

LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Wednesday, 8th September 2010 at 6.00 pm in the Reception Suite, Civic Offices, Telford

PRESENT: R.T.Kiernan (Vice-Chairman) acting as Chairman, R.G.Chaplin, J.A.Francis, Y.C.Hicks, T.J.Hope, G.P.Hossell, H.Rhodes, C.F.Smith and A.G.P.Williams.

LC-19 MINUTES

RESOLVED – that the minutes of the meeting of the Licensing Committee held on the 2nd September 2010 be confirmed and signed by the Chairman.

LC-20 APOLOGIES FOR ABSENCE

Councillors R.Aveley (Chairman), R.E.Groom, A.A.Mackenzie, C.N.Mason and C.P.R.Mollett.

LC-21 DECLARATIONS OF INTEREST

None

LC-22 POLICING AND CRIME ACT 2009

The report of the Service Delivery Manager – Public Protection was received which requested that Members should consider as to whether the Council should adopt Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by s27 of the Policing and Crime Act 2009. Members were reminded that since the introduction of the Licensing Act 2003, lap dancing clubs had been licensed under the 2003 Act. Section 27 of the Policing and Crime Act 2009 reclassified lap dancing clubs as sexual entertainment venues and gave local authorities in England and Wales the power to regulate such venues as sex establishments under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.

These new measures, took effect on 6th April 2010 in England and if adopted by the Council would enable local people to have the benefit of a greater say over where and how many lap dancing clubs may open and operate in their neighbourhoods.

In 1982 the Local Government (Miscellaneous Provisions) Act 1982 (LGMPA) introduced the licensing of sex shops and sex cinemas. The Committee was informed that in 1995 the Council had adopted the Local Government (Miscellaneous Provisions) Act 1982 granting powers to require licences to open sex establishments in the district of Telford & Wrekin. It was reported that Section 27 of the Policing and Crime Act 2009 introduced a new category of sex establishment called 'sexual entertainment venue', which would allow local authorities to regulate lap dancing clubs and similar venues under Schedule 3. The report recommended the adoption of the new regulatory powers as a preventative measure.

If Members choose not to adopt the new powers the Council would continue to rely solely on the Licensing Act 2003 to control such premises.

The Committee was referred to the contents of the report which outlined the statutory requirements in order that the proposed amendment could be formally adopted and enacted within the Borough.

Following a discussion; it was,

RESOLVED –

- (a) that Full council is recommended to adopt the amendments made by Section 27 of the Policing and Crime Act 2009 to Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 to come into effect on 1st January 2011 throughout the whole of administrative area of the Borough of Telford and Wrekin; and,
- (b) that Full Council agrees to delegate the responsibilities as indicated in (a) above to the Licensing Committee under Section 101 of the Local Government Act 1972.

LC-23 REVIEW OF THE COUNCIL'S POLICY FOR DETERMINING PRIVATE HIRE AND HACKNEY CARRIAGE APPLICATIONS WITH RELEVANCE TO CONVICTIONS

The Committee were informed by the Chairman of the meeting that a detailed written representation submission on behalf of the Telford Private Hire Operators Association had been received. It was concluded that a detailed assessment would be required in order to fully respond to the same. As a result it was reported that the Chairman had decided that this particular agenda item should be withdrawn.

The meeting ended at 6.15 pm.

Chairman:

Date: