

## **SPECIAL MEETING OF LICENSING AND SAFETY COMMITTEE**

Thursday, 12<sup>th</sup> April, 2012 at 5.00 pm  
in Committee Room 3, The Council House, Dudley

### **PRESENT:-**

Councillor Ryder (Chairman)  
Councillors Mrs. Ameson, Mrs. Aston, K Finch, Mottram, Mrs. Roberts,  
Taylor and Woodall.

### **Officers:-**

Licensing Officer and Mr. J. Jablonski (both Directorate of Corporate Resources) and the Food and Occupational Safety Manager (Directorate of the Urban Environment).

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23                    **COUNCILLOR ANGUS ADAMS**

The Chairman referred to the recent death of Councillor Angus Adams and all present stood in silent tribute to his memory.

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24                    **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of Councillors Barlow, Mrs. Dunn and A. Finch.

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25                    **DECLARATIONS OF INTEREST**

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

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26                    **MINUTES**

**RESOLVED**

That the minutes of the Meeting of the Committee held on 22<sup>nd</sup> February, 2012, be approved as a correct record and signed.

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## CHANGES TO THE LICENSING ACT, 2003

A report of the Director of Corporate Resources was submitted on the effect of the Live Music Act, 2012 and the Police Reform and Social Responsibility Act, 2011 on the Licensing Act, 2003.

In relation to the Live Music Act, 2012, the Licensing Officer reported that the expectation was that the Act would come into effect on 1<sup>st</sup> October, 2012.

One of the particular provisions of the Act was that it would remove the licensing requirements for amplified live music between 8.00 a.m. and 11.00 p.m. before audiences of no more than 200 people in respect of premises authorised to sell alcohol for consumption on the premises and in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment); and unamplified live music between 8.00 a.m. and 11.00 p.m. in all venues. The implication of this, it was considered, was that there would be an increase in noise nuisance complaints received by the Council.

It was further noted that where premises continued to operate licensable activities (such as the sale of alcohol) any conditions relating to the activity set out in the foregoing paragraph would be suspended unless they had been added following a licence review. It would also be possible to reinstate or impose conditions about live music following a review of a premises licence or club premises certificate relating to premises authorised to supply alcohol for consumption on the premises.

As the Government intended to consult on the implementation of the Act, before issuing guidance, under Section 182 of the Licensing Act, 2003, a further report on this matter would be submitted to a future meeting of the Committee.

It was also noted that the consultation responses to the wider de-regulation and reforms of entertainment licensing were still under consideration.

Regarding the Police Reform and Social Responsibility Act, 2011, the Licensing Officer reported that, subject to certain exceptions, a number of alcohol licensing reforms to the Licensing Act, 2003 were now expected to come into effect on 25<sup>th</sup> April, 2012.

Of the significant measures intended for introduction, as set out in paragraph 9 of the report submitted, it was noted that a Licensing Authority would become a Responsible Authority in its own right. The Home Office would be writing to all Local Authorities in greater detail about these changes shortly but it was considered that the provision relating to becoming a Responsibility Authority could be dealt with by an officer becoming the responsible person for this function.

One of the effects of the significant measures to be introduced would be the need for closer co-operation between various directorates and other agencies in the borough and steps were already being taken in this regard.

#### RESOLVED

That the information contained in the report, and as reported at the meeting, on the changes to the Licensing Act, 2003, as set out in the report submitted, arising from the introduction of provisions of the Live Music Act, 2012 and the Police Reform and Social Responsibility Act, 2011, be noted and that, when the further guidance and details referred to was available, a further report be submitted to a future meeting of the Committee.

The meeting ended at 5.30 p.m.

CHAIRMAN