

MINUTES

LICENSING COMMITTEE
FRIDAY, 3 DECEMBER 2010



COMMITTEE MEMBERS PRESENT

Councillor Pam Bosworth (Chairman)
Councillor Christine Brough
Councillor George Chivers
Councillor Mike Exton
Councillor Reginald Howard

Councillor Mrs Margery Radley
Councillor Bob Russell
Councillor Graham Wheat
Councillor Mike Williams

OFFICERS

Assistant Solicitor (Paul Rushworth)
Licensing Officers (Peter Harrison, Pam Robinson, Richard Etherton)
Committee Support Officer (Lucy Bonshor)

21. APOLOGIES

Apologies for absence were received from Councillors Broughton and Turner.

22. DECLARATIONS OF INTEREST

None declared.

23. MINUTES OF THE MEETING HELD ON 5TH NOVEMBER 2010

Agreed as a correct record.

24. ADOPTION OF SCHEDULE 3 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 AS AMENDED BY SECTION 27 OF THE POLICING AND CRIME ACT 2009

Decision:

1) *That the Licensing Committee recommends to Council the adoption of the amendments to the provision of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section*

27 of the Policing and Crime Act 2009 and

2) That where a resolution is made to adopt the new provisions, the statutory notice of the resolution is published with the specified time periods as outlined with report ENV508 and

3) That the date for the new provisions to take effect should be at least one month for the date of the formal resolution to the adoption

In February 1983 the Council adopted the provision of Part II Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 relating to the control of sex establishments. The Licensing Act 2003 introduced Premises Licences and Club Premises Certificates that superseded the Public Entertainment Licenses and were capable of regulating “adult entertainment” by means of compliance with the four licensing objectives. On 6 April 2010 the provisions contained in Section 27 of the Policing and Crime Act 2009 relating to sexual entertainment venues came into effect. These provisions amend Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 by introducing a new category of sex establishment called “sexual entertainment venue” in the existing legislation. Currently the Council had one premise that would be captured under the new provisions. Under the new legislation applicants would require two licenses, one for premises and one for the entertainment, which would necessitate an application being heard by two committees, however there is nothing within the legislation to prevent Council delegating the licensing function to the Alcohol, Entertainment and Late Night Refreshment Committee to deal with the applications at one committee. Currently the Council had a procedure with regard to sex shops and cinemas if the schedule was adopted all three areas would be amalgamated into one procedural document. It was moved, seconded and unanimously agreed to recommend to Council the adoption of Schedule 3 of the Local government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009.

25. CLOSE OF MEETING

The meeting closed at 10.05am.