

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

Agenda Item No. 6

meeting date: TUESDAY, 15 JUNE 2010
title: REVIEW OF LICENSING STATEMENT OF PRINCIPLES AND CONSULTATION RE: SEXUAL ENTERTAINMENT VENUES
submitted by: DIANE RICE – LEGAL SERVICES MANAGER
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1 PURPOSE

- 1.1 To inform Committee of the requirement to review the Council’s Licensing Policy Statement; and
- 1.2 To seek Committee’s instructions in relation to adoption of sex establishment provisions contained under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 which were brought into effect by Section 27 of the Policing and Crime Act 2009.
- 1.3 Relevance to the Council’s ambitions and priorities:
 - Council Ambitions - }
 - Community Objectives - }
 - Corporate Priorities - }
 - Other Considerations - }

The Council aims to be a well managed Council, and to promote the health and wellbeing of residents. Clear policies which reflect these objectives contribute to achieving these aims.

2 BACKGROUND

- 2.1 The Licensing Act 2003 required each Local Authority to formulate and publish a Licensing Act 2003 Policy Statement.
- 2.2 The document has to be reviewed every 3 years, and the next version of the Licensing Policy Statement must be consulted on and publish by 7 January 2011.
- 2.3 The purpose of this report is to seek Committee’s views on the proposed amendments to the Licensing Policy Statement as set out in the draft attached at Appendix 1.
- 2.4 The Council is required to consult affected parties on the amendments before approving them.
- 2.5 The guidance provided by LACORS (Local Authority Commission on Regulatory Services) also suggest that in many authorities the consultation period, likely to be between June and August, may also provide an opportunity to consult on the adoption of the Sexual Entertainment Venue Legislation, thereby preventing unnecessary duplication.

3 ISSUES

- 3.1 The changes made to the Licensing Policy Statement are based on the updated Licensing Act 2003 Policy Template Framework, and the Secretary of State's Guidance. The template suggests the Statement should include an executive summary, this will be added to the final version of the policy document prior to approval, once the content of the document is finalised.
- 3.2 No substantive changes are made to the Council's approach to licensing, any changes reflect changes in legislation since the last review of the statement.
- 3.3 LACORS has drawn to the attention of licensing officers the absence from the template policy of any reference to licensing of petrol stations and adult entertainment.
- 3.4 The Council's experience to date has not demonstrated a need to include additional elements in the policy to address either of these issues.
- 3.5 Sexual Entertainment Venues: The Authority does not at present have any premises within its area which are lap dancing clubs, and therefore would be reclassified by Section 27 of the Policing and Crime Act 2009 as sexual entertainment venues.
- 3.6 The new measures which took effect on 6 April 2010 to control such establishments were aimed at giving local people a greater say over where and how many lap dancing clubs can operate in their neighbourhoods.
- 3.7 Whilst the Council's experience to date suggests that these provisions will be unlikely to be relied on in the Council's area, the premises require adoption to be effective.
- 3.8 Therefore, if Committee decided that it could be appropriate to adopt the provisions, in case a situation should arise where the Council receives an application for a lap dancing club or sexual entertainment venue, then the consultation could be carried out at the same time as consulting on the Licensing Policy Statement to ensure the necessary provisions are in place.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources - } Ensuring the Council has proper
 - Technical, Environmental and Legal - } policies and procedures in place to
 - Political - } deal with a variety of activities
 - Reputation - } subject to the Licensing Act 2003 a
- contribution to being a well-managed Council.

5 RECOMMENDED THAT COMMITTEE

5.1 Approve the amended draft Statement of Licensing Policy attached as Appendix 1 to form the basis of consultation.

- 5.2 Consult, as an addition to the consultation exercise on the Licensing Policy Statement, as to adoption of the sexual entertainment venue powers.

LEGAL SERVICES MANAGER

For further information please ask for Diane Rice, extension 4418

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