

Title of Report:	ENTERTAINMENT LICENCE FEES 2023 TO 2024
Committee Report Submitted To:	ENVIRONMENTAL SERVICES COMMITTEE
Date of Meeting:	13th December 2022
For Decision or For Information	FOR INFORMATION

Linkage to Council Strategy (2019-23)	
Strategic Theme	Local Economy
Outcome	Compliance with Legislation
Lead Officer	Head of Health & Built Environment

Budgetary Considerations	
Cost of Proposal	
Included in Current Year Estimates	YES/NO
Capital/Revenue	Revenue
Code	
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 provide members with an update on the determination by the Department for Communities (DfC) regarding fees for Entertainment Licences for the duration of the 2023/2024 financial year.

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 fee as the DfC may from time to time determine.
- 2.2 In April 2022 the Minister for Communities continued the scheme of a nominal fee of £1 for renewal applications only, for all categories of entertainments licence to alleviate the 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 2022/2023 financial year.
- 2.3 DfC has recently written to Councils to advise of their determination on entertainment license fees during 2023/24. A copy of the letter dated 15th November 2022 is attached as appendix 1.
- 2.4 DfC stated that the reduced licence fees have undoubtedly helped ease some of the financial burden for businesses in the hospitality industry, however, with the removal of all remaining COVID-19 restrictions earlier this year, licence holders will by April 2023 have had a year to get back on a normal trading footing. The DfC is of the view that there is no need to continue with this easement beyond the end of the 2022/23 financial year and therefore with effect from 6 April 2023 fees for renewal entertainment licences will revert to pre-April 2021 levels.

3.0 Recommendation

- 3.1 It is recommended that Council notes the return to normal renewal fees for Entertainments Licences as determined by DfC.



Chief Executive of Council

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15 November 2022

Dear Chief Executive

LOCAL GOVERNMENT CIRCULAR 19/22

FEEES FOR ENTERTAINMENT LICENCES – DETERMINATION EFFECTIVE FROM 6 APRIL 2023

(LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985)

Article 3 and Schedule 1 to the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, as amended by Article 52 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992, make provision that certain specified entertainments shall not be provided at places, except under, 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 entertainments licence shall be accompanied by such fee as the Department for Communities may from time to time determine.

Towards the beginning of 2021 the hospitality industry made representations to the Department seeking easements to the costs of entertainment licences to alleviate hardship being experienced by the industry as a result of COVID-19 restrictions at the time. Even with the easing of lockdown there remained for some time many restrictions on live music and dancing and other live performances within venues which meant businesses couldn't make full use of the entertainment licences for which they had paid.

In response the Department amended the licensing fees structure to introduce a nominal fee of £1 for renewal applications only, for all categories of entertainment licence, with effect from 6 April 2021.

The reduction was to remain in place for the duration of the 2021/2022 financial year. Following a review early in 2022 it was decided to extend the period of the easement to cover the 2022/2023 year to give businesses time to return to normal trading practices, as COVID-19 restrictions had only recently been removed. Additional funding provided by the Executive to support local councils with their financial pressures in respect of lost income and exceptional costs because of the COVID-19 pandemic was allocated to councils to cover these two years.

The reduced licence fees have undoubtedly helped ease some of the financial burden for businesses in the hospitality industry, however, with the removal of all remaining COVID-19 restrictions earlier this year, licence holders will by April 2023 have had a year to get back on a normal trading footing.

The Department is of the view that there is no need to continue with this easement beyond the end of the 2022/23 financial year and therefore with effect from 6 April 2023 fees for renewal entertainment licences will revert to pre-April 2021 levels.

Details of the revised fees, **effective from 6 April 2023**, are set out in the attached formal determination.

Yours sincerely

A handwritten signature in cursive script that reads "Liam Quinn".

LIAM QUINN
SOCIAL POLICY UNIT

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985

DETERMINATION OF FEES FOR ENTERTAINMENTS LICENCES

The Department for Communities, in exercise of the powers conferred by Article 3 of, and paragraph 5(2)(c) of Schedule 1 to, the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985¹, as amended by Article 52 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992², hereby determines that, with effect from 6 April 2023, the fees to accompany the application to a district council for the grant, renewal, transfer or variation of an entertainments licence shall be the amounts specified in the following table:

TABLE

	Occasional Licence Fee ³ £	Full Licence Fee ⁴ £
An application relating to an indoor place of entertainment to which paragraph 1(2)(a), (b) or (d) and (6) of the above mentioned Schedule applies, where that place or premises (as the case may be) may hold: <ul style="list-style-type: none">- not more than 100 persons;- 101 to 200 persons;- 201 to 300 persons;- 301 to 500 persons;- 501 to 1,000 persons; and- over 1,000 persons.	50 75 125 200 375 500	100 150 250 400 750 1,000
An application relating to an indoor place of entertainment to which paragraph 1(2)(c) and (6) of the above mentioned Schedule applies (i.e. a circus).		Fee £ 50
An application relating to an indoor place of entertainment to which paragraph 1(4) and (6) of the above mentioned Schedule applies (i.e. where machines for entertainment or amusement, or equipment for the playing of billiards, pool, snooker or other similar games, are provided).		100
An application relating to an indoor place of entertainment of any capacity for a licence to be granted under paragraph 4(2) of the above mentioned Schedule (i.e. an occasional licence) in respect of: <ul style="list-style-type: none">(a) a place used wholly or mainly for public religious worship in relation to an entertainment to which paragraph 1(2)(a), (b) or (d) and (6) of the above mentioned Schedule applies, other than any music or singing;		50

¹ S.I. 1985/1208 (N.I. 15)

² S.I. 1992/810 (N.I. 6)

³ A licence granted under paragraph 4(2) of the above mentioned Schedule (i.e. an occasional licence).

⁴ A licence granted under paragraph 3 of the above mentioned Schedule.

(b) a place used for religious meetings or services in relation to an entertainment to which paragraph 1(2)(a), (b) or (d) and (6) of the above mentioned Schedule applies, other than any music or singing performed as an incident of a religious meeting or service; or (c) an educational institution while not being used as such in relation to an entertainment to which paragraph 1(2)(a), (b) or (d) and (6) of the above mentioned Schedule applies.	
An application relating to an indoor place of entertainment of any capacity to which paragraph 1(2)(a), (b) or (d) and (6) of the above mentioned Schedule apply for a licence to be granted under paragraph 4(2) of that Schedule (i.e. an occasional licence) where the application is made by a voluntary organisation ⁵ or a charity.	50
An application by a voluntary organisation or a charity relating to outdoor musical entertainments to which paragraph 2 of the above mentioned Schedule applies, where that place may hold: - not more than 500 persons; or - over 500 persons.	125 250
An application, other than by a voluntary organisation or a charity, relating to outdoor musical entertainments to which paragraph 2 of the above mentioned Schedule applies, where that place may hold: - not more than 500 persons; or - over 500 persons.	1,000 2,000
An application under paragraph 7A of the above mentioned Schedule for the variation of the terms, conditions or restrictions on or subject to which an entertainments licence is held.	80

Dated this 15th day of November 2022.



A senior officer of the Department for Communities

⁵ A “voluntary organisation” means an organisation carrying on or proposing to carry on activities otherwise than for the purpose of gain by the organisation or individual members thereof.