

Licensing Committee Report

Meeting:	Licensing Committee
Date:	11 March 2015
Classification:	For General Release
Title:	Deregulation – Implementation of the Entertainment Licensing Legislative Reform Order 2014
Wards Affected:	All
Financial Summary:	None
Report of:	Director of Policy, Performance and Communications

1. Executive Summary

- 1.1 This report seeks to advise the Licensing Committee of the implementation from 6 April 2015 of the deregulation of certain entertainment that will have an impact on the Council's licensing functions.

2. Recommendations

- 2.1 That the Licensing Committee notes the report.

3. Background

- 3.1 The first phase of the deregulation of entertainment licensing was implemented by the Live Music Act 2012 and the Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013. The main effect of the 2012 Act is that live music is no longer licensable between 08.00 and 23.00 where the live music comprises:

- (i) A performance of unamplified live music;
- (ii) A performance of live amplified music in a workplace with an audience of no more than 200 people; and
- (iii) A performance of live music on licensed premises (open for the sale of alcohol for consumption on the premises) which takes place in the presence of an audience of no more than 200 people.

3.2 The second wave of entertainment deregulation was proposed in a DCMS consultation in October 2013 and these proposals are due to be implemented on the 6th April 2015 by the Entertainment Licensing Legislative Reform Order 2014. The changes will mean that the following are no longer licensable when they take place between 08:00 and 23:00 on any day:

- (i) All regulated entertainment held by local authorities, hospitals, nurseries and schools on their own premises (with no audience limit);
- (ii) Live music in licensed premises (open for the sale of alcohol for consumption on the premises) or in a workplace with an audience of not more than 500 people;
- (iii) Recorded music in licensed premises (open for the sale of alcohol for consumption on the premises) with an audience of not more than 500 people;
- (iv) Live and recorded music activities held on premises owned by local authorities, hospitals, nurseries and schools and on community premises (including church and village halls) with an audience of not more than 500 people;
- (v) Live and recorded music, plays, dance and indoor sport at tented circuses, with no audience limits;
- (vi) Greco-Roman and freestyle wrestling at any premises, with no audience limits.

Additionally, the effect of any condition of a premises licence or club premises certificate that relates to recorded music between 08:00 and 23:00 will be suspended. This is to mirror the provision for live music conditions brought in by the 2012 Act.

3.3 Further deregulation of the licensing regime is proposed in the draft Deregulation Bill published by the Government on 1st July 2013. The proposals are set out in the Appendix to this report. The Government has not yet indicated when these proposals will be implemented.

4. Financial and Legal Implications

4.1 There are no financial implications and the legal implications are set out in the body of the report.

If you have any queries about this report or wish to inspect any of the Background Papers please contact: Chris Wroe Licensing Policy & Strategy Manager on 020 7641 5903 or email cwroe@westminster.gov.uk.