



DERBY CITY COUNCIL

## MINORITY ETHNIC COMMUNITIES ADVISORY COMMITTEE 16 SEPTEMBER 2004

Report of the Director of Corporate Services

### Consultation on Draft Licensing Policy

#### RECOMMENDATION

- 1.1 To consider the Council's proposed draft licensing policy and submit any comments.

#### SUPPORTING INFORMATION

- 2.1 The way in which certain licences are dealt with is changing. The Licensing Act 2003 (the Act) introduces a new way of dealing with alcohol, public entertainment and late night refreshment licences. Local authorities will be responsible for implementing the Act which means that, from February 2005, the Council will consider these licenses under one new system.
- 2.2 As part of this new process, the Council has to produce a licensing policy. This sets out how it will achieve its responsibilities under the Act. It contains information to all interested parties about what needs to be included in an application, how licences will be processed and determined to achieve the requirements of the Act and information about the attachment of licence conditions through consultation, liaison and enforcement.
- 2.3 The draft policy has been written to coincide with the tight schedule set by Government. The first licence applications will start being received by the Council's Licensing Team in Environmental Health and Trading Standards after 7 February 2005. The Council will take over full licensing responsibility in November 2005.
- 2.4 Before implementing its policy, the Council is required to carry out a consultation exercise. This will take place throughout October 2004 and involves a mix of meetings, displays, mail shots and exhibitions. As part of the exercise, policy consultation packs will be distributed. These contain all the information needed to make comments about the policy.
- 2.5 Following the consultation exercise, the comments that have been received will be collated and considered by the Council's licensing officers and members of the Council's Licensing and Appeals Committee.
- 2.6 The final version of the policy will be considered by the Licensing and Appeals Committee in December 2004.

**For more information contact:** Michael Kay Tel. 01332 716340 e-mail. michael.kay@derby.gov.uk  
**Background papers:** None  
**List of appendices:** Appendix 1 – Implications

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| IMPLICATIONS |
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**Financial**

- 1.1 None directly arising from this report.

**Legal**

- 2.1 The Licensing Act 2003 requires the Council to prepare and publish a statement of its licensing policy every three years. The policy must be published before the Council carries out any function in respect of any applications made under the terms of the Act.
- 2.2 Before determining its policy for any three-year period, the Council must carry out a statutory consultation process.

**Personnel**

- 3.1 None directly arising from this report.

**Equalities impact**

- 4.1 The licensing policy promotes the principles of openness, fairness and equality throughout, but specifically deals with equality issues in Section 10. The consultation process will aim to ensure that as many different groups as possible are able to see and comment on the policy.

**Corporate themes and priorities for change**

- 5.1 The new licensing proposals contribute to the Council's objectives of **protecting and supporting people and a healthy environment**.
- 5.2 The new licensing proposals further the Council's priorities of **promoting the City as a centre for industry, commerce, culture and tourism, improving management for the City and district centres and improving customer service**.