



Belfast City Council

Report to:	Licensing Committee
Subject:	Working Group on Review of Entertainments Licensing Legislation
Date:	18th June, 2014
Reporting Officer:	Trevor Martin, Head of Building Control, ext 2450
Contact Officers:	Stephen Hewitt, Building Control Manager, ext 2435

Relevant Background Information

- 1.1 The Department of Environment has responsibility for Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 under Article 3 of, and Schedule 1 to that Order Entertainments Licences are administered by local authorities.
- 1.2 The legislation was drafted and commenced in 1985 nearly thirty years ago and in many cases the provisions contained within it have been superseded by changes in the way the entertainments industry operates. Additionally the experience of administering the legislation for that length of time has informed the Council that there may be alternative ways to administer the legislation in a way that will deliver efficiencies and make it more cost effective both for the Council and the applicant. It will also give the opportunity to look at updating both the legislation and the Model Terms and Conditions to remove the provisions that no longer have beneficial effect and introduce new ones to deal with innovative issues.
- 1.3 In the wake of the Joby Murphy tragedy, the Council wrote to the Minister in March 2012 asking for a review of the legislation and offering the assistance of our officers. More recently submissions were made by officers to the Minister highlighting the need to address these issues.
- 1.4 Minister Mark H Durkan MLA has asked his officials to convene a working group to review the existing legislation, including the associated Model Terms and Conditions and report to him within six months. He has also asked in addition to reviewing the existing legislation that the group address the anomaly between the differing hours during which entertainments may be provided and the sale and consumption of alcohol.
- 1.5 Recognising the experience acquired from the wide range of premises which provide entertainment in the Belfast area and the many court actions which we have taken, the Minister has asked that we nominate a member of staff to sit on the group. Whilst the letter was sent to the Head of Building Control many of the issues that the group will deal with will be of a legal nature. Given the vast range of experience gained by the Council's Legal Services Section, the Committee might also think it useful to offer that knowledge and experience to the Working Group. I have spoken to the Town Solicitor and he is satisfied to release an officer should the Committee wish to do so. The group will also have officials from the Police Service of Northern Ireland, Northern Ireland Fire and Rescue Service, as well as representatives from Pubs of Ulster, Federation of Clubs and Belfast City Centre Management.

1.6	The first meeting of the group will be held on Thursday 26 June 2014 @ 2pm in Causeway Exchange Belfast. An agenda, and papers, will be issued prior to the meeting.
1.7	A copy of the letter of invitation and Draft Terms of Reference are attached.

	Key Issues
2.1	The DOE is reviewing the legislation and Model Terms of Entertainments Licensing and have set up a Working Group to report to the Minister within six months.
2.2	Recognising the work of Belfast City Council, the Minister has invited the Head of Building Control or a member of his staff to sit on the working group.
2.3	Given the vast range of experience gained by the Council's Legal Services it might be useful to offer the Working Group the services of a legal officer,

3	Resource Implications
3.1	<u>Financial</u> There are no financial implications.
3.2	<u>Human Resources</u> The time commitment is yet to be assessed but it can be catered for within the officer's current programme.
3.3	<u>Assets and Other Implications</u> None

4	Equality Implications
4.1	The Department of Environment will undertake its own Equality Impact Assessment of any proposed amendments to legislation.

5	Recommendation
5.1	The Committee is recommended to accept the invitation on behalf of Belfast City Council and to nominate the Head of Building Control and, if agreed, offer the services of a Legal Officer from the Council to sit on the Working Group.

6	Decision Tracking
The response will be forwarded to the Department of Environment. The person responsible for this is Henry Downey, Democratic Services Officer.	

7	Document Attached
Letter of Invitation and Terms of Reference	