



Derby City Council

**LICENSING COMMITTEE**  
**7 November 2019**

Report sponsor: Richard Antcliff  
Report author: Michael Kay

# ITEM 06

## Review of Licensing Policy 2019

### Purpose

- 1.1 Derby City Council is the designated Licensing Authority under the Licensing Act 2003, and is required to produce a Licensing Policy which sets out how it will exercise its functions under the Act.
- 1.2 The Policy must be reviewed at least every five years and is due to be published by February 2021.

### Recommendation(s)

- 2.1 To approve the process of consultation on a revised Licensing Policy.

### Reasons

- 3.1 To comply with the statutory requirement of the Licensing Act 2003.

### Supporting information

- 4.1 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
- 4.2 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 every five years.
- 4.3 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

- 4.4 The current Licensing Policy was published in February 2016. Before it can be re-published, it must be subject to a full consultation process. A draft revised Licensing Policy is set out at Appendix 1.
- 4.5 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, antisocial behaviour, consumer protection, planning and development, tourism, child protection, transport, alcohol harm reduction, local performers etc.
- 4.6 A consultation plan is set out at Appendix 2 for consideration and approval. 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 if considered necessary.
- 4.7 The consultation exercise is due to commence on 15 November 2019 and end 10 February 2020.
- 4.8 Any comments made during the consultation process will need to be considered. If necessary, it is proposed that a cross-party working group meet following the consultation response deadline to consider any comments received and make recommendations to the Licensing Committee on 19 March 2020 to agree a final policy.
- 4.9 A revised policy will be published in April 2020.

### **Public/stakeholder engagement**

- 5.1 The review of the Licensing Policy will be subject to full public consultation.
- 5.2 Consultation also involves existing licence holders, responsible authorities, trade associations, and other persons as defined by the Licensing Act 2003 and their representatives.

### **Other options**

- 6.1 No other options are available as the process and requirement to review the Licensing Policy is set out in statutory guidance from Central Government via the Home Office.

### **Financial and value for money issues**

7.1 No additional implications from this report.

### **Legal implications**

8.1 The Council is under a legal obligation to review its Licensing Policy at least once every five years.

### **Other significant implications**

9.1 None.

**This report has been approved by the following people:**

<b>Role</b>	<b>Name</b>	<b>Date of sign-off</b>
<b>Legal Finance Service Director(s)</b>	Olu Idowu/Stephen Teasdale	24/10/19
<b>Report sponsor Other(s)</b>	Richard Antcliff	24/10/19

**Background papers:**  
**List of appendices:**  
**Appendix 1 – Draft Revised Licensing Policy**  
**Appendix 2 – Consultation Plan**

