



DERBY CITY COUNCIL

**GENERAL LICENSING COMMITTEE
10 FEBRUARY 2010**

Report of the Corporate Director of Environmental Services

**REQUEST FOR VIEWS ON THE EXEMPTION OF SMALL LIVE MUSIC
EVENTS FROM THE LICENSING ACT 2003**

RECOMMENDATIONS

- 1.1 To consider the information contained in this report regarding the request for views on the exemption of small live music events from the licensing Act 2003 from the Department for Culture, Media and Sport (DCMS).
- 1.2 To authorise the Chair to respond to DCMS.

SUPPORTING INFORMATION

- 2.1 The Government believes that an exemption would make it easier for both licensed and unlicensed premises to provide live music and assist musicians that wish to play to live audiences.
- 2.2 Currently the provision of Live Music requires licensing under the Licensing Act 2003, with the justification being that; the provision of live music could impact on one or more of the four licensing objectives. However the government believe that live music for 100 people or less is extremely unlikely to give rise to concerns.
- 2.3 The government therefore proposes a revocable exemption for music events with less than 100 people. The performance and audience must be within a permanently constructed building and no performance can take place between 11.00pm and 8.00 am.
- 2.4 An interested party or responsible authority can make a representation to the Licensing Authority to apply for an exclusion decision against a premises to revoke the exemption.
- 2.5 If representations are received, a hearing must be held and committee must satisfy itself that the exclusion is necessary to promote the four licensing objectives.
- 2.6 Local Authorities are asked to consider the proposals for the exemption of live music events form the Licensing Act 2003. Responses to DCMS are required by 26 March 2010.

2.7 A copy of the consultation document is available in the Members Library at <http://cmis.derby.gov.uk/CMISWebPublic/Bulletin.aspx?bulletinID=64>. Members should note that the questions DCMS would like responses to are set out in Chapter Seven. Members are requested to make any comments to Officers by 1 March 2010.

For more information contact:	Michael Kay, Tel. 01332 641940, email michael.kay@derby.gov.uk
Background papers:	None
List of appendices:	Appendix 1 – Implications

IMPLICATIONS

Financial

1. None directly arising.

Legal

2. As set out in the report.

Personnel

3. None directly arising.

Equalities Impact

4. None directly arising.

Corporate objectives and priorities for change

5. The recommendations contained in this report contribute to the corporate objectives of **creating a 21st Century City Centre** and **giving excellent services and value for money**.