

SPECIAL MEETING OF LICENSING AND SAFETY COMMITTEE

Tuesday, 15th November, 2011 at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Ryder (Chairman)
Councillor Mrs Dunn (Vice-Chairman)
Councillors Mrs Ameson, Mrs M Aston, Barlow, Mrs M Cowell, A Finch,
K Finch, Mottram, Mrs Roberts, Taylor and J Woodall.

Officers

M Farooq (Assistant Director, Law and Governance), J Elliott (Licensing Officer) and S Griffiths (Democratic Services Manager) – all Directorate of Corporate Resources; D Nellany (Food and Occupational Safety Manager) – Directorate of the Urban Environment

15 **DECLARATIONS OF INTEREST**

No Member made a declaration of interest in accordance with the Members' Code of Conduct.

16 **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 21st September, 2011, be approved as a correct record and signed.

17 **GOVERNMENT CONSULTATION ON THE DEREGULATION OF REGULATED ENTERTAINMENT**

A joint report of the Director of Corporate Resources and the Director of the Urban Environment was submitted on a response to the Government's consultation proposals to examine the deregulation of Schedule 1 of the Licensing Act 2003.

A copy of the consultation document and the impact assessment was attached as Appendix 1 to the report submitted.

Appendix 2 to the report was a copy of the draft response to the questions relating to the Council's primary concerns on the proposals.

Whilst no objections were raised to the deregulation of certain ‘low risk’ categories of entertainment, the primary concerns were the consequences of deregulating live music, recorded music and performance of dance.

In particular the intention to remove karaoke as a licensable activity raised significant concerns as the majority of noise complaints, relating to small public houses and clubs, involved the noise generated by karaoke.

Concerns were also expressed regarding the lack of public consultation on the proposals, which would remove important rights from local residents and weaken the ability of the local authority to respond to complaints.

Dealing with noise abatement issues under other legislation, in the absence of the licensing regime, was a lengthy, time consuming and costly process. It was envisaged that the Council would continue to receive complaints from residents about noise caused by amplified music but have very limited powers to act without the strength of the current licensing regime.

Members strongly supported the proposed response to the Government consultation and raised associated concerns about public safety where the onus was placed on event organisers to ensure proper risk assessments.

The Committee was particularly concerned at the potential for additional nuisance caused to local residents in residential areas without suitable controls being in place based on the retention of a reasonable and proportionate approach to licensing conditions.

The Committee thanked the officers for their clear, concise and comprehensive report and unanimously supported the response set out in Appendix 2. Individual Members also undertook to raise the matter with local Members of Parliament.

RESOLVED

That the response to the consultation on the deregulation of regulated entertainment, as set out in Appendix 2 to the report now submitted, be approved and that the officers be authorised to submit the Council’s formal response to the Government.

Further to Minute No. 14 of the meeting of the Committee held on 21st September, 2011, the Assistant Director (Law and Governance) reported verbally on the current position concerning charity collections by means of direct debit requiring a street collection permit.

The Committee noted legal advice obtained in respect of this matter. The representatives of the charity collectors would be notified that the Council's position remained as set out in Minute No. 14 of the previous meeting of this Committee.

The meeting ended at 6.30pm.

CHAIRMAN