

NORTH LINCOLNSHIRE COUNCIL

LICENSING COMMITTEE

DEREGULATION BILL

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform members of the Licensing Committee of the proposed changes enclosed in the Deregulation Bill.

2. BACKGROUND INFORMATION

- 2.1 The Deregulation Bill was first presented before Parliament on 23 January 2014. The aim of the Bill is to reduce the burdens resulting from legislation on businesses or other organisations, or individuals and states that the repeal of legislation will be of legislation that no longer has practical use.
- 2.2 The Bill will have an impact on a number of areas within the licensing sphere, as detailed in the following table:

Detail	Result
Private Hire Vehicles: circumstances in which drivers licence required	There will be no requirement to hold a private hire vehicle drivers licence when the vehicle is not being used as a private hire vehicle.
Taxi and Private Hire Vehicles: Duration of licences. Changes the wording so that a licence can be issued for a period less than a year depending in the circumstances of the case	Licences are issued for a lesser period depending on the age of the vehicle. This will be reflected in the Council's Policy.
Private Hire Vehicles: sub-contracting.	Allows the sub-contracting of bookings to be made across the boundaries of controlled districts.
Temporary Event Notices (TEN): increase in the maximum number of events per year.	Increases the number of TENs allowed at a premises from 12 to 15 per year from 2016
Personal licences: no requirement to renew	Personal licences will be valid indefinitely. Will result in the

	council holding invalid data.
Sale of liqueur confectionery to children under 16:abolition of offence	Removes the offence
Late Night Refreshment	Allows a licensing authority to designate certain premises enabling them to sell hot food or drink without the need for a licence between 23.00 and 05.00, subject to regulations yet to be determined.
Removal of requirement to report loss or theft of licence to police	Persons losing a licence will be required to notify the Council in writing as now, but will not be required to inform the Council of the log number
Exhibition of films in community premises	Will allow the showing of films with a certification in community premises, such as village halls so long as the film is showed to an audience of less than 500 people and is between the hours of 08.00 and 23.00 on the same day
Introduction of Part 5A Notices	An additional authorisation type which authorises the sale of alcohol.

2.3 The Bill is still progressing through Parliament and may be subject to change prior to implementation.

3. OPTIONS FOR CONSIDERATION

3.1 Option 1 – To note the content of the report.

4. ANALYSIS OF OPTIONS

4.1 Option 1 – No action is possible at this time as the Bill is still progressing through Parliament.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Financial – The impact from the personal licence holders no longer being required to renew licences will result in a loss of additional income from 2015 onwards. This has not been accounted for in the current budgets.

5.2 Staffing – The implications from the Bill are likely to be minimal in relation to the number of licences issued, but may result in an increase in enforcement.

5.3 There are no property or IT implications.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 Statutory – The Bill proposes a number of changes to legislation covering the Licensing Act 2003 and the Local Government (Miscellaneous Provisions) Act 1976.

6.2 Risk – There are no risks associated with this report.

6.3 There are no environmental, diversity, Section 17, or other implications.

7. OUTCOMES OF CONSULTATION

7.1 No consultation is necessary with this report.

8. RECOMMENDATIONS

8.1 That the content of this report be noted.

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Background Papers used in the preparation of this report – Deregulation Bill