

Title of Report:	Review of the Reduced Fees for Entertainments Licences
Committee Report Submitted To:	Environmental Services Committee
Date of Meeting:	8th February 2022
For Decision or For Information	For Decision

Linkage to Council Strategy (2021-25)	
Strategic Theme	Local Economy
Outcome	Compliance with Legislation
Lead Officer	Head of Health & Built Environment

Budgetary Considerations	
Cost of Proposal	Approximately £40,000.00
Included in Current Year Estimates	YES/NO
Capital/Revenue	Revenue
Code	24009 4211
Staffing Costs	Included in current Budget

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No	Date:
	EQIA Required and Completed:	Yes/No	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

1.0 Purpose of Report

1.1 The purpose of this report is to seek Councils views and comments on the need to:

- extend the amended licensing structure for entertainment licences beyond the 2021/22 financial year, or for
- fees to revert to their pre-April 2021 levels with effect from April 2022.

This follows a request from the Department for Communities. A copy of the letter from DfC is provided at Appendix 1 to this report and the information requested on licences issued by Council since 1st January 2021 is attached as Appendix 2.

2.0 Background

2.1 Under Article 3 and Schedule 1 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, as amended by Article 52 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992, certain specified entertainment shall not be provided at places, except, and in accordance with, the terms, conditions and restrictions that are included in entertainment licences granted by district councils. The legislation also requires that any application for the grant, renewal, transfer or variation of an entertainment shall be accompanied by a fee as the DfC may from time to time determine.

2.2 As a result of COVID-19 restrictions entertainment premises were closed for periods from 21st March 2020 and were unable to provide entertainment and use their entertainment licence during these times. Such premises were advised from that the period of enforced closure would be added to their entertainment licence when restrictions were lifted so as not to detriment them.

2.3 From 6th April 2021 the Minister for Communities decided that the DfC should amend the licensing structure to introduce a nominal fee of £1 for renewal applications only, for all categories of entertainments licence (Local Government Circular 4/2021 refers). This easement was introduced in order to alleviate hardship being experienced by the hospitality industry as a result of COVID-19 restrictions, the reduction to remain in place for the duration of 2021/2022 financial year subject to review.

2.4 This temporary easement directly addressed the issue of costs to businesses, applied some consistency across all council areas, and kept the arrangement within the scope of the current legislation.

2.5 Council lost a significant portion of income from the entertainment licensing fees during 2020/2021 as a result of the Covid 19 restrictions on hospitality and the addition of time onto entertainment licences that could not be used during this time.

2.6 Councils have been asked to continue to notify the DfC of any potential loss of income incurred which can be met from funding provided by the Executive. A claim is being submitted in this regard.

2.7 Council wrote to the Department last year to raise their concern that this amendment of the fee structure would not support all licensed premises especially those who did not renew their licence over the previous year due to health restrictions. It was requested that consideration be given to extending this licence fee to cover those premises if they wish to renew their licence in the coming year.

3.0 Current Arrangements

3.1 Under the Order a premise must apply for the renewal of their licence before the expiry of the current licence, otherwise their application will be for the grant of a new licence and not a renewal.

4.0 Options

4.1 Extend the amended entertainment licensing fee structure of a nominal £1 for renewal applications for all categories of entertainment licences beyond 31st March 2022.

4.2 Entertainment licence fees to revert to their pre-April 2021 levels with effect from 1st April 2022.

5.0 Recommendations

It is recommended that the Environmental Services Committee consider reverting to the pre-April 2021 entertainment licence fee structure with effect from 1st April 2022.

It is recommended that Council responds to DfC with the preferred option pending full Council approval due to submission time constraints.



Chief Executive of each District Council

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19 January 2022

Dear Chief Executive

REVIEW OF REDUCED FEES FOR ENTERTAINMENTS LICENCES

Under Schedule 1 to the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 any application to a district council for the grant, renewal, transfer or variation of an entertainments licence must be accompanied by such fee as the Department for Communities may from time to time determine.

You may recall that with effect from 6 April 2021 the Minister for Communities decided that the Department should amend the licensing fees structure to introduce a nominal fee of £1 for renewal applications only, for all categories of entertainments licence (Local Government Circular 4/2021 refers). This easement was introduced in order to alleviate hardship being experienced by the hospitality industry as a result of COVID-19 restrictions, the reduction to remain in place for the duration of the 2021/2022 financial year subject to review.

As we approach the end of the 2021/22 financial year I am writing to seek your Council's views and comments on whether:

- A. there is a need to extend this measure beyond this period or,
- B. the fees should revert to their pre April 2021 levels with effect from April 2022.

In addition, could I also ask that you complete the return at Annex 1 in relation to the numbers and types of entertainment licences issued by your council since 1 January 2021 to date.

I would be grateful for responses to social.policy@communities-ni.gov.uk by 9 February 2022.

Yours sincerely

Liam Quinn
Assistant Director of Local Government and Housing Regulation

District Council:

ENTERTAINMENTS LICENCES ISSUED SINCE 1 JANUARY 2021 TO DATE

Capacity	Occasional Licences			Full Licences			Other Categories			
	Fee £	No. Applications	Income £	Fee £	No. Applications	Income £	Category	Fee £	No. Applications	Income £
not more than 100 persons	50			100			Circuses	50		
101-200 persons	75			150			Occasional (church halls, schools, etc)	50		
201-300 persons	125			250			Snooker halls, gaming centres, etc.			
301-500 persons	200			400			Variation of Licence	100		
501-1,000 persons	375			750			Vol. organisations (indoor)	80		
Over 1,000 persons	500			1,000			Vol. Organisations (outdoor);- not more than 500 persons over 500 persons	125 250		
							Non-Vol. organisations (outdoor);- not more than 500 persons over 500 persons	1,000 2,000		
TOTALS										

Signed: Date:

Appendix 2

ENTERTAINMENT LICENCES ISSUED SINCE 1 JANUARY 2021 TO DATE

Capacity	Occasional Licences			Full Licences			Other Categories			
	Fee £	No. Applications	Income £	Fee £	No. Applications	Income £	Category	Fee £	No. Applications	Inco me £
Not more than 100 person	50	1	50	100	26	2,600	Circuses	50	0	0
Reduced fee	1	2	2	1	15	15				
101-200 persons	75	3	225	150	13	1,950	Occasional (church halls, schools etc)	50	7	350
Reduced fee	1	3	3	1	21	21	Reduced fee	1	11	11
201 – 300 persons	125	1	125	250	19	4,750	Snooker halls, gaming centres etc	100	1	100
Reduced fee	1	1	1	1	17	17				
301-500 persons	200	0	0	400	25	10,000	Variation of licence	80	3	240
Reduced fee	1	0	0	1	8	8				
501-1,000 persons	375	4	1,500	750	7	5,250	Vol Org. (indoor)	50	2	100
Reduced fee	1	2	2	1	5	5	Reduced fee	1	4	4
Over 1,000 persons	500	0	0	1,000	3	3,000	Vol Org. (outdoor):-			
Reduced fee	1	0	0	1	2	2	not more than 500 persons	125	0	0
Non -Vol Org. (outdoor):- not more than 500 persons	1000	2	2,000				Over 500 persons	250	1	250
							Reduced fee	1	1	1
Total		19	3,908		161	27,618			30	1,056