Title: Deregulation Act 2015

Report of the Principal Licensing Officer

Open Report

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<th>Wards Affected: All</th>
<th>Key Decision: No</th>
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<th>Report Author: Paul Adams, Principal Licensing Officer</th>
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| Accountable Director: Glynis Rogers, Lead Divisional Director, Adult and Community Services. |

Summary

This report provides a summary of the implications of the Deregulation Act 2015 in relation to Alcohol and Entertainment Licensing.

Recommendation(s)

The Licensing and Regulatory Board is recommended to note the contents of the report.

Reason(s)

This report is for information only

1. Introduction and Background

1.1 The Licensing Act 2003 provides the basis for the licencing of the sale/supply of alcohol, the provision of regulated entertainment and late night refreshment.

1.2 The Deregulation Act 2015 received Royal Assent on 26 March 2015 which amends the Licensing Act 2003.

1.3 In addition to the Deregulation Act 2015, the Legislative Reform (Entertainment Licensing) Order 2014 took effect from 6 April 2015.

1.4 Detailed below are the changes that have come into effect.

2. Proposal and Issues

2.1 The requirement to renew a personal Licence has now been abolished with effect from 1 April 2015. In effect, any licence that has an expiry date now does not expire and the licence will remain in force until it is revoked by a court or surrendered/lapses by the applicant or their circumstance.
2.2 The requirement to report a lost or stolen licence to the police before applying for duplicates has been abolished from 26 May 2015.

2.3 The offence of selling liqueur confectionary has been repealed from 26 May 2015, after that date any person of any age can buy liqueur confectionary in England and Wales.

2.4 The limit on the number of Temporary Event Notices (TEN) that can be applied for at a single premise will increase from 12 to 15 per year from 1 January 2016.

2.5 Live Music
• Live unamplified music is deregulated between 08:00 – 23:00 on any premises.
• Live amplified music is deregulated between 08:00 – 23:00 provided the audience does not exceed 500.

2.6 Recorded Music
• Recorded music is deregulated between 08:00 – 23:00 in on-licensed premises provided that the audience does not exceed 500.

2.7 The following exemption applies for Local Authorities, Schools and Hospitals.
• Live music or recorded music between 08:00 – 23:00 at the Local Authority/School/Hospital premises providing that the audience does not exceed 500 and the organiser has consent from the relevant School, Local Authority or Health Care Provider.
• Any entertainment provided by or on behalf of a School relevant School, Local Authority or Health Care Provider on their own premises between 08:00 and 23:00.

2.8 The following exemption applies for Community Premises
• Live or recorded music between 08:00 and 23:00 in a church hall, village hall, community hall or other similar community premises, that is not licensed to sell alcohol provided that, the audience does not exceed 500, and the organiser has consent for the performance from a person who is responsible for the premises.

2.9 There are also exemptions for travelling circuses, Greco-Roman wrestling and freestyle wrestling, incidental film exhibition, exhibition of films in community premises.

3. Options Appraisal

3.1 This report is for information only; the changes to the Licensing Act will be reflected in the new Statement of Licensing Policy.

4. Consultation

4.1 There is no consultation required in relation to the contents of this report.
5. **Financial Implications**

   Implications completed by: Carl Tomlinson, Finance Manager

5.1 The report provides an update on the implications of the Deregulation Act 2015. There are no financial implications in relation to this report.

6. **Legal Implications**

   Implications completed by: Chris Pickering, Principal Solicitor

6.1 This is an update on changes to licensing legislation; there are no legal implications in relation to this report.

**Public Background Papers Used in the Preparation of the Report:** None

**List of appendices:** None