

DEPARTMENT OF ENVIRONMENT AND LEISURE

ORIGINATING SECTION: PUBLIC PROTECTION SERVICE

REPORT TO: LICENSING COMMITTEE

TITLE : DEREGULATION ACT 2015

1. PURPOSE

To inform members of the measures that have been introduced with the implementation of the Deregulation Act 2015

2. RECOMMENDATIONS

That Members note the report

3. KEY ISSUES

The Deregulation Act 2015 received Royal Assent on 26th March 2015; it has introduced certain measures that effect both Taxi and private hire licensing and Alcohol and entertainment licensing.

(Taxis and private hire vehicles: duration of licences):

From 1st October 2015 the standard duration of taxi and private hire driver licences will be for three years. There will however be occasions where a shorter licence can be issued, but this will only be on an individual case and not because of a blanket policy. An example of this could be for a driver with a medical condition

From October 2015 the standard duration of private hire operator licences will be for five years. A licence may be granted for a period of less than five years but only in the circumstances of an individual case, not because of a blanket policy.

Licences fees for the longer licences need to be reviewed and introduced. Work on this review is currently being undertaken, the consultation process will commence shortly to enable the new fees to be in place for October 2015.

(private hire vehicles: sub-contracting):

From 1st October 2015 private hire operators can sub contract work for private hire vehicle that are licensed out of the borough. Currently this can only be contracted to licensed operators within the borough.

A review of operator conditions will be undertaken to capture this change and other work where operators use vehicles licensed in other boroughs.

Alcohol and entertainment Licences

From April of this year, personal licences no longer need to be renewed. The licences previously lasted for 10 years, 2015 is the 10th anniversary of the implementation of the 2003 Act. The renewal process would have been undertaken this year. This would have been an opportunity to data cleanse as many of the licence holders may have moved on and not informed the licensing authority. We currently have over 950 personal licence holders but

unable to ascertain whether they are still active within the licensed trade.

Further deregulation of regulated entertainment has also been introduced with the new Act. For example: the numbers of people attending musical performance, either in a premise or out in the open without the need of any authorisation from the licensing authority has risen to 500. Previously an audience of 200 was permitted. This type of event can take place between the hours of 8am and 11pm.

All regulated entertainment (no audience limits) taking place in local authority premises, schools or health authority premises no longer needs to be licensed. However licences would still be required when third party organisations are using these premises for events when the numbers of attendees exceeds 500..

Temporary event notices will still be required for the sales of alcohol; it is only the entertainment element of events that has been relaxed.

4. RATIONALE

The introduction of the deregulation act is primarily to reduce burdens on businesses and community groups. The Act covers a whole range of measures covering many other areas governance.

5. POLICY IMPLICATIONS

The Act changes primary legislation so there are no policy implications

6. FINANCIAL IMPLICATIONS

The proposals have been considered as part of the budgetary process, licence fees for hackney carriage and private hire are currently being reviewed to reflect the pending changes with the duration of licences.

7. LEGAL IMPLICATIONS

There is a potential risk of challenge if the new measures are not implemented.

8. RESOURCE IMPLICATIONS

None

9. CONSULTATIONS

None.

10 . CONTACT OFFICER

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