

**CHILTERN DISTRICT COUNCIL
LICENSING AND REGULATION COMMITTEE - 18 OCTOBER 2012**

Background Papers, if any, are specified at the end of the Report

LIVE MUSIC ACT 2012

Contact Officer: Ian Snudden 01494 732057

RECOMMENDATIONS

To note the changes to the Licensing Act 2003

Background

- 1 The Live Music Act 2012 was the result of a private members bill which subsequently went through Parliament receiving Royal assent on the 8th March 2012, and came into force on 1st October 2012.
- 2 The key points to the Live Music Act 2012 are:
 - removes the licensing requirement for **amplified live music** taking place between 8am and 11pm before audiences of no more than 200 persons on premises authorised to supply alcohol for consumption on the premises;
 - removes the licensing requirement for **amplified live music** taking place between 8am and 11pm before audiences of no more than 200 persons in **workplaces** not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment).
 - removes the licensing requirement for **unamplified live music** taking place between 8am and 11pm in all venues;
 - Where licensable activities (such as the sale of alcohol) continue to take place on premises, **any licence conditions related to live music will be suspended**. However, it will be possible to impose new or reinstate existing live music conditions following a review of a premises licence or club premises certificate relating to premises authorised to supply alcohol for consumption on the premises.
 - removes the licensing requirement for the provision of entertainment facilities; and
 - widens the licensing exemption for live music integral to a performance of Morris dancing or dancing of a similar type, so that the exemption applies to live or recorded music instead of unamplified live music.

- 3 **Amplified live music in non-licensed venues** will still require formal authorisation from the Licensing Authority, such as a Premises Licence or Temporary Event Notice.
- 4 The potential effect of these changes may include an increase in complaints from residents resulting in a demand for increased investigation and out of hour's visits to determine if a noise nuisance is likely to exist.
- 5 The Environmental Health team will continue to work in partnership with the trade, Police and Licensing to reduce the impact of noise arising from deregulated functions.
- 6 This approach will include working with the trade providing advice and information to reduce the impact of any live music or amplified music on the local community. Where problems do arise the Council will seek the support of the local Neighbourhood Police team to provide evidence. The Environmental Health team will provide follow up visits to premises and provide advice or witness any statutory nuisance.
- 7 The impact of the changes to the Licensing Act will be reviewed and consideration given to the provision of a more reactive out of hour's service as required.

Background Papers: *Licensing Act 2003; The Live Music Act 2012*
