

# MINUTES OF LICENSING AND REGULATORY BOARD

Wednesday, 14 October 2015  
(7:00 - 7:38 pm)

**Board Members Present:** Cllr Josephine Channer (Chair), Cllr Adegboyega Oluwole (Deputy Chair), Cllr Syed Ahammad, Cllr Faruk Choudhury, Cllr Chris Hughes, Cllr Hardial Singh Rai and Cllr Lee Waker

**Apologies:** Cllr Peter Chand, Cllr Kashif Haroon and Cllr Elizabeth Kangethe

## 33. Declaration of Members' Interests

There were no declarations of interest.

## 34. Minutes (4 February 2015)

The minutes of the meeting held on 4 February 2015 were confirmed as correct.

## 35. Minutes of Sub-Committees

The minutes of the following Sub-Committee meetings were confirmed as correct:

- 22 January 2015
- 13 February 2015
- 11 March 2015
- 24 March 2015
- 15 April 2015
- 14 May 2015
- 26 May 2015
- 4 June 2015
- 8 July 2015
- 10 September 2015
- 15 September 2015
- 24 September 2015

## 36. Deregulation Act 2015

The Principal Licensing Officer introduced a report to the Board advised of the changes made by the Deregulation Act 2015.

The Deregulation Act 2015 received Royal Assent on 26 March 2015 which amends the Licensing Act 2003. In addition to the Deregulation Act 2015, the Legislative Reform (Entertainment Licensing) Order 2014 took effect from 6 April 2015.

The Board noted the following key changes:

- The requirement to renew a personal Licence had been abolished with effect from 1 April 2015. In effect, any licence that had an expiry date now does not expire and the licence would remain in force until it was revoked by a court or surrendered/lapses by the applicant or their circumstance.
- The requirement to report a lost or stolen licence to the police before applying for duplicates had been abolished from 26 May 2015.
- The offence of selling liqueur confectionary had been repealed from 26 May 2015, after that date any person of any age could buy liqueur confectionary in England and Wales.
- The limit on the number of Temporary Event Notices (TEN) that could be applied for at a single premise would increase from 12 to 15 per year from 1 January 2016.
- Live Music
  - Live unamplified music was deregulated between 08:00 – 23:00 on any premises.
  - Live amplified music was deregulated between 08:00 – 23:00 provided the audience did not exceed 500.
- Recorded Music
  - Recorded music was deregulated between 08:00 – 23:00 in on-licensed premises provided that the audience did not exceed 500.
- The following exemption applied for Local Authorities, Schools and Hospitals.
  - Live music or recorded music between 08:00 – 23:00 at the Local Authority/School/Hospital premises providing that the audience did not exceed 500 and the organiser has consent from the relevant School, Local Authority or Health Care Provider.
  - Any entertainment provided by or on behalf of a School relevant School, Local Authority or Health Care Provider on their own premises between 08:00 and 23:00.
- The following exemption applied for Community Premises
  - Live or recorded music between 08:00 and 23:00 in a church hall, village hall, community hall or other similar community premises, that was not licensed to sell alcohol provided that, the audience did not exceed 500, and the organiser had consent for the performance from a person who was responsible for the premises.

There were also exemptions for travelling circuses, Greco-Roman wrestling and freestyle wrestling, incidental film exhibition, exhibition of films in community premises.

In response to questions regarding amplified music, the Board were advised that enforcement would need to be undertaken by Environmental Health who could issue noise abatements.

The report was noted.

### **37. Review of the Licensing Act 2003 - Statement of Licensing Policy**

The Principal Licensing Officer introduced a report to the Board on the review of the statement of licensing policy.

The policy had been reviewed in accordance with the revised Guidance issued by the Home Office, under Section 182 of the Licensing Act 2003 and informal consultation had been undertaken with the Responsible Authorities, in preparation for formal consultation.

The policy had been updated to:

- Refresh our community priorities;
- Include additional guidance around planning and building control approval;
- Include references to the Barking and Dagenham Growth Strategy 2013 – 2023;
- Provide further details and guidance on the matters that should be addressed when demonstrating how the application will promote the four licensing objectives, through the operating schedule;
- Include legislative and guidance changes since the last review; and
- Reflect the creation of sub-committees to deal with matters requiring a licensing hearing.

The Board noted that places of worship were excluded from the statement of licensing policy.

The Licensing Act 2003 and associated guidance required that the policy must be consulted on formally and prescribes what that consultation must include.

The Board noted that all premises licensed under the Licensing Act 2003 by LBBB will be written to, inviting them to view the draft policy and to make any comments by writing to the Licensing Department. Consultation would also be undertaken with other stakeholders and with Responsible Authorities, including police; fire and rescue; trading standards; health and safety; planning; public health and environmental health. The consultation period would be for at least 8 weeks

The Chair requested that comments made as part of the consultation process be brought back to the next available meeting of the Board for consideration.

The report was noted.