



Minutes of the Licensing Committee

2 December 2010

-: Present :-

Councillors Addis, Amil, Doggett, Faulkner (A), Horne, Hytche, Scouler

374. Apologies

Apologies for absence were received from Councillors Excell, Manning, Mills, Parrott, Pentney, Stocks and Thomas (J)

375. Minutes.

The Minutes of the meeting of the Sub-Committee held on 29 July 2010 were confirmed as a correct record and signed by the Chairman.

376. Draft 'Statement of Licensing Policy for Sex Establishments'.

Members considered Report 288/2010 which sought agreement for the commencement of a 12 week consultation period on the draft 'Statement of Licensing Policy for Sex Establishments'. The Senior Environmental Health Officer advised the Committee that the Local Authority had to adopt Schedule 3 Local Government (Miscellaneous Provisions) Act 1982, which requires the licensing of Sex Entertainment Venues. Members noted the date on which Schedule 3 Local Government (Miscellaneous Provisions) Act 1982 would come into effect and those applicants that wished to apply for a Sex Entertainment Venue Licence would have 6 months to do so. At the end of the 6 month application period the Council would have 6 months to grant or refuse the applications that may have been submitted, upon the conclusion of this deadline the premises which had licences granted in accordance with the 2003 Licensing Act will have to cease sex entertainment activities.

Resolved

- i) that the Executive Head of Community Safety be advised of the following representations of the Licensing Committee regarding the Draft Statement of Licensing Policy for Sex Establishments:
 - a) that the fees cover the cost of administering the Licences in respect of Sex Establishments;
 - b) that providing the law allows paragraph 3.8 be amended to read 'Licences will generally be issued on an annual basis if deemed appropriate. An annual fee is also payable', rather than 'Licences will generally be issued on an annual basis but can be

issued for a shorter term, if deemed appropriate. An annual fee is also payable';

- c) that Appendix D point 8) be amended to read 'On arrival each customer shall be provided with a copy of the Club Rules which will be available in large print', rather than 'On arrival each customer shall be provided with a copy of the Club Rules';
 - d) that the number of Sex Shops remain at two, Sex Cinemas remain at nil and Sex Entertainment Venues remain at two.
- ii) that subject to these amendments the Draft 'Statement of Licensing Policy Sex Establishments' be released for public consultation.

377. Decisions Taken in Relation to Licensing Act 2003 Applications Under Delegated Powers

Members noted Report 289/2010 which informed Members of the decisions taken in relation to the Licensing Act 2003 applications by the Executive Head Community Safety under delegated powers.

378. Decisions Taken in Relation to Gambling Act 2005 Applications Under Delegated Powers

Members considered and noted Report 290/2010 which advised Members of the decisions that the Executive Head Community Safety had taken under delegated powers regarding the Gambling Act 2005.

Chairman
