

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## Minutes of the Executive Meeting

Hosted by Ligoniel W.M.C., Belfast  
on Wednesday 11th October 2017

The Chairman opened the meeting, following which, he requested that the Secretary read the minutes of the previous meeting. These were passed as a true record by Philip Mallon and Joe Patterson.

The Chairman proceeded by reading the detail of a number of queries received via the helplines, with explanations on the answers provided.

Understandably, a number of calls were in relation to the new Sky tariff now available to clubs with 'Sport & Recreational' relief, which is particularly beneficial to sports registered clubs with extensive outdoor playing areas and some with similar sized indoor facilities.

Jim Hanna spoke about the plight of other clubs which are unable to benefit from the new tariff. Naturally, we wish to help all our members, but this new agreement with Sky is a major development and a great boost to those clubs with extensive playing facilities and the resulting rateable valuation.

The Secretary confirmed that a list of clubs have been forwarded to David McKane, Sky's National Business Development Manager.

A number of clubs have congratulated the Federation on having obtained this new tariff for its members.

Club constitutions were discussed, highlighting that they must meet the requirements of natural justice. Since the previous meeting, Federation officers have engaged with a number of club officials to provide advice on a range of items which are required to be included.

It was requested that a notice be placed in Club Review, highlighting that club registrations are due for renewal in March 2018, and that clubs ensure their solicitors prepare paper-work in time to meet the required deadline. This will avoid the problem experienced by some at the last time of renewal.

The Treasurer, David Larmour, provided a detailed financial report, which was passed as a true record by Philip Mallon and Raymond Conor.

Data protection was again discussed, with the Chairman providing an update following guidance from the Data Protection Agency. It should be noted that the Act is due to be updated in 2018.

The meeting was concluded with thanks being extended to Ligoniel WMC for hosting the meeting and for the generous hospitality provided.

*Harry Beckinsale*  
Secretary  
N.I.F.C.



Ligoniel WMC official, Paddy English (left) and Martin Sullivan (centre), pictured with the Federation Executive Committee.

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Notice for opening hours on New Year's Eve

Club Secretary's should note that 'Special provision is made in the Clubs Legislation, which provides for a late extension to be granted on New Years Eve when it falls on a Sunday'.

Gaming machines: Are you properly insured?

Many club gaming machines are now only emptied by the gaming rental company rather than the club themselves. This means that if collection is on a weekly or bi-weekly basis, the machines can be holding several thousand pounds each which is making them a target in clubs.

Access to the premises might be gained by tampering with the alarm contacts when the club is open. When employees close up for the night they may not notice that the alarm has not armed properly leaving the club vulnerable to an undetected attack. If the alarm is not sounding to notify of a break-in the thieves can spend a long period of time breaking

into the machines using axes or hammers for example.

It is vital that anyone who is responsible for setting the intruder alarm when the club is closed understands exactly how the alarm works and can recognise if the alarm does not set properly. If they are in any doubt, the premises should not be left unattended if the alarm is not fully operational otherwise any potential claim is unlikely to be paid.

Even with a fully operational alarm, your insurance policy may typically only provide cover in gaming machines to a limit of £500 per machine and £1,000 in total unless



you have specifically notified your insurers and arranged for the cover to be extended. Although the gaming machine rental company may insure the machine itself, they will usually expect the club insure the contents.

Read your rental agreement to clarify your responsibility and if you have any queries please contact the gaming machine supplier along with your insurance provider.

New Sky deal officially launched

Sports clubs in Northern Ireland can now benefit from a new tariff from Sky, which means they could receive a reduction in the cost of Sky TV. The new offering is all part of Sky's continued commitment to helping clubs make and save money as well as giving them the best content to keep members happy.

Sports Clubs in Northern Ireland who receive Sports & Recreational Relief may be eligible under the new agreement. Sky will deduct the value of this relief from the club's rateable value, meaning many venues could pay less for Sky. The deal is open to both new and existing Sky customers and is fantastic news for clubs that wish to show the biggest sporting events to their members.

The Sky Sports line-up over the next few months is huge and clubs can look forward to showing customers a whole range of sporting events, including two massive Sky Sports Winning Weekends. These weekends will offer clubs back-to-back unmissable action from the nation's favourite sports and packed days of action that no other

broadcaster can offer.

A Super Sunday to Remember

The first weekend in November will be full of fireworks and drama as four of the top Premier League teams take to the pitch to face each other. Kicking off Super Sunday is Man City against Arsenal where both teams will be hoping to build on their winning start to the season. Clubs can then look to keep members in for longer with Chelsea versus Man Utd straight after. Jose Mourinho's men have started the season in high confidence and will be hoping to steal an away victory at Stamford Bridge in what promises to be a fascinating showdown.

Plus there's plenty of other football action as well as rugby,



golf and much more across the whole weekend.

Score a try with the Autumn Internationals

On Saturday 18th November, clubs can take advantage of a tantalising line-up of sport to keep members in for longer, spending more. Premier League starts the day in style with a north London derby featuring Arsenal against Tottenham at the Emirates stadium.

International rugby then offers entertainment for the remainder of the day with Sky Sports bringing clubs the pick of the games from the Autumn Internationals. Ireland face Fiji in their second match of the series while England are also in action against Australia.

With so much sport lined up to create a great atmosphere and pull in club members, Sky Sports Winning Weekends were made for clubs.

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Avoid being tempted - it could be costly!

Beware of illegal providers

It's fair to say that most of us are unable to resist a bargain, and the temptation to show sport via services, other than the official channels, presents a major problem.

The problem has been compounded by those suppliers who have told outlets that, in the event of legal proceedings, they will be protected. Sounds good you may say, and indeed reassuring, but outside of hearing what you want to hear, do you really believe it! What is it they say - if something sounds too good to be true - well you know the rest!

Your Federation has explored every avenue to protect members' interests and can

assure you that showing Sky programming in registered club premises without a commercial viewing agreement is illegal. Doing so can result in a substantial fine and costs, apart from the potential for a civil action for recovery of subscription revenue and legal expenses.

So Please Beware!

We fully realise the costs involved, but with the new Sky tariff initiative now being in place, we strongly encourage members to enquire via the Federation Helplines as to which solution is best for their club. We can assist in providing a guide as to the price band you are likely to fall into, and the various tariffs available.



In respect of a registered club, it should be remembered that it is the club secretary, being the senior officer, who is deemed responsible for any unauthorised screenings, and is the person who will ultimately face legal action, if taken by the broadcaster.

Clubs should be mindful of the fact that there have been prosecutions in Northern Ireland, and we wish to avoid such circumstances arising for our members.

Membership recruitment and club advertising

The key to any club's current and future success lies in the ability to recruit new members.

In most clubs, whatever facilities are available, only one third of the total membership uses the club regularly and its hard core is less than this. The aim therefore, is to increase the total membership in order to increase the proportion which makes up one third of regular users.

Membership recruitment is a matter which should be discussed regularly by committees. Without a continuous programme of membership recruitment, a club will eventually weaken. Club committees often place the onus of responsibility for recruiting new members on themselves, rather than correctly placing it on the membership. It is the members who must propose and second new members, not just the committee.

Experience has also shown that many clubs will recruit new members and will lose them at the following year's renewal time. I believe one of the reasons for this is that new members are not always made as welcome as they should be.

All clubs, by their very nature, tend to have established groups and sections and these can seem daunting to a new person using the club for the first time. Three or four new members' evenings should be organised during the course of the year to which all members who have joined during the previous period are invited.



These social occasions are a great way to help 'break the ice' and forge friendships with existing members.

Clubs should be aware that they should exercise their legal right to vet membership applicants, to assure their good standing.

**Club Advertising**  
Care must be taken not to advertise directly for new members. Club rules should contain a reference to candidates for membership being properly proposed and seconded by existing members who are able to vouch for their suitability.

This is one of the fundamental principles which

define a bona fide members' club, as opposed to a club which allows people to come in and drink following some mere administrative 'tick the box'.

It is, however, possible to place an advertisement in the local press or on a flyer posted to local residential or business addresses, which for example, lists forthcoming events and facilities which are on offer, provided the following words are included -

*'Members, Members' Guests and Affiliation Ticket holders welcome. For further details please contact the Secretary.'*

It is likely that non-members will read this advertisement

and may be attracted to what is happening at the club and the facilities which are on offer, and may indeed contact the club with a view to becoming members.

Importantly however, the club could not be accused of advertising for members. Some clubs have successfully used this method to highlight the club and its activities with the result of increased patronage by existing members who are able to see what activities are planned as well as interest from non-members who may wish to become members of the club.

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## Questions & Answers

**Q.** The committee is currently in a dispute with the steward and stewardess over the amount of hours they are working for the club and where they are spending these hours. They believe they have to work more hours than they are contracted for and would like the recruitment of an

additional part-time employee to assist. Do you have any suggestions?

**A.** Can I suggest that for a few months the committee requires the steward and stewardess to complete time-sheets reflecting when they are working at the club and what duties they are doing during these hours. Once the committee has a clearer view of the current working hours they can then consider if the recruitment of another employee is necessary.

It is hard to make any decisions without knowing exactly how many hours each week they are working and where these hours are being spent. If you carry out this exercise for a period of two months this should provide

enough data to base a decision on. One possible outcome might be that the committee, for a temporary time at least, will have to formally rota the steward and stewardess and dictate when they are working behind the bar and when they are given time to focus on aspects of the job such as stock management and pipe cleaning. This will ensure that they are not being asked to work any additional hours beyond which they are contracted to do. If it turns out they are having to work more hours than they are currently contracted for then a further employee may need to be recruited or the Steward and Stewardess may agree to a pay increase in order to increase their working hours.

**Q.** We are looking into purchasing a defibrillator machine for use by club members and the local community as and when required. The cost of these machines is high, is there a specific supplier we would be contacting to reduce the cost?

**A.** We do recognise the high cost of these machines, although unfortunately, there is not much that can be done to lower the prices. Only a few companies offer these machines and the high prices tend to be because these machines are simply expensive to produce and install to begin with.

Many clubs use fundraising events to purchase these machines. This might be a sensible route for the club to go down in order to pay for the machine, or at least to provide a contribution towards the cost of such a machine.

**Q.** We may have to invite an employee to a disciplinary

meeting but I believe we should first undertake an investigation. Can you explain how an investigation should be conducted?

**A.** Depending on what is being investigated, an investigation would typically involve talking to other employees, club members and also committee members who may have dealt or have been witnesses to an alleged incident.

For issues such as stock or financial irregularities, then you would also likely wish to speak with the club's stock-taker and/or accountant. Essentially, you would want to try to talk to anyone who may have first-hand knowledge of the situation.

Once the disciplinary investigation has been completed, you should present your findings to the committee. The committee can then review the allegations and consider your investigation report. The committee then has to decide if they wish to invite the employee to a formal disciplinary meeting or take no further action.

**Q.** The committee are considering replacing one of the club's snooker tables with a pool table. Can the committee make this decision or do the members need to vote for it at a special general meeting?

**A.** The committee can make this decision without recourse to the members. The members have elected the committee to run the club and to make management decisions.

This type of situation completely falls under the committee's purview. If the committee is worried about the members' reaction then

I would suggest that a notice can be placed on the notice board informing the members of this decision and explaining the reasons behind it. If it is possible to trial this decision then this may be worthwhile, although it would mean you would have to find somewhere to store the snooker table which may not be easy.

Alternatively, if the committee would like further feedback prior to a decision being made, then you can call an advisory meeting with the members where feedback can be received directly. This will allow the committee to access the strength of feeling regarding this issue before making their decision.

**Q.** We are struggling to achieve a quorum at committee meetings. What should we do to solve this problem?

**A.** If the committee can form a quorate meeting then you are able to co-opt members to the committee to fill vacant positions. This would solve the problem in the short and medium term. In the longer term, it might be sensible to consider a rule revision to reduce the quorum requirement down to a more manageable figure. The committee can also empower employees and committee members to make specific decisions without recourse to the committee. This means that even at times when the committee may not be quorate, that day-to-day club

decisions can still be made by the nominated persons.

**Q.** I have served on my club's committee for a number of years and my daughter is also the stewardess of my club. The committee are in the process of negotiating a new contract with the stewardess and the committee have requested that I leave the meetings when this matter is being discussed due to 'vested interest/conflict of interest.' I can find no rule in the club's rulebook regarding this matter.

**A.** Your club's committee are entirely correct when requesting that you do not participate in discussions or vote on matters relating to your daughter's employment with the club. Clearly, there is a vested interest in view of your family relationship with the employee. You are correct that there is no specific rule regarding this matter since the subject of vested interest/conflict of interest is one which is standard (and accepted) management practice.

I do not think that you should view the request for you to leave committee meetings as a personal reflection on yourself. The club are not saying that you personally would be unable to separate your role as a committee member acting on behalf of the club with the fact that you are the employee's father. It is simply a case of sound management procedure and, furthermore,

it is important not to create a precedent whereby committees of the future find it difficult to impose the vested interest/conflict of interest scenario on the grounds that they made an exception in your case.

I would advise you to accept the committee's decision in respect of this matter which is both correct and appropriate and also to take solace in the fact that by completely removing yourself from this

decision-making process, no-one can possibly accuse you in the future of not acting appropriately.

**If your club needs a question answered please send it by email or post to the following:**

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or alternatively by post to -  
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## RENEWAL OF REGISTRATION

Clubs are reminded that their 5 year registration is due for renewal in March 2018.

Your club solicitor should prepare for the said renewal in time to meet the deadline.

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# Dealing with drugs

Did you know you could be breaking the law if you knowingly allow drug-related activities in your club and you fail to act? But how do you spot the signs? The Health and Safety Executive (HSE) provides the following advice.

Drug misuse can be a serious problem not only for the misuser but also for the club where they work and, sometimes, for their co-workers. It is important to know the implications to both club employees and the club of not tackling drug misuse - particularly where safety is involved.

According to the HSE, successfully tackling drug misuse can benefit both your club and employees by:

- Saving on the cost of recruiting and training new employees to replace those whose employment might be terminated because of untreated drug misuse
- Reducing the cost of absenteeism or impaired productivity
- Creating a more productive environment by offering support to any employees who declare a drug-related problem, improving employee morale
- Reducing the risk of accidents caused by impaired judgement
- Contributing to society's efforts to combat drug misuse

The HSE suggests that in order to tackle drug mis-use effectively, it's sensible to start by examining your own knowledge about the types of drugs available and the harmful effects they can have on the misuser and the club.

Drugs can affect the brain and the body in a number of ways.

They can alter the way a person thinks, perceives and feels, and this can lead to either impaired judgement or concentration.

Drug misuse can also bring about the neglect of general health and wellbeing. This may adversely influence performance at work, even when the mis-use takes place outside the workplace.

**Signs of drug misuse**

The following are signs which may be indicators of drug abuse. Remember, all the signs shown below may be caused by other factors, such as stress, and should be regarded only as indications that an employee may be misusing drugs:

- Sudden mood changes
- Unusual irritability or aggression
- A tendency to become confused
- Abnormal fluctuations in concentration and energy
- Impaired job performance
- Poor time-keeping
- Increased short-term sickness absence
- A deterioration in relationships with colleagues, customers or management
- Dishonesty and theft (arising from the need to maintain an expensive habit

**Responsibilities Under the Health and Safety at Work Act 1974 (HSW Act)**  
You have a general duty to ensure, 'as far as is reasonably practicable', the health, safety and welfare at work of your employees. "You also have a duty under the Management of Health and Safety at Work Regulations 1999, to assess the risks to the health and safety of your employees," warns the HSE. "If you knowingly allow an employee under the influence of

drug misuse to continue working, and his or her behaviour places the employee or others at risk, you could be prosecuted."

Your employees are also required to take reasonable care of themselves and others who could be affected by what they do at work. The principal legislation in the UK for controlling the misuse of drugs is the Misuse of Drugs Act 1971.

Nearly all drugs with misuse and/or dependence liability are covered by it. The Act makes the production, supply and possession of these controlled drugs unlawful except in certain specified circumstances (for example, when they have been prescribed by a doctor).

If you knowingly permit the production or supply of any controlled drugs, the smoking of cannabis or certain other activities to take place on club premises you could be committing an offence.

The Act lists the drugs that are subject to control and classifies them in three categories according to their relative harmfulness when misused.

**CLASS A** - includes ecstasy, cocaine, heroin, LSD, mescaline, methadone, morphine, opium and injectable forms of Class B drugs.  
**CLASS B** - includes oral preparations of amphetamines, barbiturates, cannabis, cannabis resin, codeine and methaqualone (Mandrax).  
**CLASS C** - includes most benzodiazepines (eg Temazepam, Valium), other less harmful drugs of the amphetamine



group, and anabolic steroids. Penalties for misuse of Class A drugs are more severe than those for Class B drugs which in turn are more severe than the penalties for Class C drugs.

It is possible that in certain circumstances, charges may be brought against an employer under either this Act or the Health and Safety at Work Act or both. The courts would decide, based on the circumstances of each case.

**Drugs misuse policy**

All clubs, large and small, can benefit from an agreed policy, applying to all staff, on drug misuse, according to the HSE.

As with alcohol, such a policy should form part of an overall health and safety policy. HSE suggests a four-step process to establish and implement a policy for dealing with drug misuse.

- Step 1** - Find out if there is a problem.
- Sickness record - are there any periods of unexplained or frequently taken absence?
  - Behavioural changes - what behavioural changes have you noticed in any employee?
  - Productivity - are there any unexplained dips in productivity?
  - Accident records/near misses - have the number of accidents or near misses increased or involved particular employees?
  - Disciplinary problems - have you noticed particular

performance or conduct problems with any employees?

**Step 2** - Decide what to do  
Step 1 provides a clearer picture of how drug misuse can affect the club. But how do you make this work in practice?

- A programme of awareness for all staff (using the same information described in Step 1; training, group sessions, seminars etc). This programme could include an explanation of your drugs policy and could be incorporated into induction processes for new employees
- A programme of training for any managers or supervisors on recognising the signs of drug misuse. They will need to know what to do if they suspect an employee is misusing drugs or if they are approached by an employee who declares a drugs problem. Local drug or health advisory services may be able to help train managers to recognise the signs of misuse and how to handle the situation. The service may charge for training
- Encouraging those with a drugs problem to seek help
- The need for confidentiality if an employee admits to a drugs problem. People with a drugs problem may be persuaded to come forward if they are assured that their problems will be dealt with discreetly. However, you will also have to consider your own legal position, if evidence or information supplied to you suggests that an employee's drug problem has involved breaking the law at the club
- The nature of the work. Are there any aspects that are safety-critical, eg: using machinery, electrical equipment or ladders? Driving or operating heavy lifting equipment?

**Consulting others**  
In deciding what to do, you

will almost certainly need to consult others, particularly any employees. The scale of this will depend on the size of the club. In larger operations, good practice, says HSE, would be to set up a working party led by a senior manager to look at the issue of drug misuse as it affects club business.

For smaller clubs, HSE suggests it would be useful to talk to:

- Other managers or supervisors
- National or local drug misuse agencies
- The local business forum or health promotion unit to get an idea of what other businesses have done in your area

**Step 3** - Taking Action  
Implement your agreed policy on drug misuse.

**Step 4** - Checking what you have done  
You should regularly check to see if the policy is working and whether any changes need to be made. You may need to look again at the aspects set out in Step 1 and see if the situation has changed, advises HSE. For example, has sickness absence or the number of accidents altered? You might also want to check whether your employees are still sufficiently aware of the issue of drug misuse and its consequences.

**Drug screening and testing**  
Drug screening or testing is a sensitive issue because of the many employment implications involved. Securing the agreement of any employees to the principle of screening is essential (except in cases of pre-employment testing), partly because of the practical and legal issues involved. These might include:

- How much will a screening system cost?
- What type of testing is needed?

- How will test samples be collected?
- How will test samples be kept secure to ensure they cannot be tampered with?
- What action will be taken if a positive result is given? Screening can be used in various ways, for example:
  - As part of a selection process for job applicants;
  - Testing all or part of the workforce routinely, occasionally or on a random basis;
  - In specific circumstances, such as after an accident or incident or as part of an aftercare rehabilitation programme

More organisations, particularly those in safety-sensitive industries, are using screening and testing as a way of controlling drug problems.

Screening is only likely to be acceptable if it can be seen to be part of an occupational health policy and is clearly designed to prevent risks to the misuser and others, warns HSE.

**What can I do if I suspect an employee has a drug problem?**  
Employees with a drug problem should have the same rights to confidentiality and support as they would if they had any other medical or psychological condition.

**What if they won't admit that they have a problem?**  
It may be very difficult for people to admit to themselves or others that they have a drug problem. They may feel there is a stigma attached to drug misuse and they may well fear reprisals if they admit to taking illegal drugs. Whilst your freedom to act may be limited if it becomes clear that an employee has broken the law at work, you should let staff know that you will, as far as possible, treat drug misuse as a health issue rather

than an immediate cause for dismissal or disciplinary action.

**Should I dismiss them?**  
Disciplinary action may be taken as a last resort. You could be judged (by an industrial tribunal) to have unfairly dismissed employees whose work problems are related to drug misuse if you have made no attempt to help them. However, you may need to temporarily move them to another job if their normal work is safety-critical.

**Should I allow them time off to get help?**  
The cost of recruiting and training a replacement may be greater than the cost of allowing someone time off to get expert help.

**Who else can help them?**  
If one of the club employees is misusing drugs, you should encourage them to seek help from their GP or a specialist drug agency.

In taking action, you need to ensure that you have the support of other managers and gain the support of your employees. When you have gathered together your information and consulted relevant people you will be ready to take action.

**Psychoactive Substances Act**  
The law on so-called legal highs changed on 26th May 2016. That's when the New Psychoactive Substances Act came into force, making it illegal to supply any 'legal highs' for human consumption. The changes in the law mean it's now an offence to sell or even give psychoactive substances to anyone for free, even to friends.

Police will take action where they find people committing these offences. Punishments range from a prohibition notice, which is a formal warning, to seven years in prison.



# Explode Your Sales This Christmas!

Alcohol is one of the most important categories for incremental sales at this time of year, providing a huge growth opportunity for you.

The 3 key shopping missions over this period are:

- ★ The Perfect Host – stocking the right range
- ★ The Great Guest – having the correct formats
- ★ Thoughtful Gifting – choosing alcohol as an alternative luxury present.

Perfect Hosts are the most important group of shoppers, spending on average 38% more per shop than guests.\*

Guests are looking for 'something for tonight', such as 4pks, 8pks and 70cls. Having these located at impulse purchase points and chillers will help to drive incremental sales.

Alcohol is the 8th category shoppers consider for gifting and 59%\*\* are likely

to buy gifts alongside grocery shopping.

The majority of shoppers start their Christmas grocery shop before December and finish it on Christmas week.\* This means it is essential that you have the core brands consistently available throughout the Christmas period.

## Additional Facts:

- ★ 1 in every 10 shoppers drinks Baileys and Christmas is the most important time of year for the brand†
- ★ 6 out of every 10 bottles of vodka sold last Christmas were Smirnoff‡
- ★ Over half of the gin purchased last Christmas was Gordon's‡
- ★ Smithwick's is Northern Ireland's No. 1 ale‡
- ★ Guinness grew 12.2% last Christmas‡
- ★ Hop House 13 is the fastest growing beer innovation in Ireland§
- ★ Carlsberg is the No. 2 Lager in Northern Ireland.§



\*Kantar Christmas Review 2016.

\*\*Nielsen Christmas Insights Report 2016.

†Apollo Jun 17 R12.

‡L3M Dec 16 NI Nielsen Audit.

§MAT Aug 17 Nielsen Audit (fastest growing >3000Hls).

drinkaware.co.uk for the facts | PLEASE DRINK RESPONSIBLY



## Latest Rank/Linneweber report

A recent Tribunal has dealt with two issues facing clubs who have made what are often referred to as Rank/Linneweber 1 claims for what they consider to be VAT overpaid on gaming machine income for VAT periods prior to December 6, 2005.

The first issue was whether clubs that had not submitted an earlier appeal could now submit a late appeal against the decision to reject their claim.

Despite the argument that litigation in Rank FOBTs is still ongoing and the whole issue remains undecided, and therefore HMRC are neither inconvenienced nor financially disadvantaged, the Tribunal Judge has now set out his

judgement with his formal decision to confirm that it was unreasonable to allow any such late appeals to be heard.

The second issue was whether the appeals originally submitted by clubs that had received repayment, which subsequently HMRC have sought to recover, but had not submitted an appeal against the protective assessment issued by HMRC when making the initial repayment, no longer had a valid appeal as the first appeal had been settled by payment of the claim.

The Tribunal Judge has set out his decision that any such appeal not supported by a second appeal should not be struck out and that there is a

mechanism which allows clubs to keep a live appeal, such that clubs would maintain their right to receive repayment of the amount claimed if the Rank FOBTs decision is in favour of Rank.

The Judge issued a direction specifying that clubs could notify HM Courts and Tribunal (HMCTS) and HMRC that they wanted to make an amendment to their original appeal, taking into account the protective assessment.

A further issue that was raised by HMRC in the Tribunal was that in many instances clubs had failed to provide HMRC with explanations in respect of the gaming machines they operated in the periods in which recovery of overpaid VAT was sought, and that this information would be essential if HMRC were to lose the Rank FOBTs litigation.

In issuing his judgement the Tribunal Judge indicated that he would issue a direction regarding provision of this information if HMRC made a further request that he do so.

During the Tribunal, the point was made that HMRC had

sought to recover payments from clubs based on the decisions in the Rank SLOTS litigation and as such had overstepped their own suggestion that they would not seek recovery until the outcome of Rank (i.e. Rank FOBTs) was finally known.

HMRC and the Tribunal Judge did not make any comment on this issue.

### In conclusion:

- If your club has not submitted any appeal against the decision to reject its claim it is now too late to do so.
- If your club did not appeal against the protective assessment issued with the initial repayment it will now need to take action to ensure its original appeal is amended to reflect this. If your club fails to notify HMCTS and HMRC that it wishes to do so, its appeal may ultimately fail.
- If your club has failed to provide information in respect of the machines it operated during the periods of claim it may now need to do so. Please note, it may be possible to obtain information on what machines were supplied to your club by contacting your supplier.

### Entertainment Licence Renewals Electrical Inspections Fire Risk assessments

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## 'Billy McFarland' with Belfast 89FM's Nigel Blair



Billy McFarland was born on 3rd September 1935. A native of Randalstown, County Antrim. His earliest memories in respect to a love of music was at age 12 years, when he entered a talent competition when on a family holiday in Portrush. He won that competition, which led him on a path to being an entertainer.

At age 17, Billy was to form his first band, from which point it was obvious that he was destined to enjoy a successful career in the music industry.

In the Billy McFarland and Students Showbands, Billy played every major dance hall in the country, such as the Arcadia, the Floral Hall, and the Orpheus - the list is endless. One in particular was Ballymena's famous Flamingo Ballroom, with Billy playing on both the opening night, on 12th September 1960, and also having the honour of performing on the final night on the 25th September 1980, in the company of country showband, American Express, and BBC presenter, the late Paddy O'Flaherty.

Billy mentioned the numerous stars who appeared at the Flamingo, such as Jim Reeves, Roy Orbison, Tom Jones and many more. However, he could not leave the Flamingo era without mentioning the famous hotdogs which are certain to bring back memories for the thousands who attended the weekly dances. Of course, today it will be strange to many, that the Flamingo, like other dance halls, were alcohol free.

It has been common for some years, for showbands from Ireland to tour throughout the UK. However, back in the day, Billy was one of the first bands to do so, and I might add, with great success. In addition, Billy travelled to New York, appearing in 'Good Time Charlies' and 'Dirty Nellies' in the Bronx.

Billy's determination to carry on regardless of age, continues to bring enjoyment to an ever increasing audience, not only locally, but globally, with new and old recordings being in constant demand.

A regular guest on Hugo Duncan outside broadcasts and at shows the length and breadth of the land, Billy is still an accomplished trumpet player, despite his growing years.

I have enjoyed this legend's company quite recently in the Mellon Country Hotel, Omagh, at the commencement of a tour with 'Keltic TV', taking audiences on a trip down memory lane, playing the old showband standards.

I have interviewed Billy on Belfast 89fm and there is no sign of retirement on the horizon. Indeed, he is keen to point out that despite claims that Brendan Bowyer and Big Tom are more senior, that he in fact is more senior in years.

Keltic TV's, Malcolm McDowell, says that despite being a friend, Billy is one of the most complete artistes of his time. Despite glowing tributes by a host of our finest talent,

such as Barry Brent and Muriel Day, Billy remains a humble man, and is a credit to his craft.

Let us hope he will continue to grace the stage for many years to come.



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Premier League



Middlesbrough v Sunderland  
Sunday 5 November, 12.15pm  
Sky Bet Championship



Edinburgh v Ospreys  
Saturday 4 November, 5.30pm  
Guinness PRO14

11-12 November

## DENMARK REP OF IRELAND

Saturday 11 November, 7.45pm  
World Cup Qualifier Play-off

## SWITZERLAND N IRELAND

Sunday 12 November, 5pm  
World Cup Qualifier Play-off

Plus



England v Argentina  
Saturday 11 November, 3pm  
Old Mutual Wealth Series



Ireland v South Africa  
Saturday 11 November, 5.30pm  
Guinness Series



Grand Slam of Darts  
Saturday 11 November, 7pm  
PDC Darts

18-19 November

## ARSENAL TOTTENHAM

Saturday 18 Nov, 12.30pm  
Premier League

## IRELAND FIJI

Saturday 18 Nov, 5.30pm  
Guinness Series

Plus



Watford v West Ham  
Sunday 19 November, 4pm  
Premier League



England v Australia  
Saturday 18 November, 3pm  
Old Mutual Wealth Series



Grand Slam of Darts  
Sunday 19 November, 7pm  
PDC Darts

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For a longer serve, try topping up with ginger ale and a wedge of orange, or why not try a winter favourite with The Famous Grouse in a hot toddy (with cloves, honey & lemon) – the perfect serve for the colder weather!

Available in a variety of size formats.

**For further information please contact your James E. McCabe Sales Representative or Telesales staff on: 028 38 333102.**



# Your next HARP just got a lot more Norn Iron

NI’s favourite lager has released seven limited edition ‘Pure Here’ cans in a newly designed 12 pack featuring some of the best bits of Northern Ireland: from Derry’s Peace Bridge to the orchards of Armagh, from the brave souls bog snorkelling in Tyrone to those with a head for heights scaling Fermanagh’s Stairway to Heaven and crossing Antrim’s freaky rope bridge.

The new cans are part of Harp’s ‘Pure Here’ campaign, which celebrates the people and places

iconic landmarks including:

- Pure Antrim** - The Dark Hedges and Dunluce Castle;
- Pure Legenderry** - The City Walls and Hands Across the Divide;
- Pure Fermanagh** - The lakes and the Marble Arch Caves;
- Pure Down** - Scrabo Tower and the Mourne Mountains;
- Pure Tyrone** - The Sperrins and Beaghmore Stone Circles;
- Pure Belfast** - The Albert Clock and Titanic Centre;
- Pure Armagh** - The Observatory and Palace Stables.



that make life in NI so special. The seven new can designs: Pure Tyrone, Pure Armagh, Pure Antrim, Pure Down, Pure Legenderry, Pure Fermanagh and Pure Belfast - for those city dwellers with loyalties split between Antrim and Down.

Boxing legend Carl Frampton, who has been working with Harp on the can launch, said, “The new Harp cans are class. I love them all but it’s hard not to pick Belfast as my favourite. I’ve travelled a lot in my career but I always love coming back to Northern Ireland, it’s definitely true what they say - there’s no place like home.”

Eagle-eyed Harp fans may spot fun visuals of ‘hidden’ quirks showing up in the designs, alongside some of our most

Harp Brand Manager Jeanette Levis added, “I spend a huge amount of time in Northern Ireland and it’s one of my favourite places.

“To be part of this campaign has been truly special and allowed me to see some of the most iconic and hidden gems Northern Ireland has to offer. We were thinking of producing one Pure Here can to celebrate everything about Northern Ireland, but once we started writing the list of things we wanted to include, we knew we needed one for every county.

“Each can has some hidden quirks, my personal favourite is the Hands Across the Divide cheers-ing a pint, but I am sure everyone else will have their own.”

# Cancer Focus needs you

Cancer Focus Northern Ireland urgently needs a team of up to 250 volunteers to help with street collections and bag packs in the run up to Christmas.

“Many business and organisations are willing to let us hold collections and events on their premises but we just don’t have enough volunteers to do the work. We are under serious pressure,” said Cancer Focus NI volunteer coordinator Morag Chambers.

“We are asking anyone who has a couple of hours to spare to consider giving us a helping hand so that we can support more people here in Northern Ireland with our services this Christmas.

“We are a local cancer charity and we need to raise almost £4m each year, mostly from donations from the public, who are very generous. All

the money raised is spent in Northern Ireland on local cancer research, support and care services, cancer prevention work in schools and workplaces, and campaigning,” she added.

“Our volunteers always tell us they get a feel good feeling, knowing they are helping others - and what better time of the year to do that than at Christmas.”

You can choose from the following fundraising events:

- Bangor** - feel festive packing bags at M&S in Bloomfields.
- Lisburn** - be an elf helping at our Santa’s Grotto.
- Belfast** - gift wrap and collect in Victoria Square.
- Ballymena** - join the Cancer Focus NI support group for their annual street collection. By taking part you can help raise vital funds to support local people affected by cancer.



Emma and Jillian, from Cancer Focus NI, encourage you to take up the challenge this Christmas.

**£15 will pay for someone affected by cancer to attend a creative therapy session.**

**£25 will pay for a counselling session for someone with cancer.**

**£100 will pay for six weeks support for a bereaved child.**

Why not get together with your friends and contact Morag on 028 9066 3281 or at moragchambers@cancerfocusni.org to choose a date and venue to collect for a great cause.

# £750,000 raised for Cancer Fund for Children

Eurospar and Vivoextra Northern Ireland are celebrating reaching an amazing £750,000 fundraising milestone for local children’s cancer charity, Cancer Fund for Children.

The local community supermarkets have been supporting the charity since May 2011, with staff and customers raising the funds through a wide range of fundraising events, from in-store collections and coffee mornings, to overseas treks and local challenge events.

Money raised will enable the charity’s team of Specialists to support families affected by cancer, providing them with a range of practical, emotional and financial support to help them cope with the impact it has on their lives.

Gillian Creevy, Chief Executive, Cancer Fund for Children said, “I would like to thank Eurospar and Vivoextra stores in Northern Ireland for their incredible generosity.

“At Cancer Fund for Children we understand the devastating impact a cancer diagnosis can have on children, young people, and families, and we rely so much on the support of local communities and businesses to ensure that beyond essential clinical care, family life can be supported and rebuilt. We simply could not help families if it wasn’t for the energy, enthusiasm and creativity of our charity partners and their wonderful customers. We cannot thank you enough for your support which allows us to do what we do best - to be there for families and to ensure



Bronagh Luke, Head of Corporate Marketing, is pictured with Chief Executive of Cancer Fund for Children, Gillian Creevy (left) celebrating reaching the amazing fundraising milestone.

that they don’t have to face cancer alone.”

To find out more about the work of Cancer Fund for Children, go to [www.cancerfundforchildren.com](http://www.cancerfundforchildren.com).



## UGAAWA Monthly Merit Award winner

by Tony McGee



September Merit Winner, Shannon Lynch, receives the UGAAWA award from Seamus McMahon, Sales & Marketing Director Quinn Building Products. Pic: Jim Dunne

When a player from a losing team wins our Monthly Merit Award they must have done something special to gain the honour and so it is with the winner of our Quinn Building Products honour for September 2017.

Tyrone was unfortunate to lose the All-Ireland Ladies' Intermediate Football Championship final to Tipperary, at Croke Park, but that was no fault of the Red Hands' goalkeeper Shannon Lynch, as she played a stormer between the posts and couldn't have been blamed for the one shot that beat her.

Castlederg girl, Shannon, brought off a string of super saves that prevented the losers of a heavier defeat. Not only that, she was also in fine form during the semi-final defeat of Sligo during September and it is a big question why the Health Worker did not feature among the three nominations for an Allstar award this year.

We hope that our Monthly Merit Award will go some way to making up for Shannon's double disappointment.

"It does indeed," she said, "and it is great to see ladies' football recognised in this way. It is very nice to see different codes in the GAA recognised and it definitely does ease my disappointment in losing the All-Ireland final. This is my first individual award and that makes it a bit more special, of course."

Shannon (25) has been eight years in the Tyrone senior team playing in goals but her club position with St Eugene's

is midfield. "I prefer playing in goals with the county," she reveals, "although playing in midfield gives you a different vision of the game."

Now with her county gear packed away for this year, Shannon turns her attention back to club football.

"We have the Division Three league final coming up against Edendork and naturally, we are hoping to win that and get promotion. We lost in the league and championship finals last season by a point in each, so we don't want to miss out again," she stresses.

To get her September award, Shannon beat off opposition from Slaughtneil football manager, Mickey Moran, who led the team to their fourth Derry SFC title and Fermanagh's Sharon Murphy, who netted a penalty 48 seconds from time to give her team a draw with Derry in the All-Ireland LJFC final, a replay they won.

Also for mention was Belfast Sarsfield's hurler Kevin McKernan and Derry's Emma Doherty who starred against Fermanagh in the drawn All-Ireland final.

As her award, Shannon received an engraved Belleek Living Vase, specially designed jewellery from Carlingford Design House and training gear from O'Neill's International Sports. She will also get two tickets for the UGAAWA Presentation function in January.

## September NIFWA Awards



Coleraine FC boss Oran Kearney has made it back to back wins, after being named Manager of the Month for September.

Kearney was named BetMcLean Manager of the Month for September by the NIFWA after the Bannsiders enjoyed another stunning month.

Coleraine finished September unbeaten, with wins over Glenavon, Ards, Carrick Rangers and Ballymena United to their credit.

Kearney said, "It's a great honour for me to win this award in successive months and I would like to thank the Football Writers' and Bet McLean for their support.

"It's been an incredible few weeks for the club and we are really enjoying it, but at the same time our feet are firmly planted on the ground.

"We're well aware that it's the start of October and there is an awful lot of football to be played, but at this moment in time I am delighted with our performances. I couldn't be happier for the boys.

"This success is a product of their hard work, so this award is as much for the players as it is for me."

Oran Kearney is pictured opposite receiving his award from Paul McLean, BetMcLean.

Darren McCauley made it a clean sweep for Coleraine in September after being named as the Belleek Player of the Month.

NIFWA selected McCauley for his fine performances in the month, which saw him register six goals, with doubles against Glenavon, Ards and Carrick Rangers.

McCauley, a student currently based in Dublin, said, "I'm delighted to win this award. It's a real honour and I'd like to thank the Football Writers' for recognising me.

"I'm very fortunate because I'm playing in a great team and under a great manager in Oran Kearney. I could not have won this award without them.

"The main thing, however, is not goals or individual awards, it's the fact that we remain



unbeaten, which is a massive achievement."

Dungannon Swifts defender Chris Hegarty was second, while Glenavon midfielder, Mark Sykes, was third.

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# 2006

## Clarke declines Leprechauns' help in Kildare!

2006 was a year of high emotion for Darren Clarke. In only six weeks, he rose from the depths of despair, having lost his wife to cancer, to the jubilation of helping Europe win the Ryder Cup. A clearly emotional Clarke is pictured opposite having his arm raised aloft by Ian Woosnam, having beaten the USA's Zach Johnson on the 16th green in their singles match at Kildare's K Club. Europe won the Cup by a resounding 18.5 points to 9.5.



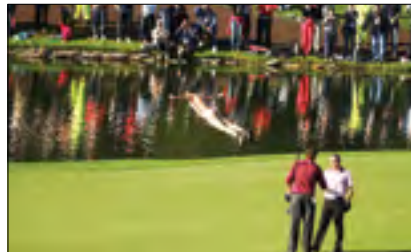
On Sunday 24th May 2006, Northern Irish golfing legend, Darren Clarke, found his ball deep in thick rough grass on the 9th hole in Carton Golf Club, County Kildare. Effectively this would cost him one shot, as all he could do was to hack out of the rough and onto the fairway a few yards away, instead of shooting straight at the green. He was winning by two shots with 10 holes to play. Suddenly the hooter sounded which meant all players had to leave the course and suspend their matches because of bad weather.

When Clarke returned on Monday, he discovered that his ball magically now had an almost perfect lie as it sat on top of the somehow flattened thick grass. It was suggested that the leprechauns had been at work overnight - he could now shoot directly at the green and save himself a shot. So he asked for a ruling and Clarke was informed that he could play the ball in its improved position and he should thank the 'little people'!

37 year old Clarke felt bad as he knew that either the crowds of people had miraculously trodded down the grass all around the ball or indeed, the 'little people' had been at work. He chose not to take advantage and shoot for the green directly, but instead he played a short chip shot sideways onto the fairway - the same shot he would have had to play if he was still stuck in thick grass (effectively costing him an extra shot and narrowing his lead to a single stroke). Clarke eventually finished third by 2 strokes but he was to be congratulated for such a noble and selfless gesture. Truly a man of great integrity.

## McGinley saves rookie's blushes

In the heat of the 36th Ryder Cup, Ireland's Paul McGinley and American rookie JJ Henry were having a very close game right up the 18th hole.



McGinley hit a 3 wood to within 30ft of the hole, leaving himself a long putt for an eagle. McGinley rolled his putt down to within one foot of the pin. Henry conceded the putt, needing his own 25ft foot putt to go down to halve the hole and draw the match. This was an important putt, because if he missed it, Henry would lose the match and America would suffer its worst ever defeat by Europe in the history of the Ryder Cup.

McGinley and Henry shake hands at the end of their tie, while in the background, the unannounced stalker does his thing!

What happened next, only McGinley can describe as the TV cameras did not show it, "As I was walking off the green the stalker ran past me and I said to him, 'Don't run on his line', as can be seen if you lip-read from the TV footage. The thought of conceding his putt at that stage had not crossed my mind, however, as I got to the edge of the green and turned around to watch JJ putt, I saw the stalker running around him in a circular motion, as he was crouched down to read the putt, trampling on his line in the process. This was the stage that I realised it would be unfair to ask him to putt, as his line had been compromised by the stalker running over it several times. I then walked towards JJ and told him to pick up his ball as his putt was conceded."

Rather than allowing the rookie American to putt and probably miss, consequently losing the game, McGinley felt it was wrong for the young American to suffer such an indignity.

The American captain, Tom Lehman, saw this magical moment and mentioned it in his closing speech as a true moment of sportsmanship at the 36th Ryder Cup in Ireland's magical K Club.

## It happened in 2006

**Football** - Italy won the 18th World Cup in Germany, claiming their fourth title. In the final, they defeated France 5-3 in a penalty shoot-out, after extra-time had finished in a 1-1 draw.

**Horse Racing** - Numbersixvalverde won the Aintree Grand National, beating Hedgehunter by six lengths with Niall Madden in the saddle.

**Rugby** - France won the Six Nations Championship on points difference from Ireland, who collected the consolation prize of the Triple Crown Trophy



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