



Licensing Committee – 4 March 2015

Licensing Legislation - Update

Purpose of report

To inform members of proposed changes to the licensing legislation and provide an update on licensing matters.

Attachment(s)

None

1.0 Background

1.1 The Government has announced a series of changes to licensing legislation and guidance that affect East Northamptonshire Council. This report provides an update on progress with the planned changes to the Licensing Act, taxi legislation and revised guidance.

2.0 Proposed changes and update

2.1 Licensing Act

The Government is now going to retain 'personal' licences. However, the licences will last indefinitely, rather than for 10 years, as per the current legislation. This new arrangement should begin on 6 April 2015.

2.2 Licensing Act changes and revised guidance

Other changes that will be implemented through the Deregulation Bill for the Licensing Act are:-

- Live (indoor and outdoor) and recorded music (indoor only) exemption for 08:00hrs - 23:00hrs and with an audience not exceeding 500 people. This means a licence will no longer be required for these activities unless a Licensing Panel includes them as a licensable activity. This will have an impact on income. (See Financial Implications)
- Exemptions for local authorities, schools, hospitals, community premises, circuses, Greco roman or freestyle wrestling and incidental film. Again, this means no licence will be required for these premises, which will impact on our income. (See Financial Implications)

In addition, there is new Licensing Act Section 182 guidance relating to the licensing process that will be published when the changes come into force.

2.3 Boat Licensing

Policy and Resources Committee agreed to the introduction of boat licensing following a consultation with current operators. We are now in the process of introducing the scheme with a six month period being given to current operators to apply for their licenses. The new regime will start on 31 March 2015.

2.4 Taxi Legislation – proposed changes

Some Taxi and Private Hire changes are being implemented through the Deregulation Bill, which is due to come into force on the 6 April 2015. The changes within the

legislation are:-

- a. Changing the duration of licences to 5 years
- b. Changing the sub contracting provisions for private hire vehicles.

2.5 **Tattoo Hygiene Rating Scheme**

In 2015 we will be introducing the Tattoo Rating scheme to supplement the current registration requirements. The rating scheme is a National initiative and rates tattooists between 1–4 dependent on their hygiene controls. The risks of infection and disfigurement are substantial if correct hygienic methods are not applied by tattooists. It is hoped that, through introducing a scheme, the hygiene standards within tattooists will rise, and it will give consumers more information when choosing where to go to have their tattoo. It is similar to the Food Hygiene Rating Scheme which resulted in significant improvements in hygiene standards.

3.0 **Equality and Diversity Implications**

3.1 There are no equality and diversity implications arising from this report.

4.0 **Legal Implications**

4.1 Implementation of each of the reforms will involve their own legal implications that will need to be considered in more detail when the provisions of the Act are commenced, and the reforms require local implementation. We also expect there to be an increase in noise complaints about the premises as the activities will be unregulated. An increase has been experienced as a result of the live music exemption introduced early last year.

5.0 **Risk Management**

5.1 There are no identified risks arising from the report. As mentioned in legal implications there is likely to be increased levels of noise complaints from these premises.

6.0 **Financial Implications**

6.1 These reforms will affect the number of applications received and as such the income received from these types of licences. From 14/15 figures it is estimated our income will be reduced by approximately £1000 per annum. There may also be financial implications due to increased demand for Environmental Protection as a result of the expected increase in noise complaints.

7.0 **Corporate Outcomes**

7.1 The Corporate Outcomes affected by this policy are:

- Quality of life – safe
- High Quality Service Delivery

8.0 **Conclusion**

8.1 This information is provided for Members to make them aware of changes proposed to the licensing legislation.

Legal	Power: Licensing Act 2003, Local Government (Miscellaneous Provisions) Act 1976 & 82
	Other considerations:
Background Papers:	
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Date: 13 February 2015

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(Committee Report Normal Rev. 22)