

Licensing News

November 2015



Changes to the Licensing of Regulated Entertainment

You may be aware that in recent years there have been significant changes to what is defined as regulated entertainment under the Licensing Act 2003. The following activities are no longer licensable when they take place between 08:00 and 23:00 on any day:

- Recorded music on licensed premises (open for the sale of alcohol for consumption on the premises) with an audience of no more than 500
- Live music, where this comprises:
 - i) A performance of unamplified live music
 - ii) A performance of live amplified music in a workplace with an audience of no more than 500
 - iii) A performance of live amplified music on licensed premises (open for the sale of alcohol for consumption on the premises) with an audience of no more than 500
- A performance of a play or dance with an audience of no more than 500
- An indoor sporting event with an audience of no more than 1000

There are also significant changes to certain public and community venues in which some entertainment activities are now de-regulated. Local authority, hospitals and school premises where the event is hosted by the local authority/health care provider/school and takes place on the premises are exempt from entertainment licensing between 08:00 and 23:00 with no audience limit. Local authority, hospitals and school premises where the event is organised by others with the permission of the local authority/health care provider/school, plus community premises such as community centres, village halls and church halls have live and recorded music exempted between 08:00 and 23:00 for audiences up to 500.

Also, live and recorded music, plays, dance and indoor sport are exempt between 08:00 and 23:00 with no audience limits at travelling circuses.

Finally, no licence is required for 'not-for-profit' film exhibitions held in community premises provided the audience does not exceed 500 and the organiser ensures the screening abides by age classification ratings.

If you would like advice about whether you still require a licence for the activities at your premises, please contact the Licensing team by e-mail licensing@bracknell-forest.gov.uk or call us on 01344 352000.

Statement of Licensing Policy

The consultation on the Council's Statement of Licensing Policy has now closed. The revised document will be published by 7 January 2016, and will be available on our website at <http://www.bracknell-forest.gov.uk/licencealcoholandentertainmentpremises>.

The consultation was sent to all licensed clubs and premises where we have a contact email address in our database, so if you did not receive the consultation and would like to be on the mailing list for future consultations, please send us an email to the contact email address above, for the attention of Laura Driscoll.

Changes to Temporary Event Notices for 2016

Please note that the limit on the number of TENs permitted per premises per calendar year is rising from 12 to 15 from 1 January 2016. The other limits will still apply, namely the maximum total duration of the periods authorised by TENs in relation to a premises (21 days in a calendar year), the maximum length of time a TEN may have effect (168 hours or 7 days) and the maximum number of people attending at any one time (499 persons which includes staff, organisers, stewards and performers).

The easiest way to submit a TEN is via <http://www.bracknell-forest.gov.uk/licencetemporaryandoccasionalevents>. If a temporary event notice is submitted electronically, the licensing authority will send the TEN to the Police and Environmental Protection on behalf of the premises user.

Changes to Personal Licences

From 1 April 2015 the Licensing Act was amended so it is no longer necessary to renew a personal licence. Therefore any licences with an expiry date after 1 April 2015, or that bear no expiry date, shall remain valid indefinitely. If you would like to have a new personal licence issued with a current photo then you can send in a passport photo with a covering letter and the fee of £10.50. You will then receive a new personal licence card.

Gaming Machines in Licensed Premises

If you have gaming machines in your premises, you may wish to ensure that you are aware of the relevant Code of Practice, which is available at <http://www.gamblingcommission.gov.uk/pdf/code-of-practice-for-gaming-machines-in-clubs-and-premises-with-an-alcohol-licence.pdf>. Compliance with this Code of Practice is the responsibility of the DPS.

Trading Standards and Licensing Officers will be undertaking test purchase operations in licensed premises with gaming machines in the coming months. If you would like advice on your procedures to prevent underage persons from using gaming machines at your premises, feel free to contact the Licensing Team.

Late Annual Fees for Premises Licences

The Licensing Authority must suspend a premises licence if the annual fee is not paid by the due date. There is a grace period of 21 days, after which the Licensing Authority will give notice to the effect the licence is suspended. We do send reminders for annual fees at least a month in advance, but please be aware of your annual fee due date in case the reminder is lost in the post.

You can pay annual fees over the phone to 01344 352000 or online through <http://www.bracknell-forest.gov.uk/onlinepayments>. Please also remember to notify us of any changes of contact details so that we can get in touch if necessary.

Food and Safety Update

The Council carries out regular checks on all food premises to ensure the public is protected and high standards are maintained, however businesses should take a proactive approach to managing food safety in their premises.

If your premises is under new ownership, you will need to register as a food business. Further information can be found via the following link: <http://www.bracknell-forest.gov.uk/registrationfoodbusinesses>

If you prepare food, you need to ensure you are aware and following the guidance issued by the Food Standards Agency regarding E.coli O157. Although E.coli is the key focus of this guidance, the measures outlined will also help in the control of other bacteria, such as campylobacter and salmonella. See more at: <https://www.food.gov.uk/business-industry/guidancenotes/hygguid/ecoliguide#sthash.6ESqFPBK.dpuf>

The increased popularity of burgers served rare has prompted the review of how businesses can meet this consumer demand while ensuring public health remains protected. If you serve burgers rare, please make contact with the Food and Safety Team to discuss this further.

The Council offers food hygiene training courses approved by the Chartered Institute of Environmental Health. Further information can be found at: <http://www.bracknell-forest.gov.uk/foodproductionhygiene>

To help consumers better understand the food safety standards within food businesses, the Council takes part in the nationwide scheme to publicise food hygiene ratings. If you want to check your own or someone else's rating, visit the Food Hygiene Rating Scheme website: <http://ratings.food.gov.uk/>

Further information can be sought by contacting the Food and Safety Team via the Customer Services Centre on 01344 352000 or by emailing environmental.health@bracknell-forest.gov.uk

Berkshire Pub Group

Paddy from the Crown Wood has started a Facebook group called the 'Berkshire Pub Group' which you might like to join. This is a closed group for managers, landlords and affiliated parties, with the aim of sharing information on musicians, equipment, contractors, suppliers, pool tournaments, darts leagues, licensing, etc.

Safety Advisory Group

If you are planning an event such as a fireworks display or family fun day, you may wish to refer the event to the Bracknell Forest Safety Advisory Group. The group has representatives from the Police, Fire and Ambulance Services and the Council's Licensing, Environmental Health, Highways and Emergency Planning teams. Representatives of the group provide free advice and guidance to the event organiser to help ensure the safety of all those who attend. To refer an event, you should submit an event form, preferably at least one month prior to the event. A Guide for Event Organisers is also available which contains useful information and checklists to assist with the event planning process. All guidance and forms are available online at: <http://www.bracknell-forest.gov.uk/planninganeventinbracknellforest> or you can request hard copies from the Licensing Team.

Pubwatch Update

A lot of trouble makers don't care about being arrested by the Police or being thrown out by a doorman or two. These same people are then free to re-offend in other premises the following night. What they often do care about is being refused entry and getting themselves banned from all the pubs in their area. B.A.C.S. (Bracknell, Ascot, Crowthorne and Sandhurst) Pubwatch is a no nonsense pubwatch that bans offenders between 12 months to life, with a standard ban of 5 years for violent offences of any kind towards licensees or their staff members. If you're not a B.A.C.S. Pubwatch member these offenders will know and may start using your venue... or maybe they already are? There are currently 22 individuals that are banned, many of which are for serious offences and violence.

Register your premises at www.pubwatchonline.co.uk for membership and receive up to date information including pictures of offenders, minutes of meetings, access to posters and be able to send and receive free SMS messages to and from all other licensed premises. We meet on the second Tuesday of the month at 3pm at John Nike Leisure Centre; I look forward to seeing you there. Feel free to contact me if you have any questions or would like more information about B.A.C.S. Pubwatch.

Simon Cottee, Chief Co-ordinator of B.A.C.S. Pubwatch simon.cottee@bracknell-forest.gov.uk 01344 354383

Thames Valley Police Update

Hate crime is any criminal offence committed against a person or property that is motivated by hostility towards someone based on their disability, race, religion, gender identity or sexual orientation. The "One Community: Stop Hate Crime Now" campaign aims to:

- Raise awareness of hate crime
- Encourage the reporting of hate crime and support victims of hate crime
- Target those who may perpetrate hate crime
- Provide support and guidance to licensed premises and other businesses on dealing with incidents.

The project team is made up of colleagues from Thames Valley Police, Bracknell Forest Council and Involve. If you would like to know more, or would like to promote the campaign with a poster or some leaflets, please contact Jon Goosey at Thames Valley Police on 101 or john.goosey@thamesvalley.pnn.police.uk.

Environmental Protection Update: Are you managing noise?

No matter what type of premises you operate, part of being a responsible licensee is effectively managing noise from your business to avoid causing annoyance to others. Here are some general tips on noise management:

Everyday operations

- Select quiet plant and equipment and look at who will be affected when considering installation locations. You may need to take advice from an acoustic consultant.
- At night, avoid having deliveries/collections, or carrying out other noisy activities, such as glass disposal.
- If you have an alarm, ensure it is regularly serviced and you have a system in place so that you are notified if it activates. Notify neighbours or display contact details so people can get in touch if needed.

Events

- Consider noise at the planning stage. Don't continue too long, too late, or too frequently, if there is potential for disturbance. Ensure noisy activities are as far away as possible from noise sensitive areas.
- Keep windows and doors closed when you have loud music.
- Stand across the street at various times throughout the event and ask yourself "Would this bother anyone?" If 'yes', do something to reduce the volume.

If you would like further advice, contact Environmental Health on environmental.health@bracknell-forest.gov.uk

