

House of Commons
Regulatory Reform Committee

**DRAFT REGULATORY
REFORM (SPECIAL
OCCASIONS LICENSING)
ORDER 2002**

Fourth Report of Session 2002–03

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*Report, together with
Proceedings of the Committee,*

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REGULATORY REFORM COMMITTEE

The Regulatory Reform Committee is appointed to consider and report to the House on proposals for regulatory reform orders under the Regulatory Reform Act 2001 and, subsequently, any ensuing draft regulatory reform order. It will also consider any “subordinate provisions order” made under the same Act.

Current membership

Mr Peter Pike (*Labour, Burnley*) (Chairman)
Mr Russell Brown (*Labour, Dumfries*)
Mr Brian Cotter (*Liberal Democrat, Weston-Super-Mare*)
Mrs Claire Curtis-Thomas (*Labour, Crosby*)
Mr Jeffrey M. Donaldson (*Ulster Unionist Party, Lagan Valley*)
Mr Paul Goodman (*Conservative, Wycombe*)
Mr Dai Havard (*Labour, Merthyr Tydfil and Rhymney*)
Mr Andy King (*Labour, Rugby and Kenilworth*)
Mr Mark Lazarowicz (*Labour, Edinburgh North and Leith*)
Mr Andrew Love (*Labour/Co-op, Edmonton*)
Mr Chris Mole (*Labour, Ipswich*)
Mr Denis Murphy (*Labour, Wansbeck*)
Dr Doug Naysmith (*Labour/Co-op, Bristol North West*)
Mr Andrew Rosindell, (*Conservative, Romford*)
Mr Anthony Steen (*Conservative, Totnes*)
Mr Brian White (*Labour, Milton Keynes North East*)

Powers

The full constitution and powers of the Committee are set out in House of Commons Standing Order No 141, available on the Internet via www.parliament.uk.

Publications

The reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Committee’s website http://www.parliament.uk/parliamentary_committees/regulatory_reform_committee.cfm. A list of reports of the Committee in the last Parliament may be found at the back of this report.

Contacts

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FOURTH REPORT

The Regulatory Reform Committee has agreed to the following Report:

DRAFT REGULATORY REFORM (SPECIAL OCCASIONS LICENSING) ORDER 2002

Introduction

1. On 17th December 2002 the Government laid before Parliament the draft Regulatory Reform (Special Occasions Licensing) Order 2002, together with a statement from the Department for Culture, Media and Sport.¹ We have already reported on the Government's original proposals for this draft order, which would allow on-licensed premises and registered clubs to sell alcohol throughout the night on all future New Year's Eves.²

Our report on the proposal for this order

2. We had no difficulties with the substance of the proposal, which was very similar to a number of previous deregulation and regulatory reform orders.³ However, the timing of the proposal gave us some cause for concern regarding the maintenance of necessary protection for local residents against excessive noise or disturbance on New Year's Eve. We concluded that a draft order in the same terms as the proposal should be laid before the House, but only on the assumption that the Department would put in place a publicity strategy which would ensure that all those who might wish to apply for restriction orders would be aware of the opportunity to do so.⁴

3. In our report on the proposal, we also commented on the handling of the proposal within Government, which had resulted in the failure of the Department to lay the proposal before Parliament in good time. **We draw Departments' attention once again to our comments on the handling of the proposal, in the hope that future proposals will be dealt with much more competently. We repeat our conclusion that the regulatory reform procedure should pose few difficulties to those government departments ready to prepare and plan properly for the changes they wish to implement.**

Department's response

4. We are pleased to note that the Department has confirmed, in the explanatory statement accompanying this draft order, that it has already issued a press notice concerning the future timetable for the implementation of the order.⁵ The Government will repeat the press notice as soon as the second stage of Parliamentary scrutiny is complete.⁶ The terms of the draft order have also been sent to all local authorities, police forces and magistrates' courts and placed on the relevant Government websites.⁷

¹ Copies are available to Members from the Vote Office and to members of the public from the Department for Culture, Media and Sport. It is also available on the Cabinet Office website <http://www.cabinet-office.gov.uk/regulation/act/proposals.htm>.

² Regulatory Reform Committee, First Report of Session 2002–03, *Proposal for the Regulatory Reform (Credit Unions) Order 2002; Proposal for the Regulatory Reform (Special Occasions Licensing) Order 2002* (HC 82).

³ The Deregulation (Millennium Licensing) Order 1999 (SI 1999/2137), the Regulatory Reform (Special Occasions Licensing) Order 2001 (SI 2001/3937) and the Regulatory Reform (Golden Jubilee Licensing) Order 2002 (SI 2002/1062).

⁴ HC (2002–03) 82, paras 117–120.

⁵ Explanatory statement, para 6.

⁶ *ibid*, para 7.

⁷ *ibid*, para 8.

Other representations made during the period for parliamentary consideration

5. The House has also instructed us to consider the extent to which the Minister concerned has had regard to “any other representations made during the period for parliamentary consideration.”⁸ The Department did not receive any further written representations. It did, however, receive oral representations from various representative organisations within the hospitality and leisure industry, expressing support for the proposal and urging the Government to pursue it notwithstanding the difficulties of timing.⁹ Those representations should be satisfied by the laying of this draft order and, we hope, its prompt approval by both Houses.

Report under Standing Order No. 141

6. **We recommend unanimously that the draft order should be approved.**

⁸ Standing Order No. 141(7)

⁹ Explanatory statement, para 3.

PROCEEDINGS OF THE COMMITTEE RELATING TO THE REPORT

TUESDAY 17 DECEMBER 2002

Mr Peter Pike, in the Chair

Mr Russell Brown
Mr Chris Mole

Mr Brian White

The Committee deliberated.

Draft Report, proposed by the Chairman, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.—(*The Chairman.*)

Paragraphs 1 to 6 read and agreed to.

Resolved, That the Report be the Fourth Report of the Committee to the House.

Ordered, That the Chairman do make the Report to the House.

Ordered, That the provisions of Standing Order No. 134 (Select committees (reports)) be applied to the Report in respect of the relevant officers of Government departments concerned with the draft order.

[Adjourned till 8 January 2003 at half past Nine o'clock

**LIST OF COMMITTEE REPORTS PUBLISHED IN THE
PREVIOUS SESSION OF PARLIAMENT**

The following reports were published during the previous Session of Parliament by the Regulatory Reform Committee under its previous name, the Deregulation and Regulatory Reform Committee. All reports are available from The Stationery Office.

Session 2001–02

Report	Title	HC number
First	Proposal for the Regulatory Reform (Special Occasions Licensing) Order 2001	265
Second	The draft Regulatory Reform (Special Occasions Licensing) Order 2001	388
Third	The draft Deregulation (Disposals of Dwelling-Houses By Local Authorities) Order 2001	449
Fourth	Proposal for the Regulatory Reform (Voluntary Aided Schools Liabilities and Funding) (England) Order 2002	583
Fifth	The draft Deregulation (Restaurant Licensing Hours) Order 2002 The draft Deregulation (Bingo and other Gaming) Order 2002 Proposal for the Regulatory Reform (Golden Jubilee Licensing) Order 2002	599
Sixth	Proposal for the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002	663
Seventh	The draft Regulatory Reform (Golden Jubilee Licensing) Order 2002 The draft Regulatory Reform (Voluntary Aided Schools Liabilities and Funding) (England) Order 2002	677
Eighth	Proposal for the Regulatory Reform (Carer's Allowance) Order 2002	691
Ninth	The draft Deregulation (Correction of Birth and Death Entries in Registers or Other Records) Order 2002 Proposal for the Regulatory Reform (Vaccine Damage Payments Act 1979) Order 2002	708
Tenth	The Draft Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 The Draft Regulatory Reform (Carer's Allowance) Order 2002	807
First Special Report	Further report on the Handling of Regulatory Reform Orders	389

The following Reports were published by the Regulatory Reform Committee during the last Session of Parliament under its current name. All reports are available from The Stationery Office.

Session 2001–02

Report	Title	HC number
Eleventh	The Draft Regulatory Reform (Vaccine Damage Payments Act 1979) Order 2002	867
Twelfth	Proposal for the Regulatory Reform (Removal of the 20 Member Limit) Order 2002	1104
Thirteenth	The Proposal for the Regulatory Reform (Sugar Beet Research and Education) Order 2003	1247
Fourteenth	Draft Regulatory Reform (Removal of 20 Member Limit in Partnerships Etc.) Order 2002	1303
Second Special Report	The Operation of the Regulatory Reform Act: Government Response to the Committee's First Special Report of Session 2001-02	1029
Third Special Report	The Handling of Regulatory Reform Orders (III)	1272

The following reports have been published during this Session of Parliament.

Session 2002–03

Report	Title	HC number
First	Proposal for the Regulatory Reform (Credit Unions) Order 2002 Proposal for the Regulatory Reform (Special Occasions Licensing) Order 2002	82
Third	Proposal for the Regulatory Reform (Assured Periodic Tenancies) (Rent Increases) Order 2003	183

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