

LICENSING COMMITTEE

3 NOVEMBER 2009

Present: County Councillor Bridges (Chairperson);
County Councillors Cox, Ford, Grant, Goddard, Kelloway,
Macdonald, Derrick Morgan, Elgan Morgan and Smith

L15 : MINUTES

The minutes of the meeting held on 6 October 2009 were approved by the Committee as a correct record and signed by the Chairperson.

L16 : CONSULTATION ON SEX ENCOUNTER ESTABLISHMENT LICENSING

The Committee received a report and were asked to consider a consultation document relating to the transitional arrangements for the licensing of sex establishments following the enactment of the Policing and Crime Bill.

Sex Establishment Licences are issued under the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. Lap dancing premises are licensed under the provisions of the Licensing Act 2003 to provide regulated entertainment involving music and dancing. The Policing and Crime Bill is intended to transfer the regulation of lap dancing venues from the Licensing Act 2003 to the Local Government (Miscellaneous Provisions) Act 1982. This will enable licensing authorities to judge an application on a greater range of issues than permitted by the licensing objectives of the Licensing Act 2003.

The amendments will require sex encounter venues - defined as venues which provide to an audience, more frequently than once a month, live performances or displays of nudity intended to be sexually stimulating – to hold a licence under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. The Bill will also provide a number of enforcement measures for police officers and local authority officers.

On 21 September 2009 the Home Office issued a consultation document entitled “Regulation of Lap Dancing Clubs – Consultation on Transitional Arrangements” which sought views on the Government’s proposals for the transitional arrangements relating to lap dancing clubs and similar venues.

A transitional period would be necessary to allow existing operators, falling within the definition of a sex encounter venues, to comply with the new legislation.

The Government did not proposed to provide existing operators with “grandfather rights” or any form of preferential treatment as part of the transition system. The transitional arrangements are to provide a system for existing operators to make an application to the local authority. A summary of the Government’s proposals for the transitional arrangements was set out in the report.

The Committee was asked to note the report and to consider approving the authority’s response to the consultation document, which was appended to the report.

RESOLVED – That the report be noted and the responses to the consultation document, detailed in Appendix A, be approved.

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Chairperson