



DERBY CITY COUNCIL

LICENSING AND APPEALS COMMITTEE 23 NOVEMBER 2004

Report of the Director of Corporate Services

FINAL DRAFT LICENSING POLICY & CONSULTATION RESULTS

RECOMMENDATION

- 1.1 To approve the recommendations of the Cross Party Working Group.
- 1.2 To recommend to Council to adopt the final draft version of the Licensing Policy.
- 1.3 To note the comments and information obtained from the consultation process.

SUPPORTING INFORMATION

- 2.1 At its meeting on 7 September 2004, this Committee approved a draft licensing policy. This draft policy has been the subject of a wide consultation exercise during October 2004. Members also resolved to establish a cross party working group to consider comments received from the consultation exercise.
- 2.2 The cross party working group met on 12 November 2004 to consider the comments that had been received and the officer's recommendations about those comments. This information is contained at Appendix 2.
- 2.3 A number of the comments made have been incorporated into the policy. Some of the other comments made fell outside the scope of the policy or went substantially beyond what the Council is permitted to do under the legislation and statutory guidance.
- 2.4 The recommendations of the cross party working group have been incorporated into the final draft version of the Council's Licensing Policy. This is attached at Appendix 3.
- 2.5 Approximately 1700 policy consultation packs were sent out. As well as receiving specific comments about the contents of the policy, respondents were also asked some general questions. The results of these questions are attached in Appendix 4 and 5.

For more information contact:	Michael Kay 01332 716340 e-mail michael.kay@derby.gov.uk
Background papers:	Licensing and Appeals Committee Report 7 September 2004 Item 5 - Draft Licensing Policy
List of appendices:	Appendix 1 – Implications Appendix 2 – Licensing Policy Consultation – Specific Comments Appendix 3 – Final Draft Licensing Policy Appendix 4 – Licensing Policy Consultation – General Questions Appendix 5 – Licensing Policy Consultation – General Comments

IMPLICATIONS

Financial

- 1.1 Additional funding for producing the licensing policy and the consultation process has already been approved and included in the 2004/05 budget process.

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 mentions equality in section 10. The consultation process ensured that many different groups were 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**.