



Derby & Derbyshire Licensing Enforcement Protocol

SUMMARY

- 1.1 The Derby & Derbyshire Licensing Enforcement Protocol (the Protocol) has been updated to reflect recent changes in licensing legislation.
- 1.2 The Protocol was adopted by the General Licensing Committee in October 2009.
- 1.3 All 9 Derbyshire authorities adopted the Protocol, which formalises the agreement between all the relevant licensing authorities in Derby and Derbyshire.

RECOMMENDATION

- 2.1 That Committee adopts the revised version of the Protocol.

REASONS FOR RECOMMENDATION

- 3.1 Under the Licensing Act 2003, the licensing authority is required to promote the four licensing objectives:
 - Prevention of crime and disorder
 - Protection of public safety
 - Prevention of public nuisance
 - Protection of children from harm
- 3.2 The government continues to recommend licensing authorities establish protocols to ensure consistency of enforcement action.

SUPPORTING INFORMATION

- 4.1 The changes to the Protocol reflect recent changes in licensing legislation, including late Temporary Event Notices, changes in local authority and responsible authority contact details, and good practice implemented by the Better Regulation Delivery Office.

- 4.2 The Protocol establishes the roles and responsibilities of each of the enforcement agencies.
- 4.3 All 9 of the Derbyshire licensing authorities have signed up to the Protocol. This county-wide commitment shows existing licence holders, potential new licence holders and the citizens of Derby and Derbyshire that the licensing authorities recognise the interests of their citizens and businesses, and will work closely with them to ensure compliance with the law.
- 4.4 The Protocol recognises the need to take fair and proportionate action when faced with serious contraventions, or where there are continuous instances of non-compliance, and any enforcement will have regard to current codes of practice and the Council's own enforcement policies.
- 4.5 A copy of the revised Protocol is attached at Appendix 2.

OTHER OPTIONS CONSIDERED

- 5.1 None

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)	Olu Idowu - - - John Tomlinson -
For more information contact: Background papers: List of appendices:	Sandra Mansell 01332 641931 sandra.mansell@derby.gov.uk None Appendix 1 – Implications Appendix 2 – Derby & Derbyshire Licensing Enforcement Protocol

IMPLICATIONS

Financial and Value for Money

- 1.1 None arising from this report.

Legal

- 2.1 None arising from this report.

Personnel

- 3.1 None arising from this report.

IT

- 4.1 None arising from this report.

Equalities Impact

- 5.1 None arising from this report.

Health and Safety

- 6.1 None arising from this report.

Environmental Sustainability

- 7.1 None arising from this report.

Property and Asset Management

- 8.1 None arising from this report.

Risk Management

- 9.1 None arising from this report.

Corporate objectives and priorities for change

- 10.1 The proposals set out in this report will **deliver better outcomes for our communities, more efficient and effective services and improved value for money for our customers.**