



DOE

Department of
the Environment
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Clerk and Chief Executive of each District Council **Local Government Policy Division**

Finance Officer of each District Council,

Ms H Moorhead, Chief Executive, Northern

Ireland Local Government Association,

Cllr R Ferguson, Secretary, National Association
of Councillors

Mr L Hannaway, Honorary Secretary, Society of
Local Authority Chief Executives,

Mrs M Henebery, Secretary, Association of Local
Government Finance Officers

Mr J Buchanan, Chief Local Government Auditor

Ms M Briggs, Craigavon Borough Council

Mr D McLaughlin, Lisburn City Council

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Your reference:

Our reference: LGD 3/20/07

Date: 19 June 2009

Circular No. LG 14/09

Dear Sir/Madam

**FEES FOR ENTERTAINMENTS LICENCES - DETERMINATION
(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 for district councils in Northern Ireland to require that adequate safety measures are established in places where certain entertainments are available. The legislation makes clear that entertainments to which Article 3 and Schedule 1 refer shall not be provided at places, except under, and in accordance with, the terms, conditions or restrictions that are included in entertainments 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 of the Environment may from time to time determine.


The Department in association with the sub-group of the Licensing Forum Northern Ireland carried out a review of the existing fee structure and the level of entertainments licences fees. Formal consultation on proposals was completed on 30 January 2009. Mr Sammy Wilson, Minister of the Environment, has now instructed that the increases in fees should be implemented as soon as possible. Details of the revised set of fees for entertainments licences, **effective from 1 September 2009**, are set out within the new structure in the attached formal determination.

It is estimated that the new level of fees should enable district councils to recover, on average, 52% of their costs. The Department has undertaken to monitor progress and to ascertain the extent of recovery actually achieved at the end of the twelve – month period 1 September 2009 to 31 August 2010. The objective is that, in the longer term, fees should be determined at a level that would allow

for full recovery of the cost of administering the system for entertainments licences. The Minister and the Environment Committee will be provided with an up-date on the position in the autumn of 2010.

In order to collect the data for this exercise, I should be grateful if you would arrange for Tables 1 and 2 (attached), to be completed on a monthly basis. At the end of each three – month period a summary of accumulated expenditure and income recorded on Tables 1 and 2 should be forwarded to Local Government Policy Division so that this ongoing task may be kept under review. **The first return should be made by Friday 4 December 2009.**

Yours faithfully

A handwritten signature in cursive script, appearing to read "M. F. T. Finnegan".

M F T FINNEGAN (MISS)

Encs.

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1985
DETERMINATION OF FEES FOR ENTERTAINMENTS LICENCES**

The Department of the Environment, 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 1985^(a), as amended by Article 52 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992^(b), hereby determines that, with effect from 1 September 2009, the fees to accompany an 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 Fee¹ | Full Licence Fee² |
|---|---|---|
| | £ | £ |
| 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: | | |
| - not more than 100 persons; | 50 | 100 |
| - 101 to 200 persons; | 75 | 150 |
| - 201 to 300 persons; | 125 | 250 |
| - 301 to 500 persons; | 200 | 400 |
| - 501 to 1,000 persons; and | 375 | 750 |
| - over 1,000 persons. | 500 | 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: | 50 |
| (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; | |

^(a) S.I. 1985/1208 (N.I. 15)

^(b) S.I. 1992/810 (N.I. 6)



| | Fee £ |
|---|----------------|
| (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 ³ 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 |

Footnotes

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

Dated this 18th day of June 2009.

Geoff Maye

A senior officer of the Department of the Environment



District Council : _____

ENTERTAINMENTS LICENCES - EXPENDITURE (September 2009 - August 2010)

| EXPENDITURE | |
|----------------|-------------|
| MONTH | AMOUNT £ |
| September 2009 | |
| October 2009 | |
| November 2009 | |
| December 2009 | |
| January 2010 | |
| February 2010 | |
| March 2010 | |
| April 2010 | |
| May 2010 | |
| June 2010 | |
| July 2010 | |
| August 2010 | |
| TOTAL | |

Total expenditure is made up of both personnel costs and corporate costs.

Personnel costs should include the following:-

- Licensing officer costs
- Management costs (2 tiers above licensing officer pro rata)
- Travelling and subsistence costs
- Administrative staff costs pro rata

Corporate costs should include the following:-

- Supplies and services costs (eg telephone, stationery etc)
- Corporate support costs (eg training; human resources; payroll; legal costs; etc)

Signed..... Date.....
(Director)

District Council :

ENTERTAINMENTS LICENCES - FEES INCOME (September 2009 - August 2010)

| 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);- | 50 | | |
| | | | | | | | not more than 500 persons | 125 | | |
| | | | | | | | over 500 persons | 250 | | |
| | | | | | | | Non-Vol. organisations (outdoor);- | | | |
| | | | | | | | not more than 500 persons | 1,000 | | |
| | | | | | | | over 500 persons | 2,000 | | |
| TOTALS | | | | | | | | | | |

Summary:-

£

Occasional Licences

Full Licences

Other Categories

Total Income

Signed: Date
(Director)