



Subject:	Update on the Review of Entertainments Licensing Legislation by the Department for Communities
Date:	10 th March, 2021
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
Contact Officer:	Moira Dougherty, Senior Building Control Surveyor, ext. 2458

Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	To update Members on the review of Entertainments Licensing legislation, which was commenced by Minister of the Environment, Mark H Durkan MLA, in 2015.
1.2	The process did not progress as in 2016 the Minister for Communities decided not to do any further work on the review. Following the resumption of the Assembly in 2020, the new Minister for Communities, Deirdre Hargey MLA, decided that further work on the review should be taken forward.

2.0	Recommendations
2.1	The Committee is asked to note the report.

3.0	Main report
	<u>Key Issues</u>
3.1	The Department for Communities has responsibility for the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, the legislation governing Entertainments Licensing. This legislation was previously the responsibility of the Department of the Environment.
3.2	The current entertainment licensing scheme has been in place since 1985 and was reviewed in 2015 when the Minister invited key representatives from the entertainment industry to review and make recommendations on changes to the licensing system.

3.3	Members are reminded that the Committee granted approval for Trevor Martin, former Head of Building Control and Nora Largey, Divisional Solicitor, to sit on the Entertainments Licensing Review Group comprising representatives from the entertainment sector, local government, the Police Service of Northern Ireland, the Northern Ireland Fire and Rescue Service and the Department of Health.
3.4	The purpose of the review was to put in place a system that did not place an undue burden on businesses and local community groups but also ensure that the public are not put at risk and that entertainment does not cause unreasonable disturbance to people living in the area.
3.5	The aim of the review was to update both the legislation and the Model Terms and Conditions, to remove outdated provisions that no longer have beneficial effect and introduce new ones to deal with innovative issues.
3.6	The Review Group reported its findings in February 2015, making 36 recommendations for a future licensing regime. Although recommendations were subject to a public consultation and an indication given that more detailed proposals would be developed by the Department the review ceased in 2016.
3.7	The Council, further to a Special meeting of the Licensing Committee on 23 June 2015, agreed a response to the consultation on 1 July 2015.
3.8	<p data-bbox="272 891 1469 992">A summary of recommendations of the Entertainment Licensing Review Group and the Department's response is included as appendix 1 to this report. Some of the key recommendations included:</p> <ul data-bbox="296 1025 1393 1977" style="list-style-type: none"><li data-bbox="296 1025 1393 1093">• There should be a single licence covering both indoor and outdoor entertainment at a venue;<li data-bbox="296 1126 1393 1193">• A new Temporary Licence should be introduced to allow for one-off events by businesses or community groups;<li data-bbox="296 1227 1393 1294">• An entertainment licence should remain in place unless surrendered by the licence holder or revoked by the council;<li data-bbox="296 1328 1393 1429">• To ensure that action can be taken in response to any problems, local residents, the PSNI and NIFRS would be able to request that the council review the licence at any time over the duration of the licence;<li data-bbox="296 1462 1393 1563">• When considering a licence application, councils should give due consideration to preventing, or minimising, any crime and disorder issues associated with the entertainment;<li data-bbox="296 1597 1150 1630">• To amend the types of entertainment regulated by the Order;<li data-bbox="296 1664 1393 1765">• To remove the requirement to advertise in local newspapers and replace this with a notice displayed on the premises and details published on the council website;<li data-bbox="296 1798 1393 1865">• To enhance the powers of enforcement for councils to deal with those who fail to comply with the law; and<li data-bbox="296 1899 1393 1977">• Model terms, conditions and restrictions for entertainment licences should be provided by the Department.

3.9	As almost six years have passed since the recommendations for a new licensing regime were made the Department has re-established the Review Group to re-examine its previous work.
3.10	Stephen Hewitt, Building Control Manager and Nora Largey, Divisional Solicitor represent the Council on the Review Group. It is expected that the Department will consider the previous recommendations and start to formulate proposals for consideration by the Group in advance of further consultation on proposed amendments to the legislation in due course.
	<u>Financial and Resource Implications</u>
3.11	None.
	<u>Equality or Good Relations Implications/Rural Needs Assessment</u>
3.12	There are no issues associated with this report.

4.0	Appendices – Documents Attached
4.1	Appendix 1 - Summary of recommendations of the Entertainment Licensing Review Group and the Department's response.

