

SOUTH HOLLAND COUNCIL

Report of: Assistant Director Community – Rob Walker

To: Committee of the Licensing Authority - 28 October 2014

Author: Fiona Inston – Licensing and Business Support Manager

Subject: Amendments to the Licensing Act 2003

Purpose: To advise on proposed changes to the Licensing Act 2003 made by the Deregulation Bill.

Recommendation:

That members note the proposed legislative changes to the Licensing Act 2003 made by the Deregulation Bill.

1.0 BACKGROUND

- 1.1 The Deregulation Bill is with the House of Lords for consideration having completed all stages of readings and committees in the House of Commons. A commencement date is not yet known. The Bill can be viewed by following the link in the Background Papers section of this report. The Deregulation Bill contains 7 clauses which would amend the Licensing Act 2003.
- 1.2 Clause 52 introduces CANs (Community & Ancillary Sellers Notices) which are 36 month permissions for alcohol sales only, for consumption on the premises only provided the sales are ancillary to a community event or business. This would only be for up to 300 people between 7am and 11pm and a fee will be payable. Regulations would be made to provide more detail on these proposals.
- 1.3 Clause 53 of the Deregulation Bill proposes an increase on the annual limit of Temporary Event Notices (TENs) per premises from 12 to 15.
- 1.4 Clause 54 of the Bill abolishes the requirement to renew personal licences issued under the Licensing Act 2003. Currently personal licences are issued for a period of 10 years with the first South Holland licences due for renewal in March 2015. However there have been hints that the regulations for this abolishment would not be available until April 2015.
- 1.5 Clause 55 proposes to allow the sale of liqueur confectionary to under 16's which is currently an offence.
- 1.6 Clause 56 proposes introducing a local discretion to exempt areas or types of business from requiring a licence for late night refreshment (the provision of hot food or drink between the hours of 11pm and 5am). Regulations will provide more details.
- 1.7 Clause 57 removes the requirement to report lost or stolen licences to the police.
- 1.8 Clause 58 proposes to remove community film shows from within the current definition of regulated entertainment. This would mean that not for profit film shows to fewer than 500

people between the hours of 8am and 11pm would not require a licence. Regulations will again provide more details on this.

2.0 **OPTIONS**

2.1 That members note the proposed amendments to the Licensing Act 2003 by the Deregulation Bill.

3.0 **REASONS FOR RECOMMENDATION(S)**

3.1 Legislative changes will apply within the South Holland Council district.

4.0 **EXPECTED BENEFITS**

4.1 N/A

5.0 **IMPLICATIONS**

5.1 **Carbon Footprint / Environmental Issues**

5.1.1 It is the opinion of the Report Author that there are no implications.

5.2 **Constitution & Legal**

5.2.1 It is the opinion of the Report Author that there are no implications.

5.3 **Contracts**

5.3.1 It is the opinion of the Report Author that there are no implications.

5.4 **Corporate Priorities**

5.4.1 It is the opinion of the Report Author that there are no implications.

5.5 **Crime and Disorder**

5.5.1 It is the opinion of the Report Author that there are no implications.

5.6 **Equality and Diversity / Human Rights**

5.6.1 It is the opinion of the Report Author that there are no implications.

5.7 **Financial**

5.7.1 It is the opinion of the Report Author that there are no implications.

5.8 **Risk Management**

5.8.1 It is the opinion of the Report Author that there are no implications.

5.9 **Staffing**

5.9.1 It is the opinion of the Report Author that there are no implications.

5.10 **Stakeholders / Consultation / Timescales**

5.10.1 It is the opinion of the Report Author that there are no implications.

6.0 **WARDS/COMMUNITIES AFFECTED**

6.1 All

Background papers:-

Deregulation Bill: <http://www.publications.parliament.uk/pa/bills/lbill/2014-2015/0033/15033.pdf>

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Key Decision: No

Exempt Decision: No