

<b>Title of Report:</b>	<b>Live Music Bill</b>
<b>Report to be considered by:</b>	Licensing
<b>Date of Meeting:</b>	20th March 2012
<b>Forward Plan Ref:</b>	N/A

**Purpose of Report:** To inform Members of the provisions of the Live Music Bill

**Recommended Action:** None. Report submitted for information only.

**Reason for decision to be taken:** N/A

**Other options considered:** None

**Key background documentation:**

The proposals will help achieve the following Council Plan Themes:

- CPT2 - Thriving Town Centres**
- CPT12 - Including Everyone**

The proposals contained in this report will help to achieve the above Council Plan Priorities and Themes by:

<b>Portfolio Member Details</b>	
<b>Name &amp; Telephone No.:</b>	Councillor Hilary Cole - Tel (01635) 248542
<b>E-mail Address:</b>	hcole@westberks.gov.uk
<b>Date Portfolio Member agreed report:</b>	8 March 2012

<b>Contact Officer Details</b>	
<b>Name:</b>	Brian Leahy
<b>Job Title:</b>	Senior Licensing Officer
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### **Implications**

**Policy:** A Policy will be required at the point at which the Bill becomes legislation

**Financial:** None

**Personnel:** Some added administrative work will be required however this can be covered by existing staff.

**Legal/Procurement:** None

**Property:** None

**Risk Management:** None

**Equalities Impact Assessment:** N/A

# Executive Summary

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## 1. Introduction

- 1.1 The Live Music Bill is a Bill intended to cut red tape surrounding the performance of music in small venues.
- 1.2 The Bill passed through the House of Lords with only one small amendment on Friday 27th January and is now set for Royal Assent before becoming active, although the Government have not yet indicated when this will be. However, it is envisaged that introduction of the Act will be before the Diamond Jubilee.
- 1.3 The Live Music Act is intended to deregulate certain types of live music venues, notably pubs and clubs.
- 1.4 There is no decision to be made and therefore no Equality Impact Assessment has been undertaken.

## 2. Conclusion

- 2.1 As the introduction of the Act is imminent and will be an amendment to the Licensing Act 2003 this report is intended as an informative for Members.

# Executive Report

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## 1. Introduction

- 1.1 The Licensing Act 2003 requires that all regulated entertainment which is provided for members of the public or a section of the public, and the provision of entertainment facilities, whereby premises are made available for the provision of entertainment available, must be licensed.
- 1.2 The Live Music Bill has now been debated in both Houses and is to be introduced shortly as the Live Music Act 2012 and will amend the Licensing Act 2003.
- 1.3 The Bill provides different levels of regulation depending whether the Live Music is amplified or unamplified, stating that unamplified music does not require a licence if in any venue;
  - No other licensable activities are taking place, unless the licensable activity is for the provision of late night food
  - The music takes place between 8am and 11pm on the same day

Amplified music does not require a licence if:

- The music takes place between 8am and 11pm on the same day
- The performance is to no more than 200 persons
- The venue is a workplace as defined in regulation 2(1) of the Workplace (Health Safety and Welfare Regulations 1992

However, the Bill provides for, conditions relating to live music to be added to a premise licence for alcohol under the regular review process should the Licensing Authority believe this is necessary.

- 1.4 This Act will effectively make it easier for people to organise concerts, plays and other public events where alcohol is not sold, without having to inform the Council.

## 2. Implications

- 2.1 There are few implications for licensing other than some administrative amendments to existing licences.
- 2.2 Members should be aware that where entertainment is carried out and a licence is not required, the burden of investigation and enforcement may escalate for Environmental Health Officers.

## Appendices

There are no Appendices to this report.

## Consultees

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**Local Stakeholders:** Members of the public and pub, club etc, licence holders.

**Officers Consulted:** Paul Anstey Joint Service Delivery Manager

**Trade Union:** None