

Dealing with Brexit: Open Conversations

Notes from the April session

Date: Tuesday 19th April 2022, 4-5pm

Outline of the session

Dealing with Brexit: Open Conversations is a monthly online event designed to provide an informal space to encourage information sharing between peers around touring post-Brexit. It is an opportunity to ask questions and to hear from professionals of the outdoor arts sector who've already had real-life experience of touring in a post-Brexit world and who can share learnings from their experience of navigating the new rules, helping to demystify Brexit.

This April session focused on two outdoor arts companies experience as they were just returning from performing at a showcase festival in Belgium (City of Wings in Ypres).

The guest speakers for this session were:

- Nikki Kennett and Tim Kennett, The Show Globe
- Silvia Fratelli, Mimbres

Silvia Fratelli, Mimbres

Silvia Fratelli is one of the founders and joint artistic director of Mimbres. The company was established in 2000 and has produced and toured acrobatic performances since then. As well as a performer and creator, Silvia has acted as the manager for the company's international bookings and tours logistics and has established strong links with some of the main European Street Theatre Festivals and organizers. She leads their research into optimal training.

Silvia was on the steering committee for One Dance UK's first Hip-Hop and Circus Conference and curated the first UK Acrobatic Symposium in collaboration with The National Centre for Circus Arts, London. She also works as an acrobatic and acro-balance teacher, choreographer, and consultant. She speaks Italian, English, Spanish and French.

Nikki Kennett and Tim Kennett, The Show Globe

Nikki (performer) and Tim Kennett (technician) are the creators of unique roaming act The Show Globe. When touring U.K and EU festivals, the structure is transported whole inside a custom-made trailer towed behind a van. It has also been performed in Japan, China, Russia, Kuwait, and the UAE, where it has been dismantled into 10 standard suitcases and flown as hold luggage. They are happy to share their experiences of ATA Carnet creation and border crossing.

Before The Show Globe, Nikki had been performing for 20 years as an acrobat before eventually breaking whilst on tour with her street theatre company Strictly Dumb Prancing in Australia. Tim has worked as a pyrotechnic for various companies as well as stage crew and technician for the large outdoor pyro circus show BrightFX, which is where they first met.

Disclaimer: the information included in this document is for your reference only and does not constitute legal or immigration advice.

Detailed notes – Main presentation

Silvia Fratelli, Mimbre

Mimbre includes performers of both European and British nationalities. Since 2000 they mainly did outdoor touring in EU and UK with a variety of shows, so they have a vast experience of pre-Brexit touring.

They're a National Portfolio Organisation which means they receive funding from Arts Council England, which is a big help towards tour logistic costs and fee negotiation – so their experience might be different from other companies' operation.

Silvia travelled to City Of Wings two weeks ago for a showcase with the aim of rekindling relationship with European promoters and bookers – there hasn't been much contact post-Brexit, so this showcase was Mimbre's first one after Covid and Brexit.



They presented an Acro Balance performance with little props, travelled with just 3 suitcases. The remaining props and tech were provided by the festival – 3 chairs, one table and PA. The 3 performers are one British, one European and one mixed nationality.

They chose a self-contained show to start touring in Europe again, so there wasn't much logistic involved which was the ideal solution to test the territory. They travelled by Eurostar to check what border controls were like and to be more green.

The suitcases containing the equipment – one for a carpet, two for puzzle mats that would go under the carpet – were big but not oversize so they could fit in the scanning machine to avoid questioning. They decided not to do the ATA carnet after consulting other performers who can fit their show equipment in normal suitcases, and they didn't get questioned at the border as border personnel was busy checking passports and covid passes, so it all went smoothly.



As they were in Belgium for only 5 days, they didn't need a Visa or working permits for the British performers. Their tours are usually short anyways, so they don't foresee difficulties with visas at the moment – otherwise they'd have to start calculating days per performer spent in Europe, including holidays, according to the [90/180 Schengen Visa rule](#).

Silvia thinks that going was a great decision, it was good to be seen again in Europe so promoters could remember them, and she had the chance to have conversations with bookers from different countries that were keen to keep relationships with British companies, although promoters are worried about the logistics it is totally doable.

For their next show they will travel by plane as it is too far by van and too expensive by train – it's not always possible cost wise to be sustainable.

Silvia advises to account for more time planning and checking logistic when travelling to Europe, but this can't always be reflected in prices in her experience, as it would be hard to negotiate with festivals – but as an NPO they can absorb the cost of extra administration.

The next show planned for 2023 will still be with minimal props and set, that's their plan for touring in Europe for now – they have an ambition for bigger shows but keeping them to the UK, then after more travel and understanding of logistics they will consider bringing more complex shows across the channel.

Nikki Kennett and Tim Kennett, The Show Globe

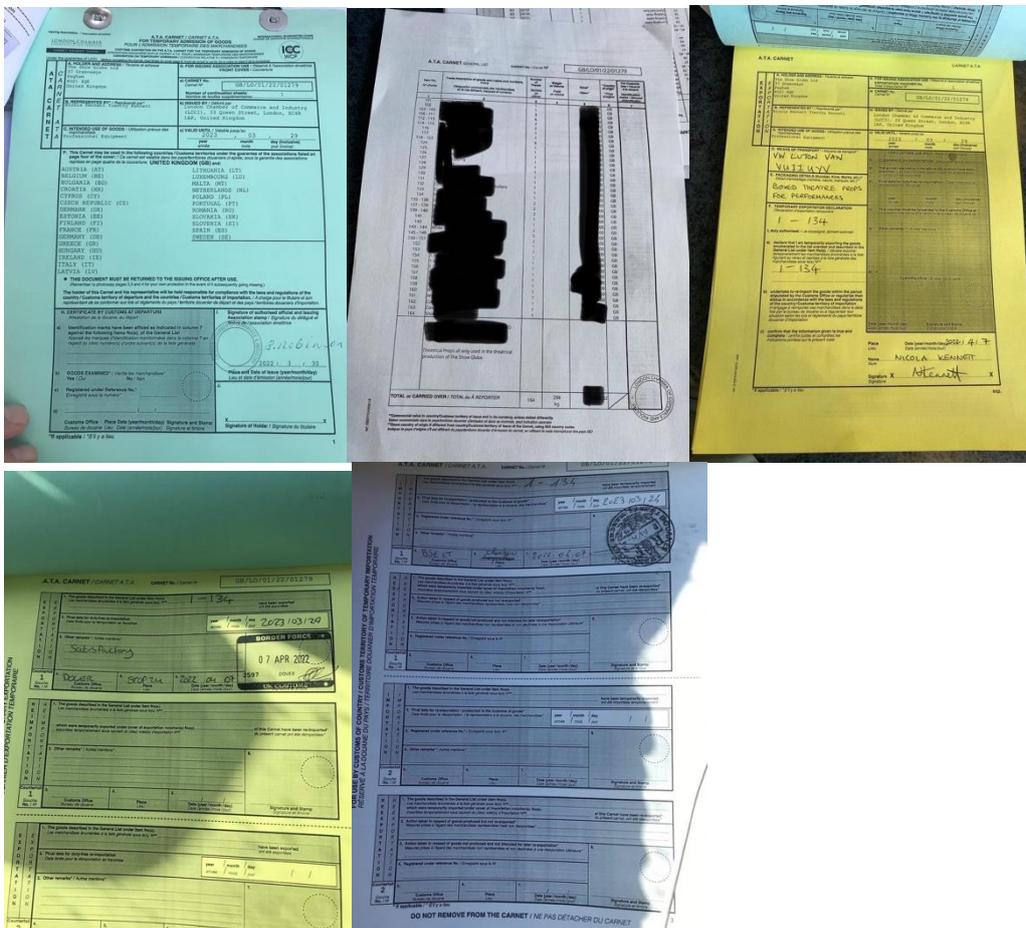


Nikki and Tim tour with a roaming walkabout act that includes a big physical structure – a classic snow globe shape, on a solid base, that was created in 2016 and has toured worldwide since 2017, often away for several months at a time. They have been travelling in a van and trailer or flying with 10 suitcases as The Show Globe can be fully dismantled, although it's 180kg of steel structure so can be quite expensive to fly with it. They travelled to City of Wings with a luton van to transport The Show Globe.

This was the first time for them travelling into Europe post Brexit and post Covid with the show, it was also the first time negotiating crossing the border doing an ATA carnet which was a lot of mental stress beforehand, but actually not as much as they thought.

The ATA carnet is a document used for exporting and importing goods/equipment and vice versa, so artists need to make sure they write down a list of everything to avoid paying duties on import/export. When flying they never used carnet before, but since they were travelling in a van they felt like they needed it – as not being stopped when flying was just a matter of luck.

See images of what the ATA carnet looks like below.



Nikki and Tim received a small government grant to help them get training on requirements travelling over the border after Brexit but they've learnt far more by talking to London Chamber of Commerce which was very helpful – and better than HMRC at answering questions. The number to call with questions is: 02072484444. They'll take you through the online form step by step if you need it.

How to apply for an ATA Carnet



ATA Carnet

Our system will allow you to complete the application online and pay any applicable charges. You will be directed to a third party website to do this. Once issued, the Carnet can either be posted to you or it can be collected from the issuing office.

- [ATA Carnet for Existing Customers](#)
- [ATA Carnet for New Customers](#)
- Go to complete the simple registration process.



Taiwan Carnet

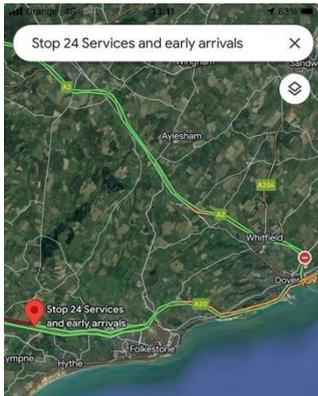
- **Download** the CPD/China -Taiwan template and complete relevant boxes
- **Email** the template so that we can verify whether the application has been completed correctly
- We will send you a quote for the issuing fee and security as well as the relevant forms to be completed and signed
- Once the forms and payment have been received, we will release your CPD/China-Taiwan Carnet.

It takes a few steps to create an ATA Carnet: you need to register first on London Chamber of Commerce website, then go on the [carnet page](#); at the end of the page click on Apply for ATA carnet New Customer and create your profile. You'll receive a response within 24h to set up your user account, then you will need to log on and create the carnet by listing every single thing you'll be bringing. The website creates the paper carnet document which is then posted to your address.

The value of the items can be indicative as most of it is props, but you'll need to be as accurate as possible and make sure each item is numbered. As a touring Theatre Company they have a numbered category of 19 on the carnet for most of their items.

It is possible to do a 2-month, 6-month or 12-month carnet. They opted for a years' worth of carnet voucher since they're planning to go back and forth from Europe a few times this year – it's better to overestimate the trips than underestimate them as it doesn't matter if you don't use them all and payment is per trip but for the carnet overall, but it will be more expensive to do a yearly carnet rather than 6 months for instance. If you run out of vouchers for travelling, you'll need to do a new ATA carnet, so it's worth having more vouchers than needed.

The cost of the carnet for them was about £650. About half of this was a non-refundable fee based on the value of what they were taking over (£19,500), it's a kind of minimum payment guarantee you'll bring it all back. The carnet itself would have been about £300 all in if they could have afforded to pay a £7500 deposit that would be held for the year and then returned to them after the end of the carnet duration, providing they'd had all the stamps done to prove they'd not permanently exported anything. They chose the smaller non-refundable option.



The carnet check point is situated at the service station at the junction before the Eurotunnel called Stop 24. It takes at least half an hour and up to 1 hour to go through the checks (waiting times may vary), so take that into account when travelling. On the way back to UK checks are again in the same place but they take less time. The personnel are very helpful and understand that many people are doing carnets for the very first time. It is very important that all you bring back is exactly the same equipment as you exported, or you risk paying importation tax if they do control checks on your load. For example if an item on your carnet breaks whilst on tour, don't throw it away, bring it back with you!



French customs are on the UK side of the border, just behind the passport control if crossing via Eurotunnel, and will stamp your documents. The most important thing with your ATA Carnet is that it's the artist responsibility to seek out customs and get a stamp on both sides of the border on the way out and again on the way back in again or you'll be liable to pay import taxes when you have to hand in your ATA at the end of it's duration – a good advice is to take photos of the stamps in case you lose the paperwork.

Nikki and Tim tend to travel with Eurotunnel as it's often cheaper and they try to stay in Europe for a couple of months touring in the summer months. They do also do short 1-3 day journeys for shows. As British passport holders, they need to count the days spent in Europe (including holidays) and keep within 90 days every 180.

Notes from the Q&A

- **What about travelling between different European countries? Any considerations?**

Europe counts as one area in terms of ATA carnet/transporting equipment, but in terms of work permits each country has its own rules. For example, in Denmark you have to prove you are performing at a ticketed event and are named on the bill; Belgium wants you to prove you're a professional international artist, etc. there can be different number of days you're allowed as well, it isn't always 90 in 180. Do check for each place you are going.

- **In November last year we were told we needed an ETS document and after lots of research we did it but when we arrived in France they just stamped it without looking. Do we actually need it?**

We didn't need it as we're under section 19 as a touring theatre company – that was the advice we were given from Government.

- **The channel tunnel personnel said we needed a GMR code, did you need to do that? It's a code sent electronically through to France.**

We didn't have to do that; it might not be applicable under section 19 as no one asked us.

- **If you're travelling with your own vehicle, apparently you don't need cabotage or special driving license? We were told about a CAT8 document?**

We don't know about that; we were told by London Chamber of Commerce that if you're in your own van and transferring your own show equipment there and back then you're definitely not freight.

- **What is the timescale for doing an ATA carnet? Can props for different shows all go on the same list?**

Allegedly it takes 24h but it took us a week to get the list right as there was a bit of back and forth between us and London Chamber of Commerce.

Yes, you can list all of them and we did, but you will have to pay a charge on the value of all you list as well. There's a useful tool on London Chamber of Commerce website where you can estimate how much you would pay. By listing several shows worth of kit on one carnet it means we only pay for one carnet and can itemize which kit we take on each trip from that one carnet. It's cheaper than multiple carnets for us.

- **What about taxes for working abroad? Is there any difference from before Brexit?**

It's been exactly the same for us (Nikki and Tim).

(Silvia) We have a gig in Germany, and Lissy should probably explain that better because she's the one who does all the contracts. They will withhold tax, and Lissy, can you explain that in more detail? We are finding it quite tricky.

(Lissy, Mimbre) We have had it before with gigs where sometimes you need to prove your residence in the UK and that you're paying tax in the UK and then you're okay, but this time around they will only not withhold the tax if we can prove that more than 50% of the show is publicly funded, and I'm trying to get a letter from the Arts Council to say this.

And then I think there's maybe a chance you can claim it back on your corporation tax with them, but because we are a charity, so we don't pay any tax, we can't have it as a tax credit when we do our tax returns because we're not paying any tax. I think we might just have to pay it. So we will negotiate better next time before doing a gig in Germany and include this in our fee.

(Laetitia, XTRAX) There's a useful section on tax in Artsadmin guide [here](#)

➤ **Do you need to out your vehicle info on the ATA carnet? Is it linked to the vehicle?**

The carnet is not connected to vehicle, as long as you own the vehicle. The people on the carnet are the only ones allowed to drive the vehicle though, if anyone else is driving they need to have a letter of authority from someone who is on the carnet.