

# Minutes

## Licensing Committee

18th January 2023



Present:

<b>Councillors</b>	<b>Present</b>	<b>Councillors</b>	<b>Present</b>
J Baugh (Chairman)	Yes	Mrs I Parker	Yes
Mrs J Beavis	Yes	Mrs J Pell	Apologies
Mrs M Cunningham	Yes	S Rehman	Yes
P Euesden	Yes	W Rose (Vice-Chairman)	Apologies
S Hicks	Yes	P Schwier	Yes
H Johnson	Yes	Mrs L Walters	Apologies
T McArdle	Yes	R Wright	Yes

### 12 **DECLARATIONS OF INTEREST**

**INFORMATION:** There were no interests declared.

### 13 **MINUTES**

**DECISION:** That the Minutes of the meeting of the Licensing Committee held on 12th October 2022 be approved as a correct record and signed by the Chairman.

### 14 **QUESTION TIME**

**INFORMATION:** There were no questions asked or statements made.

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

### 15 **STREET TRADING CONSENT APPLICATION - GINO'S PIZZA CAMBS, THE FOX AND HOUNDS, 3 CHAPEL STREET, STEEPLE BUMPSTEAD**

**INFORMATION:** It was reported that an application by Mr Gino Vines, trading as Gino's Pizza Cambs, for a Street Trading Consent at The Fox and Hounds, 3 Chapel Street, Steeple Bumpstead, Essex, CB9 7DQ had been withdrawn by the applicant and that it would not be considered by the Committee.

### 16 **DRAFT REVISED 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 Revised 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. The current Statement of Licensing Policy for Sex Establishments had been adopted by the Council in 2014 and it was considered to be an appropriate time to review the Policy.

Members of the Licensing Committee 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. 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 and, in the circumstances, on 13th October 2011 the Council had resolved to re-adopt Schedule 3 of the 1982 Act. This required 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. 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.

It was reported that there was currently one sex shop in the District which had been licensed since 2018. There were no 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.

Details of amendments which had been made to the Statement of Licensing Policy were set out in the Agenda report and a copy of the draft Revised Statement was attached at Appendix 1 to the report.

The draft Revised Statement had been made available for public consultation for a period of 12 weeks ending on 4th December 2022. No representations had been submitted by key stakeholders or members of the public during this period.

**DECISION:** That the draft Revised Braintree District Council Statement of Licensing Policy for Sex Establishments be approved and published.

## 17 **LICENSING COMMITTEE UPDATE**

**INFORMATION:** Members of the Licensing Committee received an update on current licensing matters.

**DECISION:** That the Licensing Committee update be noted.

### Licensing Committee – Date of Next Meeting

It was reported that the next meeting of the Licensing Committee, which was scheduled to take place on Wednesday, 1st March 2023, had been re-arranged. Instead, the meeting would be held on Tuesday, 21st March 2023 at Causeway House, Bocking End, Braintree starting at 7.15pm.

The rescheduling of the meeting would enable Councillors to consider representations submitted in response to a matter which was currently subject to public consultation. The matter related to whether the Council should continue to restrict the number of Hackney Carriage proprietor licences which it issued to 84. The period of public consultation would close on 17th February 2023.

The meeting closed at 7.40pm.

Councillor J Baugh  
(Chairman)