

Report on	Entertainment Licensing Legislation
Date of Meeting	8 th March 2022
Reporting Officer	Terry Scullion, Assistant Director of Property Services
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Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	The purpose of this report is to update Members on the review of Entertainment Licensing legislation.
2.0	Background
2.1	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.
2.2	In 1986 the then Department of the Environment published 'Model Terms Conditions and Restrictions for Indoor Entertainments'. In 1988 the publication of a series of 'Technical Requirements' were published. In 1998, District Councils were issued a circular of additional 'Model Public Entertainment Licence Conditions aimed at improving Health and Safety of Young People at Dance Events'.
2.3	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.
2.4	The aim of the review was to update both the legislation and the Model Terms and Conditions, to remove outdated provisions that no longer have beneficial effect and introduce new ones to deal with innovative issues.
2.5	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 expectation that more detailed proposals would be developed by the Department, the review ceased in 2016.

2.6	In 2021 the Department re-established the Review Group to re-examine its previous work. The Department subsequently circulated a revised version of the Model Terms, Conditions and Restrictions which replaces existing guidance that Councils should have regard to as part of its Entertainment Licensing process.
3.0	Main Report
3.1	Under Article 3 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 district councils may grant entertainments licences, on such terms and conditions, and subject to such restrictions as may be specified in the licence. In specifying any terms, conditions or restrictions in a license, councils should have regard to any model terms, conditions and restrictions published by the Department.
3.2	The revised Model Terms, Conditions and Restrictions circular from the Department for Communities is attached in appendix 1. The document is broken down into four sections – one relates to the requisites for applying for a licence; the second is technical requirement for premises; then management rules/terms and conditions and the fourth is a collection of appendices with additional recommendations for ‘special’ events/ entertainments.
3.3	The document itself is helpful and is a very good start to reviewing conditions that are very out of date and do not reflect adequately the types of entertainment that is currently being provided across the wide spectrum of premises that are licensed to provide such. It should also be noted the document has been issued without a public consultation on its content.
3.4	A stated within the circular a council may modify or dispense with such of these model terms, conditions and restrictions as it thinks appropriate for the premises or venue and of the type of entertainment provided. Although there is no obligation on a council to follow the identified technical standards set out in the guidance, it will be for the council to demonstrate that those requirements have been satisfied by other means.
3.5	At this juncture further time is required to consider the guidance. A further report will be brought to a future Committee setting out the implications for Council's Entertainment Licencing policy.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: Within Current Resources
	Human: Within Current Resources
	Risk Management: None

4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	Recommendation(s)
5.1	That Members note the content of this report.
6.0	Documents Attached & References
6.1	Appendix 1 – Department for Communities revised Model Terms, Conditions and Restrictions Circular, January 2022