

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

THE COUNCIL CHAMBER, CIVIC CENTRE, STOURPORT-ON-SEVERN

FRIDAY, 4TH JUNE 2010 (10:30 AM)

Present:

Councillors: J Baker (Chairman), P V Hayward (Vice-Chairman), A J Buckley, H E Dyke, J Greener, P B Harrison, M B Kelly, M Price and D R Sheppard.

Observers:

There were no members present as observers

The Chairman welcomed the Committee/Scrutiny Officer to the meeting and informed Members that she would be the new Committee Officer for this Committee.

LIC.1 Apologies for Absence

Apologies for absence were received from Councillor B T Glass.

LIC.2 Appointment of Substitutes

No substitutes were appointed.

LIC.3 Declarations of Interest

No declarations of interest were made.

LIC.4 Minutes

Decision: The minutes of the meeting held on 26th March 2010 be confirmed as a correct record and signed by the Chairman.

LIC.5 Regulation of Sexual Encounter Venues under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982

The Committee considered a report from the Director of Planning and Regulatory Services that recommended to Council the adoption of section 27 paragraph 2(2) of Schedule 3 to the Policing and Crime Act 2009.

The Licensing Officer informed the Committee that this was the first meeting whereby the Licensing Officers now worked for Worcestershire Regulatory Services.

Members were advised that the report had been presented to Committee in light of the new Policing and Crime Act 2009 which came into force on 6th April 2010 and this introduced a new category of sex establishments which required authorities to regulate these type of venues. There were two clubs in Kidderminster which were licensed for this type of activity. The appendices contained in the report gave definitions of a "Sexual Entertainment Venue" and the policy itself.

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Members were informed that the new legislation would bring under the District Council's control a policy similar to that for sex shops, of which there were two shops in Kidderminster. The only difference in these two policies would be that previous sex shop applications were within the designated area of Blackwell Street, Kidderminster. However, if the proposal was agreed, it would be extended to cover an area in Green Street, Kidderminster.

The policy statement contained in the report had been published to other districts within the Regulatory Services Directorates to enable consistency throughout Worcestershire.

Members were informed that the proposed fee of £3,944.00 for a licence may deter licensees from applying for an application. However, they could operate the service under a Temporary Event Notice which covered 12 events per year.

It was important to note that if this policy was to be adopted within 12 months of the new legislation, i.e. 6th April 2010, then there would be no requirement for the document to go out to public consultation and it would mean that the Council would not incur so many costs, but if it was adopted outside this period, then costs would be incurred.

Members agreed that these type of establishments needed to be regulated and it was confirmed to Members that if the policy was adopted, the licensees would need to apply for this type of entertainment.

Decision:

Recommended to Council:

- 1 To adopt section 27 paragraph 2(2) of Schedule 3 to the Policing and Crime Act 2009 with effect from (no more than 1 month after the day on which the resolution was passed by Full Council).**
- 2. To set a Licensing fee for a Sexual Encounter Venue, i.e.**

Grant	£3,994.00
Renewal	£1,534.00
Transfer	£277.00

- 2. To delegate to the Director of Planning and Regulatory Services all powers under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, and section 27 paragraph 2(2) of Schedule 3 to the Policing and Crime Act 2009.**

LIC.6

Exempt Information

Decision: Under Section 100A(4) of the Local Government Act, 1972 the press and public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of "Exempt Information" as defined in paragraphs 1, 2, 3, 5 and 7 of Part I of Schedule 12A of the Act.

LIC.7 Application for the grant of a Hackney Carriage/ Private Hire Driving Licence

A report was received from the Director of Planning and Regulatory Services which asked the Committee to consider an application for the grant of a Hackney Carriage/Private Hire Vehicle Driving Licence.

The Licensing Officer informed the Committee that the applicant was unable to attend the meeting. However, he had asked if the application could be heard in his absence. It was unclear as to when he would be able to attend if the application was to be adjourned. The applicant was not employed at present and the application had been financed by an Employment Agency.

The Licensing Officers withdrew from the meeting whilst the Committee took a decision.

Decision: The Committee has decided not to grant the application for a hackney carriage/private hire driver's licence.

The meeting ended at 11.06am.