

## **LICENSING ACT 2003 – LICENSING POLICY REVIEW**

### **RECOMMENDATION**

- 1.1 To consider the information contained in the report regarding the need to review the Council's Licensing Policy.
- 1.2 To approve the Consultation Plan needed as part of the review process.

### **SUPPORTING INFORMATION**

- 2.1 Under the Licensing Act 2003, the licensing authority is required to promote the four licensing objectives:
  - Prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance
  - The protection of children from harm
- 2.2 Derby City Council is the designated Licensing Authority under the Licensing Act 2003 and is required to revise and publish their Licensing Policy which they apply when exercising their functions under the Act at least once every three years.
- 2.3 The aim of the policy is to:
  - Secure the safety and the amenity of our communities
  - Help to promote safe and sustainable licensed trade that contribute to the economy and vibrancy of the City
  - Reflect the needs of the City's community in relation to its cultural needs and diversity by supporting licensable activities, including live music, dancing, theatre and other cultural experiences for the wider benefit of the community
- 2.4 The current Licensing Policy was published in January 2008. Before the revised document can be re-published, it must be subject to a full consultation process.

2.5 The authority is required to consult with a number of consultees, including;

- Derbyshire Constabulary
- Derbyshire Fire & Rescue Service
- Existing Licence holders and their representatives
- Existing holders of club premises certificates and their representatives
- Representatives of businesses and residents in the city
- Other relevant bodies i.e. those involved with the reduction of crime, disorder, anti-social behaviour, consumer protection, planning and development, tourism, child protection, transport, alcohol harm reduction, local performers etc.

2.6 The Consultation Plan is set out at Appendix 2 for consideration and approval. In summary, it sets out a brief overview of the procedure and timetable for the review of the policy and follows the procedures previously adopted at the last review. This includes the formulation of a cross party working group to consider comments received during the consultation period.

2.7 The revised draft policy will need to be considered and approved at General Licensing Committee in October 2010, for full approval by Council in December 2010.

<b>For more information contact:</b>	Michael Kay, Tel. 01332 641940, email <a href="mailto:michael.kay@derby.gov.uk">michael.kay@derby.gov.uk</a>
<b>Background papers:</b>	None
<b>List of appendices:</b>	Appendix 1 – Implications Appendix 2 – Licensing Policy Consultation Plan - 2010

<b>IMPLICATIONS</b>
---------------------

**Financial**

1. The cost involved in the consultation process is contained within existing budgets.

**Legal**

2. As set out in the 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. The review of the Council's Licensing Policy and the implementation of a consultation plan contributes to the corporate objectives of **giving excellent services and value for money, creating a 21<sup>st</sup> century city centre and making us proud of our neighbourhoods.**

## APPENDIX 2

### LICENSING POLICY CONSULTATION PLAN - 2010

The policy must be reviewed every three years in accordance with the Licensing Act 2003 and should be approved by Full Council before 7 February 2011.

The timescale for consultation is:

June 2010 to September 2010	-	Policy out for consultation
September 2010	-	Collate feedback and comments from the consultation process
September 2010	-	Meeting of cross-party working group to consider the comments received and agree responses
October 2010	-	Revised Licensing Policy to be presented to the General Licensing Committee for approval
December 2010	-	Policy presented to Full Council for final approval
January 2011	-	Publish and publicise revised Licensing Policy