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**APPLICATION FOR WAIVER OF THEATRES ACT LICENCE  
FEES - OPEN AIR PLAYS, RAYLEIGH MOUNT**

**1 SUMMARY**

- 1.1. This report invites Members to determine an application for the waiver of Theatres Act Licence fees relating to outdoor performances of a Shakespeare play, to be performed on 15<sup>th</sup> and 16<sup>th</sup> July 2000 at Rayleigh Mount.
- 1.2 The Theatres Act 1968 requires any premises (which include public places) used for the public performance of a play, to be licensed by the Local Authority.
- 1.3 The above Act also enables the Local Authority to charge fees for the necessary licence, but also creates an exemption from the payment of fees where the play being performed is:
  - a) of an educational or other like character **or**
  - b) is given for a charitable or other like purpose;

However, the monies taken from ticket sales initially go to the Southend Shakespeare Company who normally use some of the proceeds to pay for costumes, scenery and equipment. At the conclusion of their summer season of performances, the Shakespeare Company traditionally give a donation to the Rayleigh Mount Local Committee of the National Trust.

The Shakespeare Company themselves are not a registered charity.

**2 INTRODUCTION**

- 2.1 Members previously decided that where a play is performed to benefit a registered charity, no fee is payable, but when the charity is not registered, a report shall be made to the Corporate Resources Sub-Committee for the determination of fees. (Minute 139/98).
- 2.2 The performance of outdoor plays on Rayleigh Mount has become a firmly established annual event, and they have been licensed by the Council since 1997. Members granted an 80% waiver of fees in 1997, and 100% waivers in 1998 and 1999.

**3 FEE WAIVER APPLICATION**

- 3.1 An application for the waiver of licence fees has been received from the Chairman of the Rayleigh Mount Local Committee, Mr M Stone. See Appendix A.

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- 3.2 The application is therefore being brought to the Sub-Committee since the proceeds from ticket sales go to Southend Shakespeare Company in the first instance.
- 3.3 The application states that the objectives of the event are artistic, educational and fund raising. A letter from the applicant, Mr Stone, provides further information on the importance of the plays within the context of the work carried out by the Rayleigh Mount Local Committee. A copy of the letter is attached at Appendix B.
- 3.4 In accordance with the application procedure, Mr Stone has submitted an audited statement of accounts for the Local Committee's financial year, which closed on 29<sup>th</sup> February 2000. The accounts show that the Local Committee received a donation of £121.50 from the Southend Shakespeare Company last year. See Appendix C.
- 3.5 The application states that the Local Committee do not receive any grant funding from Rochford District Council.
- 3.6 Given that the plays have become a regular event, Members may wish to consider whether they would like to continue to receive a report annually, if an application for a fee waiver is received. To remove the need for annual reporting, Members may also wish to delegate power to the Corporate Director (Finance and External Services) to determine the fee, unless there are material changes to the format, or objectives of holding the plays.

#### **4 RESOURCE IMPLICATIONS**

- 4.1 Loss of £262.00 income if a 100% fee waiver is granted.

#### **5 PARISH IMPLICATIONS**

- 5.1 The event is being organised to provide entertainment for the local community, together with the objective of raising funds required for the maintenance and upkeep of an important local landmark within the Rayleigh Town Council area.

#### **6 RECOMMENDATION**

- 6.1 It is proposed that the Sub-Committee **RECOMMENDS**
- (1) The fee due if a Theatres Act Licence is granted.
  - (2) That the Corporate Director (Finance and External Services) be given delegated power to waive 100% of the licence fee for all future fee waiver applications received from the Rayleigh Mount

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Local Committee, on condition that the format and objectives of holding the plays remain largely unchanged. (HHHCC)

G P Woolhouse

Head of Housing, Health and Community Care

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**Background Papers:**

None

For further information please contact Ian Douce on (01702) 318054