

John Penrose MP
Minister for Tourism and Heritage
Department for Culture, Olympics, Media and Sport
2 – 4 Cockspur Street
SW1Y 5DH

30 January 2012

Dear John

I wanted to take this opportunity to feedback to you on the LGA licensing conference 26 January, which Don Foster and Stuart Roberts addressed.

I was very pleased Don confirmed feedback from the conference, and any other responses you receive in the next few weeks, will be considered alongside those you have already received, even though the formal deadline has passed.

Over 100 councillors and senior officers attended from across the country. Coupled with the very high number of responses you received from councils on the regulated entertainment consultation, this highlights further the significance of your proposals for local government.

DCMS Consultation on Regulated Entertainment

Councils are fully in favour of making it easier for people to hold concerts, plays and public events and we support the aim of making the process as easy, transparent and free from red tape as possible. The conference confirmed the LGA's key message that there are many common sense proposals in the consultation which councils support.

However, feedback at the conference unanimously reinforced the concerns we raised in our written submission. In summary, these are:

- Numbers are not the only factor in determining risk. Other factors which need to be taken into account include the impact of public nuisance and noise on the surrounding area, crowd behaviour and control, the suitability of the venue and the logistics of people safely arriving at and leaving a venue. Councils were equally clear that in general 5,000 is too large a number for blanket deregulation and highlighted the increased risks of outdoor events. The practical difficulties of counting the number of people attending an event were raised. Canterbury City Council said that even lowering the threshold to 500 people would have a significant impact because it would exempt the majority of their premises due to the prevalence of smaller venues.
- A reliance on reactive powers removes the opportunity to work with an organiser in advance of an event to help identify potential problems, minimise the risk of these occurring and ensure any key issues are covered within appropriate licence conditions. Advance notification of events is critical.

- Any changes to the licensing laws should strike a balance which ensures democratically elected councillors are still able to protect people who attend public events as well as those who work and live nearby. Councillors said that the proposals would reduce their ability to respond to residents' concerns.
- The powers available to respond to public nuisance issues from deregulated events are extremely limited. Public nuisance relates to a whole range of issues that would not meet the definition of statutory nuisance and are often far wider than noise nuisance, such as control of patrons queuing to get in a premises, street congestion, rowdy behaviour, control of noise from smoking areas, car stereos, revving engines and dispersal arrangements. These issues can currently be controlled under the licence conditions and hours, with the associated threat of a licence review if issues persist.

Finally, councils emphasised their strong track record of working in partnership with and providing advice to communities to run successful events that can be enjoyed by all. Delegates also emphasised their willingness to continue to work with government in developing proposals that strike a better balance between cutting red tape and protecting people.

In particular the LGA would welcome discussions with DCMS to identify areas where the national framework can be reviewed to remove red tape, reduce excessive paperwork and provide the opportunity for local flexibility to ensure low risk community events can really flourish.

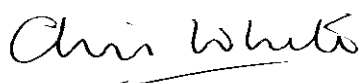
Live Music Bill

As you know, the LGA supports the Bill and councils' reinforced this support at the conference. We look forward to the Bill receiving Royal Assent in the next few weeks and to working with DCMS on the consultation and implementation. We have concerns that a loophole exists for small live music events where alcohol is brought in by the audience, and not supplied by the organiser, will not require a licence. This increases the risk to the audience and residents and we urge DCMS to identify effective practice to address this issue.

I hope these comments are helpful and rest assured the LGA is committed to working in partnership with DCMS to resolve councils' concerns on the regulated entertainment consultation and to support thriving and safe entertainment in local areas.

I look forward to your response.

Yours sincerely

A handwritten signature in cursive script that reads "Chris White". The signature is written in black ink and is positioned above a thin horizontal line.

Councillor Chris White
Chair LGA Culture, Tourism and Sport Board

Copied to Don Foster MP, Co-Chair Liberal Democrat Parliamentary Policy Committee on Culture, Olympics, Media and Sport.