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MID DEVON DISTRICT COUNCIL

LICENSING COMMITTEE

A MEETING of the **LICENSING COMMITTEE** will be held in the Mayoralty Room, Tiverton Town Hall on Thursday, 18 December 2014 at 10.00 am

KEVIN FINAN

Chief Executive
10 December 2014

This meeting will be audio recorded

Councillors: Mrs E M Andrews, R J Chesterton, Mrs F J Colthorpe, D R Coren, N V Davey, R Evans, A V G Griffiths, P H D Hare-Scott, T G Hughes, D J Knowles, M R Lee, M A Lucas, E G Luxton, D F Pugsley and P F Williams

A G E N D A

MEMBES ARE REMINDED OF THE NEED TO MAKE DECLARATIONS OF INTEREST PRIOR TO ANY DISCUSSION WHICH MAY TAKE PLACE

- 1 **ELECTION OF CHAIRMAN**
To elect a Chairman for the municipal year 2014/15.
- 2 **ELECTION OF VICE CHAIRMAN**
To elect a Vice-Chairman for the municipal year 2014/15.
- 3 **APOLOGIES AND SUBSTITUTE MEMBERS**
To receive any apologies for absence and notices of appointment of Substitute Members (if any).
- 4 **PUBLIC QUESTION TIME**
To receive any questions relating to items on the agenda from members of the public and replies thereto.
- 5 **MINUTES** (*Pages 3 - 6*)
To approve the minutes of the meeting held on 10 April 2014 (copy attached).
- 6 **LICENSING PERFORMANCE** (*Pages 7 - 16*)
To receive a report from the Head of Human Resources and Development providing the annual report on Licensing performance.

7 **AMENDMENTS TO THE LICENSING ACT** (*Pages 17 - 22*)

To receive a report from the Head of Human Resources and Development providing an update on the legislative changes (and proposed changes) to the Licensing Act 2003 made by the Legislative Reform (Entertainment Licensing) Order 2014 and the Deregulation Bill.

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Member Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use other forms of social media to report on proceedings at this meeting.

Members of the public are welcome to attend the meeting and listen to discussion. Lift access to the Mayoralty Room on the first floor of the Town Hall or the Exe Room in Phoenix House is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is time set aside at the beginning of the meeting to allow the public to ask questions.

An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, or

If you would like a copy of the Agenda in another format (for example in large print) please contact Sarah Lees on:

Tel: 01884 234310

E-Mail: slees@middevon.gov.uk

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **LICENSING COMMITTEE** held on Thursday 10 April 2014 at 10.30am

Present

Councillors: T G Hughes (Chairman), Mrs E M Andrews, R J Chesterton, Mrs F J Colthorpe, D R Coren, N V Davey, A V G Griffiths, D J Knowles, M R Lee, M A Lucas and E G Luxton

Apology

Councillor: P F Williams

Also Present

Councillor: R M Deed

Also Present

Officers: M Parish (Licensing and Community Safety Manager), T Keating (Licensing Officer) and S Lees (Member Services Officer)

13. **PUBLIC QUESTION TIME**

There were no members of the public present.

14. **MINUTES OF THE PREVIOUS MEETING – 5 DECEMBER 2013**

The Minutes of the meeting held on 5 December 2013 were approved as a correct record and **SIGNED** by the Chairman.

15. **LICENSING TRAINING (Recording 3 minutes and 22 seconds)**

Councillors N V Davey, T G Hughes and the Cabinet Member for Community Well Being had attended a Councillor Training Day in Solihull on 12 February 2014. They had been invited to provide some feedback to the rest of the Licensing Committee regarding the training they had received. There was mixed feelings regarding the usefulness of the course. The Chairman stated that he did not feel he had learnt very much but that he was reassured that the Mid Devon Licensing Authority was on track with its rules and procedures. The Cabinet Member had felt that there was a lack of clarity with regard to legal issues; however, more positive comments included the following:

- The detail provided regarding the significant changes which had taken place since the implementation of the Licensing Act in 2003;
- The sessions were run by two barristers with a great deal of relevant experience;
- The point was stressed that a Licensing Panel needed to be able to justify reasons for its decision and any conditions applied needed to be fit for purpose and relevant.

Members of the Committee agreed that the reasons for decisions made at Mid Devon Hearings were sound and properly minuted. Good decisions had

been taken in the past and this had been evidenced by only one appeal taking place with the licensing authority's decision being upheld.

16. **LESSONS LEARNT FOLLOWING THE PREMISES LICENCE REVIEW FOR DUVALE PRIORY, BAMPTON (Recording 10 minutes and 8 seconds)**

A meeting of the Licensing Sub Committee had taken place on 10 December 2013 to review the premises licence for Duvale Priory, Bampton. This had proved to be a lengthy and complicated meeting which resulted in a decision to uphold the licence with some additional conditions. Members of the Sub Committee and the officers who took part in the hearing have since had a meeting to ascertain whether any lessons could be learnt should such a complicated review arise again in the future. It was felt that these lessons could be shared with the main Licensing Committee so that best practice could be maintained across the whole membership.

The lessons learnt were:

Length of meetings

- The Notice of Hearing sent out by the Licensing team to all the relevant parties would be amended to clearly state what **was** relevant evidence and what was **not** relevant. This may help to avoid repetition, erroneous information and meetings taking longer than necessary.
- Members to be given notice if a Hearing was likely to be lengthy and contentious and should be advised to book out their diaries for the following day. The Committee Clerk should book the necessary rooms for the following day.
- Amend the meeting checklist to include a need to ask each side how long they expect it would take to present their evidence and cross examine the other side.
- If the Hearing looked like it would take a long time, the Chairman should state at the beginning of the meeting that it may be necessary to adjourn in order to have a lunch break or even break until the following day.

Legal

- The Legal representative should take responsibility for interjecting when repetitious evidence was being given or when somebody was digressing from the point of discussion.

The Decision

- Once the Members had agreed the broad decision it would sometimes be necessary for officers to agree the specific wording in a technical condition. This needed to happen much quicker in the future so as to avoid delays;
- Cross examination of the Panel after a decision had been taken should not be allowed in any circumstances.

Conditions

- The Panel should not be afraid to ask the solicitor for a particular side whether they would like to suggest a condition and the precise wording of that condition for the Panel to consider.
- Environmental Health officers could also be asked to suggest what conditions could be applied to mitigate what was viewed as a particular problem. They could have a set of wording ready in advance if the condition was likely to be of a very technical nature.
- The Panel do not have to compromise in order to appease both sides. Permission could be granted as applied for or simply rejected. There do not always have to be conditions.

Ward Members

- Ward Members should be informed in advance of a hearing taking place if the application was in their area.

Panel Chairman

- The Chairman of the Panel should not be afraid to remind those speaking that questions should be addressed through the Chair and he or she should have the confidence to speak quite bluntly if there is a need to do so.

17. **CONSULTATION ON LOCALLY SET LICENCE FEES (Recording 37 minutes and 10 seconds)**

The Licensing and Community Safety Manager informed the Committee that she had circulated the consultation document to them all and that the last day for comment was today. She had also attended a workshop in Bristol with other Licensing Authority representatives with the idea being to try and achieve consistency across the licensing service nationally. The licence fee was supposed to cover the cost of the service in all authorities.

Discussion followed with regard to a need for the Licensing Committee to formally adopt the Fee Setting Policy which was attached as a report to the following Regulatory Committee agenda. The Committee requested that it be updated on a regular basis as to any changes.

RESOLVED that the Fee Setting Policy for Licensing be adopted as a guide to setting fees for licences and registrations administered by the Council.

(Proposed by the Chairman)

(The meeting ended at 11.15am)

CHAIRMAN

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LICENSING COMMITTEE
18 December 2014

REPORT OF THE HEAD OF HUMAN RESOURCES AND DEVELOPMENT

LICENSING PERFORMANCE

REASON FOR REPORT

1. Effective performance management requires that performance is reported on a regular basis. For the Licensing Service this is annually to the Licensing and Regulatory Committee.

RECOMMENDATIONS

1. That the content of this report is noted
2. That the target for the issuing of licences is amended

RELATIONSHIP TO CORPORATE PLAN

1. Thriving Economy & Empowering our Communities

FINANCIAL, LEGAL AND RISK ASSESSMENT IMPLICATIONS

Any financial, legal and/or risk assessment implications are set out below:

Financial	Managing performance includes budget management
Legal	There are statutory deadlines that need to be met
Risk Assessment	Failure to meet statutory deadlines could lead to legal challenges

1.0 INTRODUCTION

- 1.1 This report is one of two looking at the performance of the Licensing Service. This report for the Licensing Committee looks at the parts of the service that fall to that Committee, which are responsibilities arising from the Licensing Act

2003 and the Gambling Act 2005 and cover the areas of alcohol, regulated entertainment and gambling. Annexe 1 lists the number of licences and registrations under these two pieces of legislation as of 25 November 2014.

- 1.2 This is a regular annual report to the Licensing Committee on how the service is performing and much of the information in the Annexes is applicable for both the Licensing and Regulatory Committees.

2.0 SERVICE STANDARDS

- 2.1 There is no National Indicator that covers the licensing function since the previous one was removed following the change of government in 2010.
- 2.2 Licensing has developed a set of service standards which are attached as Annexe 2. Standards in connection with hearings under the Licensing Act 2003 and Gambling Act 2005 are statutory.
- 2.3 There is the additional target of running the service within its budget, which means attaining the income without exceeding the allocated budget.
- 2.4 In terms of the broader picture we have policies that require regular review for both the Licensing Act 2003 and the Gambling Act 2005. We are also required to ensure the service is provided lawfully at all times and incorporate changes to legislation in our policies and procedures as appropriate.

3.0 TARGETS AND ACTUALS

- 3.1 The whole idea of measuring performance is to carry out the duties to laid-down standards as efficiently as possible.
- 3.2 The 2013-14 target for the issuing of licences was set at 95% within three working days. Looking at the overall totals, this was achieved. Annexe 3 shows the year's results in summary and the overall score was 98.3%.
- 3.3 The figures on Annexe 3 are actually recorded on a monthly basis and the spreadsheet links to each single licence/registration, giving an audit trail to check the accuracy. It covers the whole licensing function, as it is impractical to split it to reflect the two committee responsibilities.
- 3.4 The target was missed for the issuing of premises licences and this was because these licences can take some time to prepare. Three out of eighteen were sent after the three day target although it should be noted that this does not impact on the ability of the applicants business to operate.
- 3.5 The licences or notices we produce are themselves legal documents so it is vital they are issued correctly. Because of this it is recommended that we increase the current three working day turnaround to five working days for the 2015/16 year. We would then increase the actual target to 97%. This will allow us additional time to check the quality of licences before issuing.

- 3.6 The Licensing Team was previously audited (internally) in 2012-13 and came out as 'well controlled' at that time.
- 3.7 In terms of budget we finished the year £9,407.45 over the estimated income of £110,440.

4.0 HEARINGS HELD DURING 2013/14

- 4.1 Three hearings were held under the Licensing Act during the course of the year. All were held within the statutory time limits and all of the notifications were made within the prescribed period.
- 4.2 The first hearing was to consider an Environmental Health objection to a Temporary Event Notice (TEN) for an event held at Whitmoor Farm, Uffculme. The Sub-Committee decided to uphold the objection and subsequently issued a counter notice which prevented the event from going ahead. The applicant subsequently appealed this decision and on 24 July 2013 the Magistrates Court upheld the decision of the District Council stating that the original reasons given by the Sub Committee were sound.
- 4.3 The second hearing concerned a new premises licence application for the Kings Head, Cullompton. This followed on from a representation submitted by the Police and the licence was subsequently granted with some amendments.
- 4.4 The final hearing held was to consider an application to review the premises licence for Duvale Priory, Bampton. Conditions were subsequently added to the licence in order to address concerns raised by local residents in view of the public nuisance licensing objective.

5.0 LICENSING POLICY

- 5.1 The Licensing Act Policy was reviewed and formally adopted by full Council in December 2013 which met the statutory timescale. This Policy will now remain in force for a maximum period of five years and will then be subject to review and further consultation. Like all policies it will need to be reviewed regularly and updated in response to legislative changes.

6.0 CURRENT YEAR

- 6.1 Two hearings have been held so far this financial year. Once again both were held within the statutory time limits and all of the notifications were made within the prescribed period.
- 6.2 The first hearing concerned a new premises licence for Hanlons Brewery, Half Moon, following representations from nearby residents. The application was subsequently granted with conditions.
- 6.3 The second hearing was to consider an application for a time limited premises licence for an event to be held at East Pidsley Farm, Sandford. Representations were received from four Responsible Authorities (Police, Fire

Service, Licensing Authority and the Primary Care Trust) and an additional thirty-six from 'other' sources (nearby residents and bodies). The Licensing Sub-Committee decided to refuse the application and this decision was not appealed by the applicant.

7.0 RECOMMENDATION

- 7.1 With reference to the issuing of licences it is recommended that we increase the current three working day turnaround to five working days for the 2015/16 year and subsequently increase the actual target from 95% to 97%. This will allow us additional time to check the quality of licences before issuing. We will of course endeavour to get licences out as quickly as possible but this will allow us more time should we need it.
- 7.2 All of the data provided within this report is auditable and it is recommended that Members note the contents.

Author	Mr Tom Keating – Lead Licensing Officer
Contact for any more information	Mr Tom Keating (01884) 244618
Background Papers	Licensing Performance info, Lic Sub Cttee reports and minutes, MDDC budget
File Reference	Licensing/Performance Information
Circulation of the Report	Licensing and Regulatory Committees

Licensing Committee

Licences and Registrations to date - 25 November 2014

Alcohol and Entertainment

- Personal licences - 966
- Premises with alcohol - 267
- Premises no alcohol (includes village halls and takeaways) - 64
- Clubs - 45
- TENs (1 April 2013 - 31 March 2014) - 337
- TENs (1 April 2014 - 25 November 2014) - 214

Gambling

- Adult gaming centres - 3
- Unlicensed family entertainment centre permits - 3
- Betting premises - 5
- Club gaming permits - 2
- Club machine permits - 9
- Alcohol licensed premises permits - 3
- Alcohol licensed premises notifications - 71
- Small society lottery registrations - 124

Hearings

- Hearings (1 April 2013 – 31 March 2014) - 3
- Hearings (1 April 2014 – 25 November 2014) - 2

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Licensing Service Standards

We provide information and advice on a number of different types of licences / permits / registrations. This includes providing:

- All relevant forms and help on how to complete them
- Details of the relevant procedures
- Information on the charges

This information is available both in the office and on the website. We allow forms to be downloaded and, where appropriate, completed entirely online – this includes the ability to make payments. We actively encourage people to use the online services we provide.

If anyone needs further information or help completing application forms the licensing team will be available to assist. Depending on the nature and complexity of the enquiry help is available via telephone, email or, if required, the potential applicant may make an appointment and come in and see a member of the team.

On receipt of application we follow the procedure in line with whatever licence it is. This is usually governed by legislation or Policy. If the application is incomplete or faulty we advise the applicant and keep the application on hold until it is complete and correct.

When we have heard from all relevant parties, when the time for representations has passed and when we have received all necessary documentation the licences are issued within three working days. In relation to 'relevant parties' examples can include Responsible Authorities for a Licensing Act application, the Disclosure and Baring Service for a Hackney Carriage / Private Hire driver application, or a Vet for an Animal Boarding application.

Where appropriate we monitor responses from consultees, referees and the DBS, and will chase them up if a response is not received within 10 working days or 20 working days in the case of the DBS.

If there is a need for a committee hearing we inform the applicant of the date as soon as it is arranged. We provide them with the necessary information 10 working days before the hearing for hearings under the Licensing Act 2003 (not including those in relation to Temporary Event Notices which are subject to shorter timescales) and 5 working days before the hearing in all other cases. The necessary information includes the hearing procedure, their rights of representation and of appeal.

When the hearing is ended we inform the applicant of the decision formally as soon as the minutes are received (generally within two working days) and let them have details of the appeal procedure.

Complaints

If you have a complaint about a premises or an activity we licence then please contact us and your complaint will be dealt with as set out below.

We will ask you to let us have as much information as possible about the nature of the complaint. This may include the requirement to take a formal written statement of the event. Anonymous complaints will not normally be accepted.

Once we receive all of the required information the Licensing Team will look to investigate the matter. Initially, you will receive a response within 5 working days which will either be a full response to your complaint, or, if it is more complex, an acknowledgement of your complaint with an indication of how long the investigation is likely to take. The acknowledgement will also give you the name and telephone number of the officer dealing with your complaint.

In normal circumstances we will aim to deal with your complaint within 15 working days of receipt. Sometimes, however, more complex issues may take longer but we will keep you informed of progress.

If you are unhappy about how we deal with your complaint or if you have a complaint about the licensing team itself you can use the Council's formal complaints procedure. More information on this can be viewed here: <http://www.middevon.gov.uk/index.aspx?articleid=663>.

Licensing Performance Records

Year: 2013-2014

Licence Type	No. of Applications Received	Issue of Licence Within Timescale	Issue of Licence Outside of Timescale	% Issued Within Timescale	% Issued Outside of Timescale	Target Met of 95% Within Timescale	Financial Amounts
Premises Licence	21	15	3	83.3%	16.7%	✗	£ 51,790.00
Club Certificate	1	0	0				£ 7,490.00
Personal Licence	55	54	2	96.4%	3.6%	✓	£ 2,141.00
Premises/Personal Transfer	91	88	2	97.8%	2.2%	✓	£ 1,911.50
Temporary Event Notice	394	386	4	99.0%	1.0%	✓	£ 8,736.00
Interim Notice	1	1	0	100.0%	0.0%	✓	
Hackney/Private Hire Driver	106	110	1	99.1%	0.9%	✓	£ 14,129.50
Hackney Carriage Vehicle	81	76	3	96.2%	3.8%	✓	£ 11,013.50
Private Hire Vehicle	53	55	0	100.0%	0.0%	✓	£ 7,974.00
Operator Licence	14	14	0	100.0%	0.0%	✓	£ 1,442.00
Animal Boarding	15	15	0	100.0%	0.0%	✓	£ 1,500.00
Animal Breeding	0	0	0				
Pet Shops	4	3	1	75.0%	25.0%	✗	£ 475.00
Riding Establishments	2	2	0	100.0%	0.0%	✓	£ 255.00
Dangerous Wild Animals	2	2	0	100.0%	0.0%	✓	£ 190.00
MISO & SMD	23	23	0	100.0%	0.0%	✓	£ 1,524.00
Street Collection	65	61	0	100.0%	0.0%	✓	
House to House Collection	29	28	1	96.6%	3.4%	✓	
Caravans	1	1	0	100.0%	0.0%	✓	
Beauty Registration	2	4	0	100.0%	0.0%	✓	£ 300.00
Society Lotteries	110	107	1	99.1%	0.9%	✓	£ 2,620.00
Betting Premises	0	0	0				£ 1,500.00
Adult Gaming Centre	0	0	0				£ 2,100.00
Gaming Machines	7	7	0	100.0%	0.0%	✓	£ 1,150.00
Total	1077	1052	18	98.3%	1.7%	✓	£ 118,241.50

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REPORT OF THE HEAD OF HUMAN RESOURCES AND DEVELOPMENT

AMENDMENTS TO THE LICENSING ACT

REASON FOR REPORT

1. To provide an update on the legislative changes (and proposed changes) to the Licensing Act 2003 made by the Legislative Reform (Entertainment Licensing) Order 2014 and the Deregulation Bill.

RECOMMENDATIONS

1. That members note the upcoming changes (and proposed changes) to the Licensing Act.

RELATIONSHIP TO CORPORATE PLAN

1. To promote a thriving economy and empower local communities.

FINANCIAL, LEGAL AND RISK ASSESSMENT IMPLICATIONS

Any financial, legal and/or risk assessment implications are set out below:

Financial	N/A
Legal	We must act in accordance with the legislation
Risk Assessment	Failure to comply with legislation could lead to legal challenges

1.0 THE LEGISLATIVE REFORM (ENTERTAINMENT LICENSING) ORDER 2014

- 1.1 The Legislative Reform Order will come into force on 6 April 2015. This will amend Schedule 1 and section 177A of the Licensing Act 2003 and deregulate certain types of regulated entertainment in defined circumstances. A summary is provided below.

- 1.2 Cross-activity exemption

The provision of regulated entertainment by or on behalf of local authorities, health care providers, or schools on their own defined premises will be exempt from entertainment licensing between 08.00-23.00 on the same day, with no audience limit.

1.3 *Live music in relevant alcohol licensed premises and workplaces*

The audience limit for a performance of live amplified music in relevant alcohol licensed premises or in a workplace between 08.00-23.00 on the same day will be raised from 200 to 500.

1.4 *Recorded music in relevant alcohol licensed premises*

Any playing of recorded music in relevant alcohol licensed premises will be deregulated (on a conditional basis) when it takes place between 08:00-23:00 on the same day for audiences of up to 500.

1.5 *Live and recorded music exemptions*

Local authorities, health care providers and schools will be exempt from entertainment licensing when making their own defined premises available to third parties for live and recorded music activities between 08:00-23:00 on the same day for audiences of up to 500.

Community premises not licensed to supply alcohol will be exempt from entertainment licensing requirements for live and recorded music between 08:00-23:00 on the same day for audiences of up to 500.

1.6 *Travelling circuses*

Travelling circuses will be exempt from entertainment licensing in respect of all descriptions of entertainment, except an exhibition of a film or a boxing or wrestling entertainment, where the entertainment or sport takes place between 08:00-23:00 on the same day, with no audience limit.

1.7 *Greco-Roman and freestyle wrestling*

Greco-Roman and freestyle wrestling will be deregulated between 08:00-23:00 for audiences of up to 1000 people.

1.8 *Incidental film*

An exhibition of film that is incidental to another activity (where that other activity is not itself a description of entertainment set out in paragraph 2 of Schedule 1 to the 2003 Act) is exempt from licensing.

2.0 DEREGULATION BILL

2.1 The Deregulation Bill is currently with the House of Lords for consideration having completed all stages of readings and committees in the House of Commons. The commencement date is not yet known but a number of proposals will have an impact on licensing. These are summarised below.

2.2 Community and Ancillary Sellers Notices (CAN)

The CAN is proposed to be a new, light touch authorisation under the Licensing Act that will benefit specific small businesses and community groups who wish to sell or give away alcohol. The table below provides details of the CAN.

For all CAN users	<ul style="list-style-type: none"> • The CAN will be authorised for 36 months • Alcohol may be sold between 7am and 11pm • Notice will be given to the licensing authority • The prescribed fee will be paid • Police, Environmental Health Authority and licensing authority can object if a CAN will undermine the licensing objectives. Where problems arise, the police and environmental health authority can object, with the result that the CAN may be revoked. • Police and licensing authority officers will have rights of entry to investigate where users are in breach of the CAN conditions. • No right to a hearing or appeal if a CAN is revoked.
Ancillary sellers	<ul style="list-style-type: none"> • Sale of alcohol must be ancillary to provision of goods or services by the business. • Sale of alcohol from single named premises. • Alcohol for consumption on the named premises.
Community groups	<ul style="list-style-type: none"> • Sale of alcohol must be made by or on behalf of a community group that does not trade for profit. • Sale of alcohol must be ancillary to an organised community event. • Sales of alcohol may be made from up to three named premises. • Sales of alcohol for consumption at organised events of up to 300 people.

We are still waiting for details on the following elements of the CAN:

- Exact limits on the amount of alcohol that can be served
- Eligible business types (including the maximum size)
- The definition of qualifying community groups
- The type and frequency of permitted events
- Details on the fee

2.3 Temporary Event Notices (TENs)

It is proposed to increase the number of TENs a premises can hold annually from 12 to 15.

2.4 Personal Licences

It is proposed to remove the requirement to renew personal licences. They currently last for 10 years and the first to expire for Mid Devon District Council will be from June 2015.

2.5 Liqueur confectionary

It is currently an offence under section 148 of the Licensing Act to sell liqueur confectionary to children under 16 years old. It is proposed to repeal this section of the Act.

2.6 Late Night Refreshment

Late night refreshment is the supply of hot food or drink to the public between 11:00pm and 5:00am. The proposal would enable Licensing Authorities to make certain exemptions from the requirement to hold a licence based on the type of business and location.

2.7 Reporting loss or theft of licence

It is proposed to remove the requirement to report the loss or theft of a number of licences to the Police before a copy of the document can be issued. This includes premises licences, club premises certificates, temporary event notices and personal licences.

2.8 Exhibition of Films

The proposal is to deregulate film exhibitions at 'community premises' subject to the following conditions:

- prior written consent for the entertainment to take place at the community premises has been obtained by or on behalf of a person concerned in the organisation or management of the entertainment
- the entertainment is not provided with a view to profit
- the audience consists of no more than 500 persons
- the entertainment takes place between 8am and 11pm on the same day; and
- a recommendation concerning the admission of children to the exhibition of the film has been made by the film classification body or relevant licensing authority, and the admission of children to that exhibition of the film is subject to such restrictions (if any) as are necessary to comply with that recommendation

The term "community premises" is defined in section 193 of the 2003 Act as meaning premises that are (or form part of) a church hall, chapel hall or other similar building or a village hall, parish hall, community hall or other similar building.

3.0 **RECOMMENDATION**

3.1 That members note the above information.

Author	Mr Tom Keating, Lead Licensing Officer
Contact for any more information	Mr Tom Keating (01884) 244618
Background Papers	Licensing Act 2003, The Legislative Reform (Entertainment Licensing) Order 2014, The Deregulation Bill.
File Reference	Licensing/Performance Information/Update
Circulation of the Report	Licensing Committee

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