

## **INFORMATION ON PREMISES LICENCE APPLICATIONS**

### **RECOMMENDATION**

- 1.1 To note the report.

### **SUPPORTING INFORMATION**

- 2.1 The Chair of Licensing has recently received queries from some ward councillors about the premises licence application process for businesses under the Licensing Act 2003 and, in particular, how they and local people can find information about these applications and make representations if appropriate.
- 2.2 The Licensing Act requires any new application or variation of premises licence conditions (such as opening hours or entertainment) to be advertised by:
- A notice of specific size and layout to be posted at the premises, normally in a window or other visible position
  - To place an advertisement (of specified layout and size) in a local newspaper

The applicant must also provide a copy of the application to all of the responsible authorities.

- 2.3 The licensing authority has no powers to require any additional information or advertising from the applicant. Unlike with planning applications, the authority cannot notify nearby properties as this may be construed as trying to elicit representations and could therefore be challenged by applicants. Similarly, the authority cannot demand that notices at the premises be affixed at the curtilage (i.e. adjacent to the pavement) or to the nearest lamp-post.

- 2.4 In view of this, the Chair has implemented two new procedures to allow better access to this public information:
1. Weekly updates to the licensing pages of the Council's website setting out the applications received that week, and
  2. Providing a copy of the weekly list of applications (prepared for responsible authorities) to Members Services, who will make them available to all elected members.
- 2.5 All members will also be provided with notes explaining the premises licensing process and giving advice on representations.

<b>For more information contact:</b>	John Tomlinson, Tel. 01332 641938, e-mail <a href="mailto:john.tomlinson@derby.gov.uk">john.tomlinson@derby.gov.uk</a>
<b>Background papers:</b>	None
<b>List of Appendices:</b>	Appendix 1 – Implications

## APPENDIX 1

<b>IMPLICATIONS</b>
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### **Financial**

1. None directly arising from this report.

### **Legal**

2. None directly arising from this report.

### **Personnel**

3. None directly arising from this report.

### **Equalities impact**

4. None directly arising from this report.

### **Corporate objectives and priorities for change**

- 5.1 The information contained in this report contributes to the corporate priority of **making us proud of our neighbourhoods** and **giving excellent services and value for money**.