



DERBY CITY COUNCIL

GENERAL LICENSING COMMITTEE 14 DECEMBER 2005

Report of the Director of Corporate Services

LICENSING ACT UPDATE

RECOMMENDATION

1. To note the report.

SUPPORTING INFORMATION

- 2.1 All licences issued under the new licensing system came into force on 24 November 2005 and replaced ones issued under the previous regimes. In total, the Council have issued over 750 premises licences and nearly 800 personal licences.
- 2.2 The vast majority of premises licences issued by the Council have been to existing licence holders such as pubs, clubs, off licences and those who provide public entertainment. Some have applied for a straightforward conversion of their existing licence whilst others have applied to vary what they do and when they do it. Some new businesses, such as takeaways providing hot food and drinks between 11 pm – 5 am, have also had to apply for licences.
- 2.3 The majority of personal licences issued by the Council have been to existing Justices Licence holders, who have simply been able to convert their existing licences. A smaller number of new personal licences have been issued to those people who have satisfied the requirements of the new licensing legislation.
- 2.4 There has been a lot of media attention regarding the introduction of the new licensing system which has focussed on the potential for licensed premises to serve alcohol 24 hours a day. None of the 'traditional' pubs or clubs in Derby have applied for a 24-hour licence; only a small number of private venues, supermarkets and hotels have applied for these opening hours.
- 2.5 Dealing with the transfer to this new licensing system has been a challenge for everyone involved. In Derby, the whole process has run extremely smoothly. This is due to the hard work of licensing staff and members, the co-operation of the local licensed trade and the response from local residents, which has been very positive.
- 2.6 Following the introduction of the new licensing system, licensing officers are visiting premises to make sure licences are in place and the new rules are being followed. Initially, only those premises believed to be operating without a licence will be targeted. Using a priority list of approximately 15 pre-identified premises, officer visits were carried out on 24/25 November 2005 to establish status. On and off licensed premises, as well as hot food takeaways, were visited. A verbal update on the outcomes of this exercise will be provided by officers at the meeting. Premises

that have not obtained a licence run the risk of being prosecuted. Licensed premises that cause problems in the future could see their licences being reviewed by the Council.

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Background papers: General Licensing Committee 5 October 2005 Item 5 – Liquor Licensing Act Update
List of appendices: Appendix 1 – Implications

IMPLICATIONS

Financial

1. None arising directly from this report.

Legal

2. The Council, as the licensing authority, administers and enforces the provisions of the Licensing Act 2003 and associated Regulations. The Act covers certain licensable activities defined under the terms of the Act.

Personnel

3. None arising directly from this report.

Equalities impact

4. The Council as the licensing authority, through the Licensing Act 2003, its licensing policy, and guidance issued by Central Government promotes the principles of openness, fairness and equality.

Corporate themes and priorities for change

- 5.1 The new licensing regime contributes to the Council's objectives of **healthy, safe and independent communities, a lively and energetic cultural life and a diverse, attractive and healthy environment.**
- 5.2 The new licensing regime furthers the Council's priorities of **improving customer service, in the city centre and locally.**