



DERBY CITY COUNCIL

GENERAL LICENSING COMMITTEE 8 FEBRUARY 2006

Report of the Corporate Director, Environmental Services

LICENSING POLICY REVIEW

RECOMMENDATION

1. To note the report and approve the proposals regarding the review of the Council's Licensing Policy.

SUPPORTING INFORMATION

- 2.1 In November 2004, following a recommendation from the Licensing and Appeals Committee, Council formally adopted Derby's Licensing Policy in accordance with the Licensing Act 2003. The policy came into effect on 7 February 2005.
- 2.2 The policy was produced in accordance with national guidance issued by the Department for Culture, Media and Sport (DCMS). The guidance set out the requirements for reviewing licensing policies, in particular, that they must be reviewed at least once every 3 years and that a full consultation process must be undertaken at each review.
- 2.3 When considering the draft policy, Licensing and Appeals Committee members indicated they would like to see an early review of Derby's policy, preferably after 12 months.
- 2.4 As part of the ongoing monitoring and evaluation of the Licensing Act 2003, DCMS has announced that the Secretary of State will be reviewing the Guidance to licensing authorities and the police. The review began on 24th November 2005 and will be in two stages. The first stage will cover any immediate areas of concern and should be completed by March 2006. The second stage will engage in a wider consultation about where the Guidance needs to be redrafted. This is expected to be completed by summer 2006, for laying of a revised version before Parliament by the end of 2006.
- 2.5 To avoid carrying out additional reviews following the issue of DCMS revised guidance, it is proposed that the process of reviewing Derby's policy does not begin until after a revised version of the guidance has been issued.

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Background papers:	Licensing & Appeals Committee 23 November 2004 Item 4 – Final Draft Licensing Policy
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. Under the Act, the Licensing Authority must have regard to guidance issued by Government when discharging its duties.

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.**