

Minutes

Licensing Committee

22nd January 2014



Present:

Councillors	Present	Councillors	Present
J S Allen	Yes	C Gibson	Apologies
M J Banthorpe (Chairman)	Yes	M Green	No
J Baugh	Yes	S A Howell	Apologies
T G Cunningham	Yes	H D Johnson	Apologies
J G J Elliott	No	J A Pell	Yes
J H G Finbow	Yes	L S Walters	Yes
M J Fincken	Yes	S A Wilson	Yes
M E Galione	Apologies	B Wright	Yes

Mr Allan Millam MBE

At the commencement of the meeting, the Chairman announced with regret that Mr Allan Millam, former District Councillor and Chairman of the Council had passed away on 19th January 2014.

Allan Millam had served as a Councillor for many years and he had been Chairman of the Licensing Committee when the Licensing Act 2003 had become law. This legislation had had a significant impact on the work of the Committee, but Allan Millam had managed the process extremely well.

Councillors and Officers observed a minute's silence in Allan Millam's memory.

24 **DECLARATIONS OF INTEREST**

INFORMATION: There were no interests declared.

25 **MINUTES**

DECISION: That the Minutes of the meeting of the Licensing Committee held on 20th November 2013 be approved as a correct record and signed by the Chairman.

26 **QUESTION TIME**

INFORMATION: There were no questions asked or statements made during Question Time.

Principally, these Minutes record decisions taken only and, where appropriate, the reasons for the decisions.

**STATEMENT OF LICENSING POLICY FOR SEX ESTABLISHMENTS
(INCLUDING SEX SHOPS, SEXUAL ENTERTAINMENT VENUES AND SEX
CINEMAS)**

INFORMATION: Consideration was given to a report on the draft Statement of Licensing Policy for Sex Establishments (including sex shops, sexual entertainment venues and sex cinemas). The proposed Statement set out the Council's policy for regulating sex establishments and the procedures which would be followed in relation to applications for sex establishment licences. The policy was intended as a guide to assist applicants, licence holders, objectors and Members of the Licensing Committee. It was noted that the Council, as the licensing authority, was required to implement the licensing regime in accordance with the law and not in accordance with any moral codes.

Members were advised that the Council had resolved to adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 on 14th October 1982. This had enabled the Council to licence sex establishments. However, the Policing and Crime Act 2009 had amended the 1982 Act by adding the category of 'sexual entertainment venue' to the definition of a sex establishment. In the circumstances, the Council had resolved to re-adopt Schedule 3 of the 1982 Act on 13th October 2011 thereby requiring all premises operating as sex establishments in the Council's area, including sexual entertainment venues, to be licensed. The adoption of Schedule 3 enabled the Council to set terms, conditions and fees for the grant, renewal, transfer and variation of sex establishment licences and to control the number of licences that may be issued.

There were currently no licensed sex shops, sexual entertainment venues, or sex cinemas in the District and the Council had not imposed a restriction on the number of sex establishment licences which may be issued.

The draft Statement of Licensing Policy for Sex Establishments would be made available for public consultation for a period of 12 weeks following 22nd January 2014. A further report would be presented to the Licensing Committee setting out details of representations submitted and recommending whether or not the policy should be adopted.

DECISION: That the draft Statement of Licensing Policy for Sex Establishments be approved for the purpose of public consultation, subject to the word 'even' contained in paragraph 57 of Part 5 of Appendix G (Standard Conditions) of the policy being deleted.

The meeting closed at 7.46pm.

M J Banthorpe

(Chairman)