



**Derry City & Strabane**  
District Council

Comhairle  
**Chathair Dhoire &  
Cheantar an tSraitha Báin**

**Derry Cittie & Stràbane**  
Destrict Cooil





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District Council  
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# LEGISLATION



**‘Local Government ( Miscellaneous Provisions)  
(Northern Ireland) Order 1985’**

**‘Schedule 1’ ‘Licensing of Places of Entertainment’**

**Pavement Cafes Act (Northern Ireland) 2014**



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## ‘Schedule 1’ ‘Licensing of Places of Entertainment’

- Indoor
- Outdoor
- Types of Licenses
- Application Process
- Assessment Documents
- Terms & Conditions
- Statutory Certification
- Inspection Types
- Areas Officers Focus On
- Officers Experience

## **Pavement Cafes Act (Northern Ireland) 2014**

- Application Process & Fee
- Documents & Permissions



## Introduction

If you wish to provide entertainment to members of the public you must obtain a licence from the Council.

There are two main categories of entertainment:-

### **1. Indoor Entertainment**

### **2. Outdoor Entertainment**





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Live Music



Dancing



Theatre



# INDOOR

Circus



# INDOOR



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Any entertainment which  
consists of any public  
contest, match exhibition  
or display





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Concerts



Tatoos

### OUTDOOR

This is entertainment of a musical nature that takes place wholly or mainly in the open air and on private land.



← ↑  
Marquees  
(assessed each application)

## There are two main types of Licenses



1. Full Licence (annually)
2. Occasional

### FULL

Any entertainments licence unless previously cancelled, revoked or suspended shall remain in force for one year or for such shorter period specified in the licence as the council may think fit.

### OCCASSIONAL

The council may grant an entertainments licence in respect—

- (a ) of **not more than fourteen** particular **days** specified in the licence; or
- (b) of any **fourteen unspecified days within the period of twelve months** following the grant of the licence, dates agreed by Council minimum of 21 days before the event.

*Before a licence can be granted premises must meet technical requirements*



# MAKING AN APPLICATION

## APPLICATION INDOOR

- Completed Application Form
- Appropriate fee
- Certificate of insurance/Public Liability Certificate
- Copy of 2 public notices printed in the newspapers  
*(Please note must be printed in papers not later than 7 days after the date of application)*
- 5 sets of Plans or (Electronic Copy email to Council) **marked up** clearly showing emergency exits, emergency lighting, all elements of the fire alarm system, call points, detectors, etc.
- Fire Risk Assessment
- Electrical Inspection Certificate (3 years max)
- Fire Alarm Certificate
- Fire Extinguisher Certificate
- Gas Certificate (If Applicable)

Above Red line  
1 Item missing Application  
returned to applicant and  
deemed invalid

Below Red Line  
Maximum 4 Weeks to have  
remaining documents  
submitted. After 4 weeks  
recommending to have  
licence suspended

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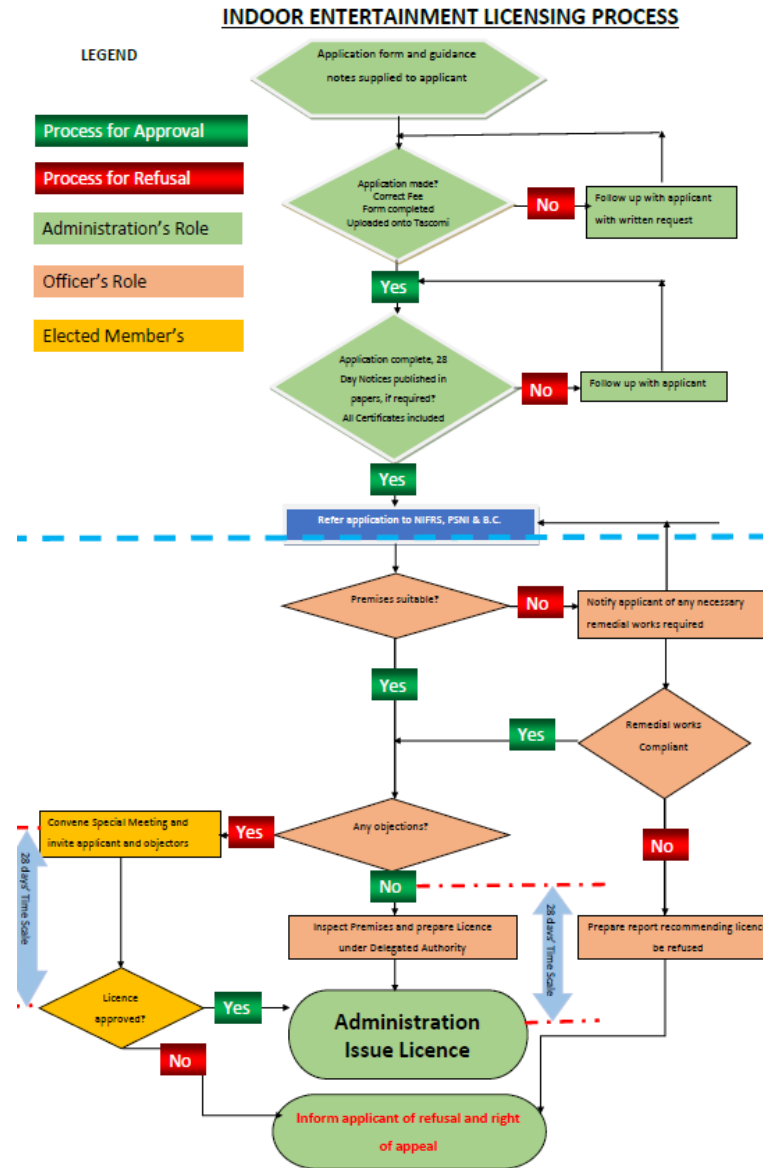
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# APPLICATION PROCESS (Indoor & Outdoor)

Above Blue Line  
'Administration  
Assessment'

2 STAGES PROCESS

Below Blue Line  
'Technical &  
Determination'  
Assessment



## LEGEND

Process for Approval

Process for Refusal

Administration's Role

Officer's Role

Elected Member's

# STAGE 1

## ADMINISTRATION PROCESS (Above Blue Line)

### INDOOR ENTERTAINMENT LICENSING PROCESS

#### LEGEND

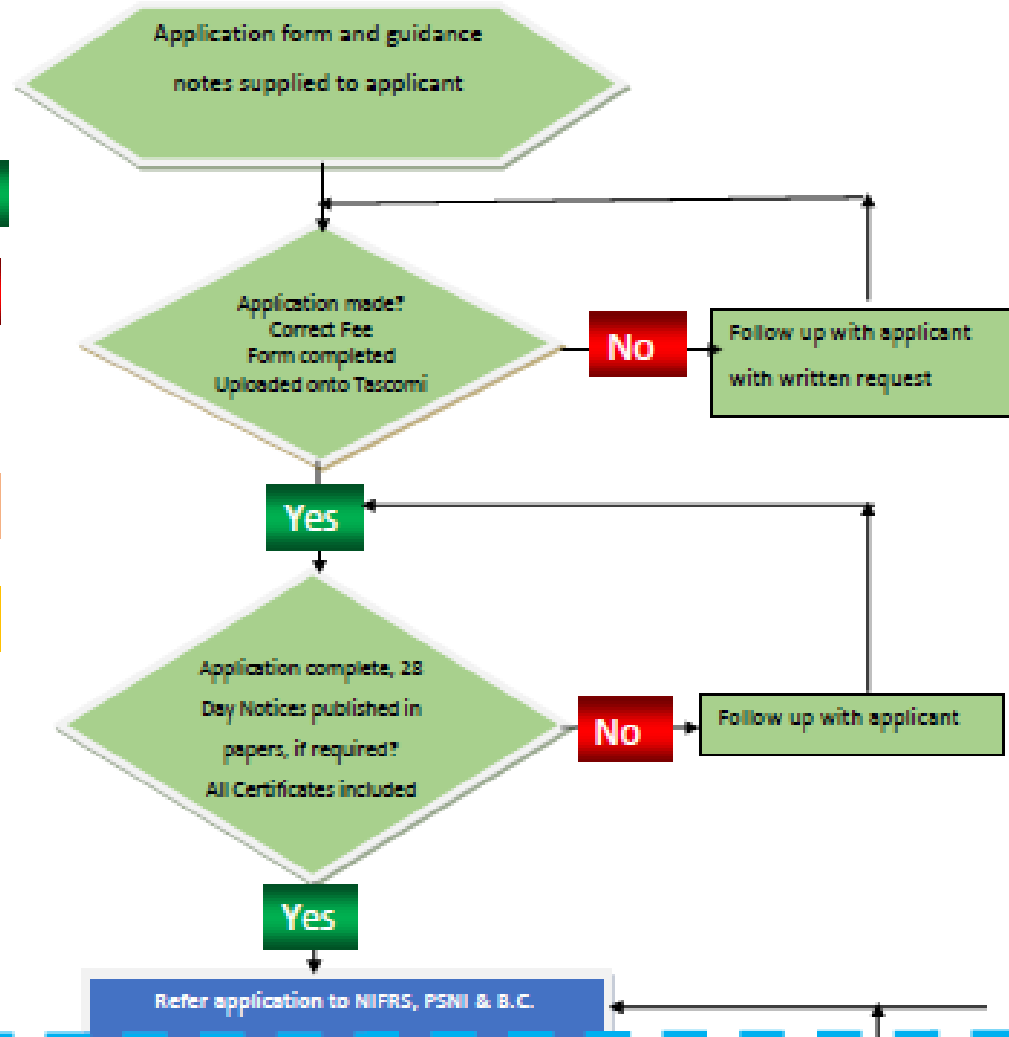
Process for Approval

Process for Refusal

Administration's Role

Officer's Role

Elected Member's

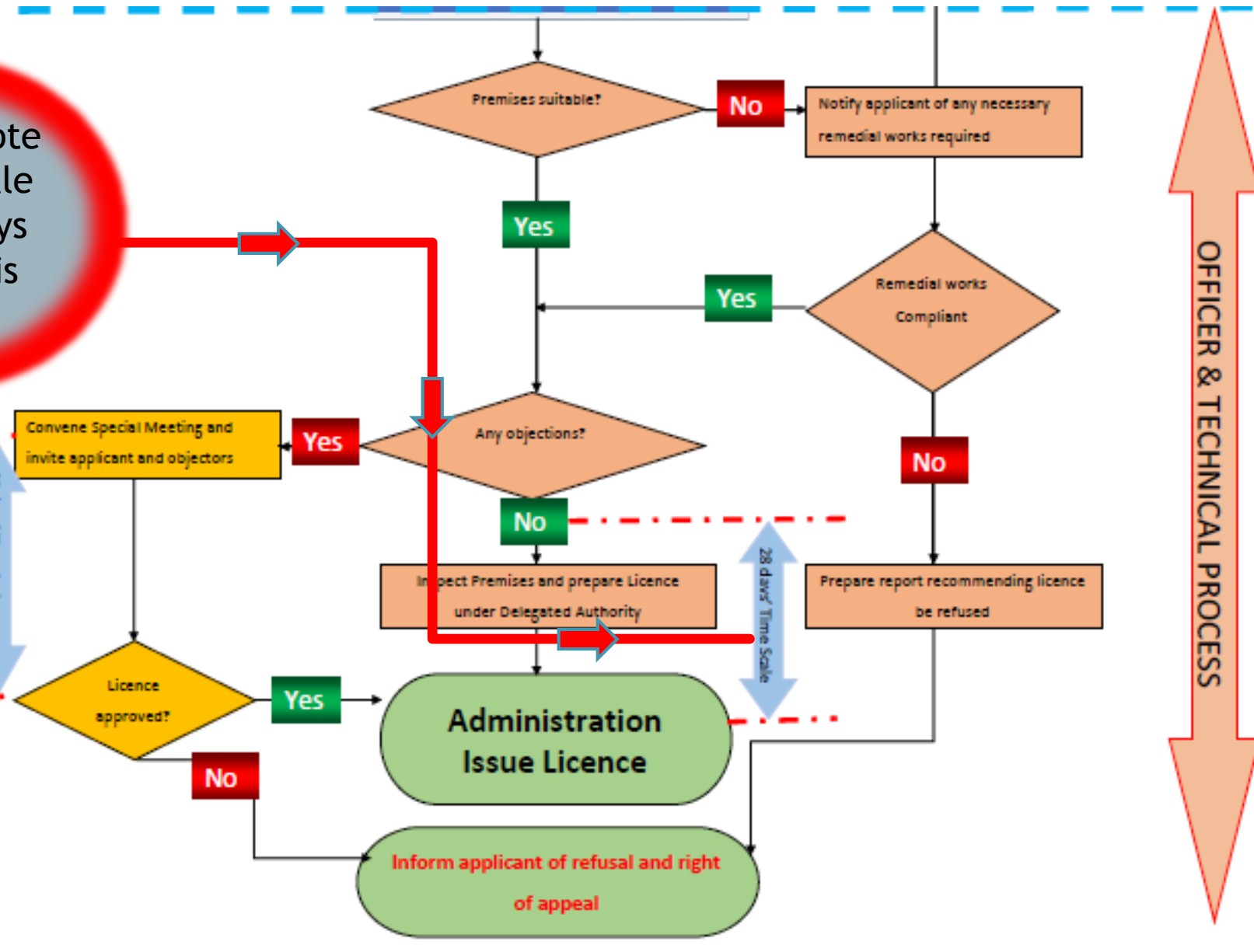


ADMINISTRATION PROCESS

## STAGE 2

## TECHNICAL & DETERMINATION PROCESS (Below Blue Line)

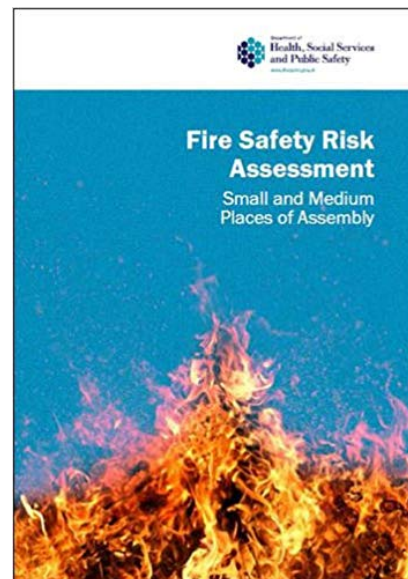
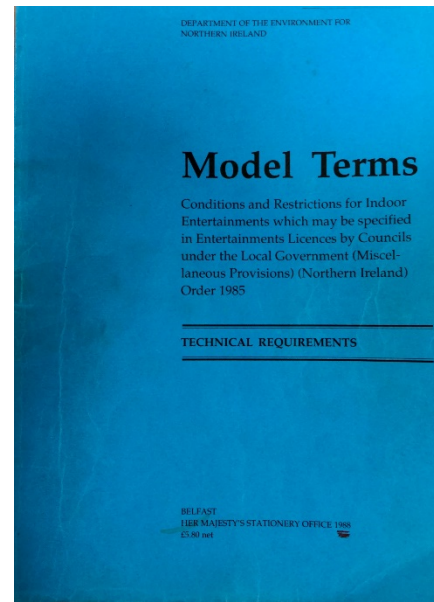
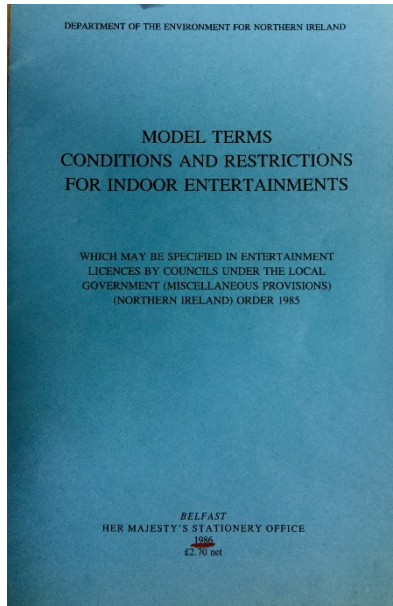
Please Note  
Time Scale  
of 28 days  
from this  
stage



OFFICER & TECHNICAL PROCESS



# DOCUMENTS THAT APPLICATIONS HAVE BEEN ASSESSED UNDER & CONDITIONS SPECIFIED



Fire safety in the design,  
management and use of  
buildings - Code of practice

# LICENCE

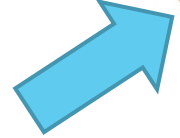
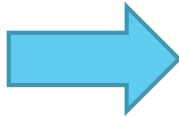
- TERMS
- CONDITIONS
- RESTRICTIONS



OPENING TIMES	
MONDAY	TO
TUESDAY	TO
WEDNESDAY	TO
THURSDAY	TO
FRIDAY	TO
SATURDAY	TO
SUNDAY	TO

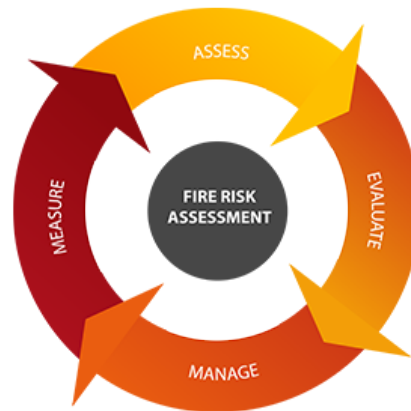


In specifying any 'Terms & Conditions or Restrictions' in a licence the Council shall have regard to the model terms, conditions and restrictions documents.





Electrical Inspection Cert.



Fire Risk Assessment



Fire Alarm Cert.

Valid Documents,  
Certificates required &  
Conditions on Licence



Relevant Insurance Cert.



Fire Extinguisher Cert.



Emergency Lighting Cert.

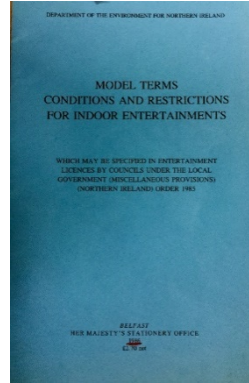
## LICENCE

- TERMS
- CONDITIONS
- RESTRICTIONS



# Model Terms Restrictions and Conditions & Management Rules

## 1986 Document



### GENERAL

- Display Licence
- Days-Times- Duration
- Maximum Numbers
- Counting System
- Open for Inspection
- No Alterations (Consent)
- Certification
- Minimum Notification of Certain Events

### FIRE PRECAUTIONS

- Comply with stat requirements and recommendation made by NIFRS
- Adequate PFFE
- Adequate access for Emergency Services
- Fitting, M&E safe and unobstructed (certified)
- Exit Routes, Doorways free from obstruction
- Adequate lighting
- Adequate receptacles
- Staff Trained
- Log Book

### CONTROL & OPERATION

- Nothing displayed, sung or recited which is profane, likely to cause breach of peace.
- No drunkenness
- Nuisance
- Loudspeakers
- Responsible Adult in charge
- A plan ' You Are Here
- Keep clean, ventilated free from accumulation of waste.
- Doors to rooms where public are excluded must be locked when the room is not occupied.

**Appendix A** 'Additional conditions for theatrical performances'

**Appendix B** ' Additional conditions where children's entertainment is provided'



# Model Terms Restrictions and Conditions & Management Rules

1998 to include with the 1986 document

Reduction on the Supply of Drugs

Drugs Awareness Education

First Aid

Prevention of Over heating

Availability of Drinking Water

Club Security

Door Supervision

General Security Measures

Training and Information

Staff Training



Appendix 'E' & Code of Good  
Practice for Safety at Dance Events

## INSPECTIONS

- **Annual Inspection**
- **During Performance Inspection (DPIs)**
- **Complaints**

### **Annual Inspection**

After a ‘Valid Application’ has been received a Council Officer will visit and inspect the premises to ascertain that all documentation and certification submitted is in accordance with their specification.

Check the premises to ensure that it satisfies the terms and condition that will be included on the Licence.

### **During Performance Inspection (DPIs)**

These are unannounced inspections carried out by the relevant enforcement officers. The purpose of the inspection is to determine that the licence holder of the premises is complying with the ‘terms & conditions’ specified on the licence. Good management and good practice is invaluable in ensuring compliance.



Management Rules,  
T&Cs



Premises Log Book &  
Staff Training &  
Briefings.

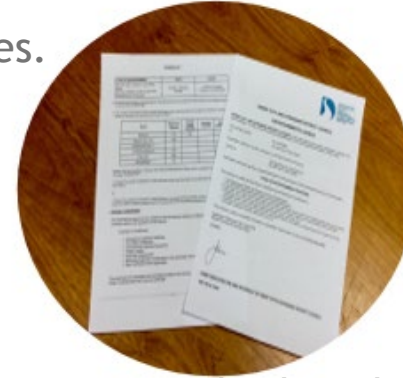


Access for  
Emergency Services.

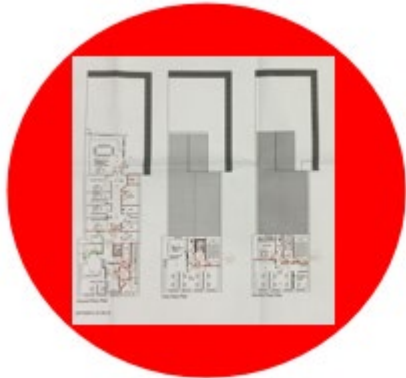


Clear Exit Routes

## During Performance Inspections (D.P.I.s)



Licence displayed



Marked Up Floor Plans  
with fire safety



Competent Door Staff



Safe Capacity

## **AREAS THAT OFFICERS WILL INSPECT. (List is non-exhaustive)**

The premises licence, or a certified copy **must** be prominently displayed.

**Check staff training procedures and how staff is trained on T&C) keep good records.**

**Management and staff should be familiar** with your premises licence permissions, **model terms & conditions, specific management rules.** Ensure that the premises log book is completed regularly.

**You may also be asked to demonstrate how you ensure compliance with the conditions.**

**Ensure the layout of the premises to the licence plan.**

**Licence conditions make reference to other documents, for example a noise management policy.**



## EXAMPLES THAT OFFICERS EXPERIENCE ON D.P.I.s (List is non-exhaustive)

QUESTIONS	REPLYS
How many is the premises licensed for?	Haven't a clue.
Are you aware of evacuation procedure? Who checks that everyone is out of the premises?	Open the door let everyone out Couldn't tell you
Who is the person in charge of staff tonight?	They are not here
Are there many people in the premises tonight? Do you count number of people going in/coming out?	Aye its packed out. No
Where is the nearest fire extinguisher?	Don't know think there is one just in there
How many door/security staff are on?	3 but that's not enough

Bar Staff...The premises is relatively near capacity,  
where are your door security staff?

They don't start until around 9  
0 clock

Do you do a walk through of escape routes?

The supervisor always does  
that before opening.

Where is the supervisor

He's not here tonight.

Protected routes, poorly lit up, build up of waste.

We are in the process of  
sorting it out.





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## NEW LEGISLATION THAT MAY IMPACT ON YOUR PREMISES

### PAVEMENT CAFÉ

- Pavement Cafes Act (Northern Ireland) 2014  
(came into operation 1<sup>st</sup> October 2016)

Guidance is being reviewed by Dept. of Communities

Council is awaiting new guidance before implementing the legislation.

## PAVEMENT CAFÉ

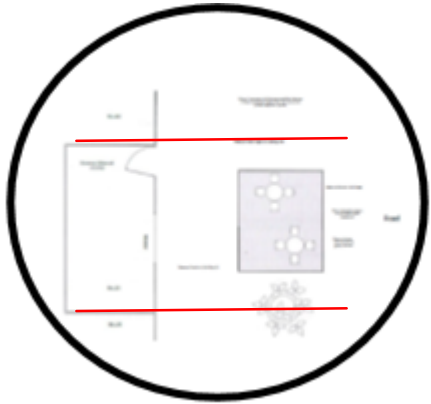
Well-regulated pavement cafes can contribute to an excellent visitor experience and encourage visitors to stay longer and spend more.

Licence duration 3 year



- Fee £460
- Completed Application Form
- Location Plans ( scale drawings not less 1:2500 preferably ordnance survey)
- Proposed Café Plan Layout (scale not less 1:100, streetscape including utilities, services and street furniture eg.lampposts, bollards, fire hydrants, manholes, temporary barrier)
- Public liability insurance
- Evidence of planning permission (written evidence that it is not required)
- Public notice affix to premises in a prominent area that the public can see. (minimum 28days from date of application)
- Evidence of consultation with DFI and Police.
- Risk Assessment

# Criteria required for a Pavement Cafe Licence



- Pedestrian and vehicular access

Size and layout;

Likely disturbance to other businesses or residents;

Furniture design; (must be of a temporary nature and can be removed within 20mins) (Storage)

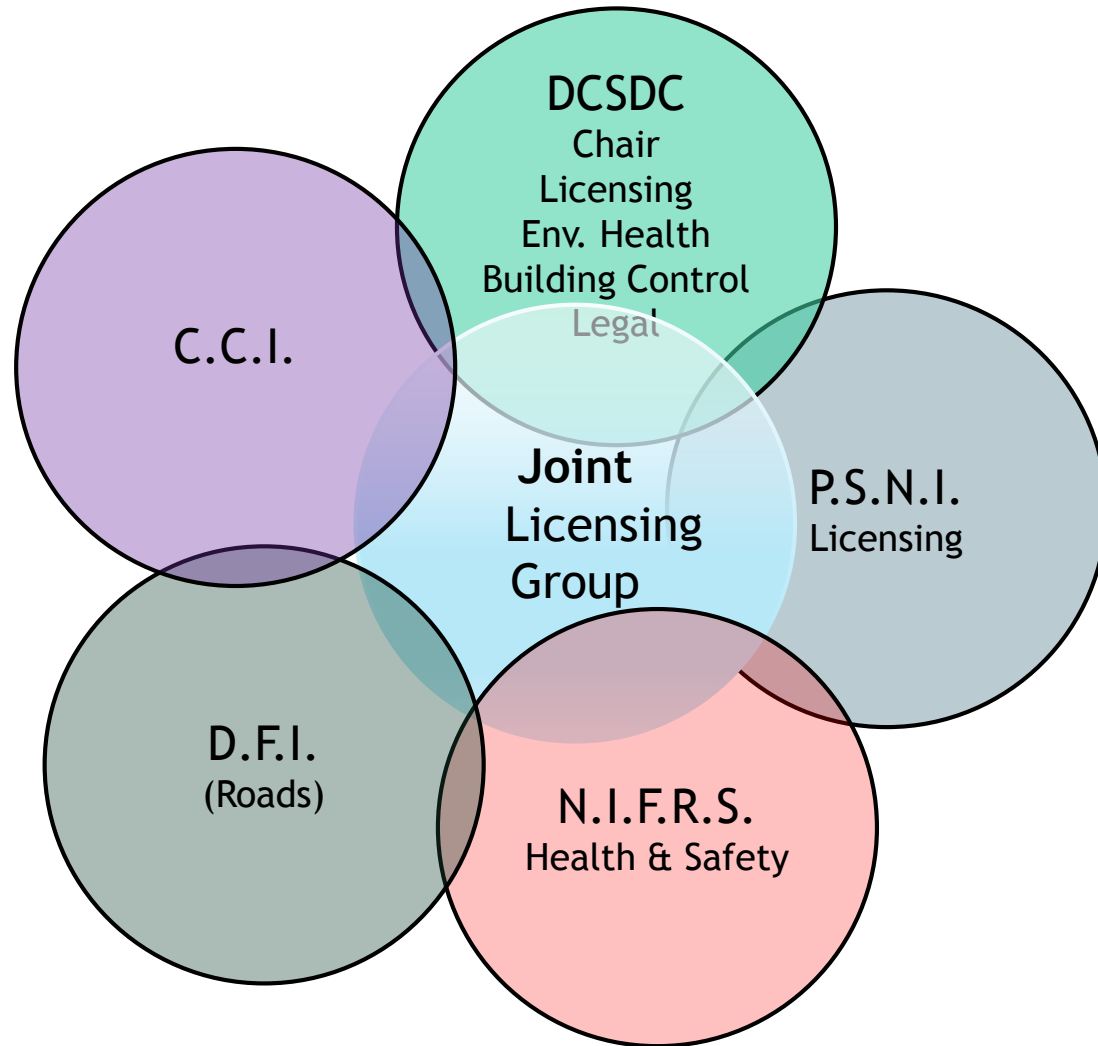
- Safety issues
- Hours of Operation (8am -11pm) (If licensed under the licensing order 11.30pm regardless of any additional operating hours).
- Licence can be revoked (21 day notice, shorter if immediate action is require for public interest).
- Licence does not imply an exclusive right to an area
- No amplified music or loudspeakers.
- Alcohol consumption (only licensed premises under the licensing Order)







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## Joint Licensing Group

- Holds monthly meeting
- Review applications
- Share concerns, information & experiences of licensed premises.
- Collectively works together for a positive outcome for licensees and the specific neighbourhood
- Consider concerns on factual information made available by statutory agencies.



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# Thank You



Further Information and Guidance can be viewed on

<http://www.derrystrabane.com/Licensing/Entertainment-Licence>