

LICENSING COMMITTEE
24th June 2010

Present: Councillors: Christian Mitchell (Chairman), Leonard Warner (Vice-Chairman), George Cockman, Christine Costin, Leonard Crosbie, Sheila Dale, Brian Donnelly, Duncan England, Alan Fisher, Jim Sanson, Mrs Sheila Van Den Bergh, Keith Wilkins

Apologies: Councillors: Peggy Davies, Sally Horner, Ian Shepherd

LI/1 **ELECTION OF CHAIRMAN**

RESOLVED

That Councillor Christian Mitchell be elected Chairman of the Committee for the ensuing Council year.

LI/2 **APPOINTMENT OF VICE-CHAIRMAN**

RESOLVED

That Councillor Leonard Warner be appointed Vice-Chairman of the Committee for the ensuing Council year.

LI/3 **MINUTES**

The minutes of the meeting held on 4th March 2010 were approved as a correct record and signed by the Chairman.

LI/4 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

LI/5 **ANNOUNCEMENTS**

There were no announcements.

LI/6 **REVIEW OF LICENSING POLICY**

The Head of Planning & Environmental Services reported that under the Licensing Act 2003, a statement of the Council's Licensing Policy had to be published every three years. The Council's existing policy had come into force on 7th January 2008 and therefore required reviewing with a view to having a new one in place by 7th January 2011.

LI/6 Review of Licensing Policy (cont.)

The policy had to be the subject of public consultation and any comments received taken into account before the policy was formally adopted. Were the Committee to approve the draft policy for consultation, there would be a three month consultation period ending on 1st October 2010. Comments would be invited from a wide range of consultees, including statutory consultees, Members, parish and neighbourhood councils, some licensed premises and trade representative bodies.

The responses would be analysed and appropriate amendments recommended. Where suggested amendments were not incorporated, reasons for such omissions would be given. A final draft policy would be presented to the next meeting of the Committee for recommendation to the Council on 15th December 2010.

Details of the Council's current Licensing Policy, which would form the consultation policy, were submitted.

RESOLVED

- (i) That the Licensing Policy submitted be approved as a consultation policy;
- (ii) That the Head of Planning & Environmental Services consult on the draft policy for a period of three months, with a deadline for responses of 1st October 2010.
- (iii) That a further Report be submitted to the next meeting of the Committee with the outcomes of the consultation exercise and recommendations for a revised policy.

REASONS

- (i) To comply with legislative requirements.
- (ii) To ensure openness and transparency in the Council's decision making.
- (iii) To ensure that those persons affected by the policy have the opportunity to have an input into it.

LI/7

REGULATION OF LAP DANCING AND OTHER SEXUAL ENTERTAINMENT VENUES

The Head of Planning & Environmental Services reported that the Policing and Crime Act 2009 had introduced provisions to reclassify lap dancing clubs, pole dancing clubs and other such establishments as sex establishments under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.

The Licensing Act 2003, which had come into force in 2005, contained a loophole which allowed premises that offered lap dancing, pole dancing or similar entertainment to be licensed in the same way as any other premises offering alcohol or entertainment.

If the new provisions in the 2009 Act were adopted, this would close the loophole and allow the licensing authority to regulate lap dancing clubs and similar venues as sex establishments under the 1982 Act. This would:

1. Allow local people to oppose an application for a sex establishment licence if they had legitimate concerns that a sex encounter venue would be inappropriate given the character of the area.
2. Require licences to be renewed at least annually, at which point local people would have the opportunity to raise objections with their local authority.
3. Allow a local authority to reject a licence application if they believed that to grant a licence for a sex encounter venue (including a lap dancing club) would be inappropriate given the character of a particular area.
4. Allow a local authority to set a limit on the number of sex encounter venues that they thought appropriate for a particular area.
5. Allow a local authority to impose a wider range of conditions on the licences of sexual entertainment venues than they are currently able to under the Licensing Act 2003.

The new legislation was adoptive which meant Schedule 3 had to actively be adopted in order to have effect. If the Committee did not adopt the changes a public consultation would have to take place in April 2011 as to why it had not been adopted.

RESOLVED

- (i) That the report be noted.
- (ii) That the new provisions be adopted.
- (iii) That a draft policy for sex establishments and draft standard conditions for sexual entertainment venues be drafted and submitted to the next meeting of the Committee.

LI/7 Regulation Of Lap Dancing And Other Sexual Entertainment Venues
(cont.)

REASON

To ensure that the Council has adequate controls over sexual entertainment venues.

LI/8 **OTHER BUSINESS**

It was agreed that the next meeting of the Committee would take place on 11th November 2010 unless any other business arose before that date.

The meeting ended at 6.14pm having started at 5.32pm

CHAIRMAN