



Leicester
City Council

CABINET APPENDIX E

DRAFT MINUTE EXTRACT

Minutes of the Meeting of the LICENSING COMMITTEE

Held: THURSDAY, 10 FEBRUARY 2011 at 5.30pm

P R E S E N T :

Councillor Thomas (Chair)
Councillor Byrne (Co-Vice-Chair)
Councillor Scuplak (Co-Vice-Chair)

Councillor Roger Blackmore
Councillor Marriott
Councillor Potter

Councillor Desai
Councillor Mayat
Councillor Manjula Sood

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43. DECLARATIONS OF INTEREST

Members were asked to declare any interest they may have in the business on the agenda and/or indicate whether Section 106 of the Local Government Finance Act applied to them.

Councillor Manjula Sood declared that in respect of Item 5, Licensing of Sexual Entertainment Venues, she was Chair of the Leicester Council of Faiths, who were one of the Consultees.

Councillor Thomas declared that in respect of Item 5, Licensing of Sexual Entertainment Venues, he was a member of the C.I.U. (Leicester Branch), who were one of the Consultees.

46. LICENSING OF SEXUAL ENTERTAINMENT VENUES

The Director, Environmental Services submitted a report that advised the Committee on the outcome of consultation on the licensing of sexual entertainment venues. The Licensing Committee were asked to provide comments to Cabinet on the proposed policy.

Members considered the report and noted that it proposed that the number of sexual entertainment venues (SEVs) be limited to 5 in total within the inner ring road and the Braunstone Gate area. A query was raised as to whether this could give rise to a legal challenge but the Solicitor to the committee advised

that the legislation gave the council the powers to set the number and any challenge would have to be by judicial review. Members also queried the reason for the number of SEVs and their location and the Head of the Regulatory Service advised that the locations had been proposed because they were associated with the night time economy, and as such were in response to the public consultation. He added the number of venues had been set at 5 in consideration to the number of current venues and to the fact that there had been no complaints from the Police.

Comments were received from Members that SEVs were degrading for women and the Council should not allow any such premises. The Head of the Regulatory Service advised that within the legislation, the grounds for refusal were identified and it made no provision to refuse SEVs on moralistic grounds. He added however that conditions would be attached to protect staff from exploitation and also checks would be carried out to ensure that the premises were properly regulated. If there were problems, the premises could be brought to a licensing hearing with the possibility of a revocation of the licence. In addition, there was a requirement for the licences to be renewed annually, and therefore there was the possibility that the renewal would not be granted if there had been problems at the premises.

Other Members commented that whilst they also had concerns about exploitation of women, they acknowledged that the licensing of the venues would afford staff the protection that they might otherwise not have.

A Member expressed strong concerns that an article relating to the Licensing of SEVs appeared in the Leicester Mercury, before the Committee had had an opportunity to discuss the matter and it was felt that this was discourteous to the Licensing Committee. The Head of the Regulatory Service explained that the report had been put into the public domain 5 clear days before the meeting in order to comply with the law and the Leicester Mercury had asked for further details and an explanation of the issue. A Member responded that it had appeared that to all intents and purposes the decision on the policy had been made before the Licensing Committee had been given an opportunity to consider the matter.

It was generally agreed that the number of SEVs should be limited, but considered that 5 venues within the inner ring road and the Braunstone Gate area were too many. The response to the consultation was considered, in particular Section 2 of Appendix 3. Councillor Scuplak, seconded by Councillor Byrne proposed that Licensing Committee recommend that the number of SEVs be limited to 3 inside the Inner Ring Road, with none outside the area. Upon being put to the vote, this motion was carried.

Concerns were also expressed over the promotion and advertising of SEVs and Officers advised that there could be advertisements and displays on the actual establishment but activities to obtain custom were not permitted. The establishment's signage however did have to make it clear, that the premises were sex entertainment venues.

The recommendations to Cabinet as detailed in 2.1 of the Report were considered and the Committee expressed concerns over the following recommendations:

d) that Cabinet is asked to delegate responsibility to review and amend the standard conditions attached to licences to the Divisional Director, Environmental Services, in consultation with the Cabinet Member.

Members agreed that the Licensing Committee should also be consulted on this matter.

e) that Cabinet is asked to delegate responsibility to review and amend annual fees for licensing to the Divisional Director, Environmental Services, in consultation with the Cabinet Member.

Members agreed that this should be amended to consult with the Chair and Vice Chairs of the Licensing Committee as well.

RESOLVED:

that the Committee note the report and request the following amendments:

- 1) that the number of sexual entertainment venues be limited to three in total, all of which to be located within the Inner Ring Road;
- 2) that the responsibility to review and amend the standard conditions attached to licences, be delegated to the Divisional Director for Environmental Services in consultation with the Cabinet Member and the Licensing Committee; and
- 3) that the responsibility to review and amend annual fees for licences be delegated to the Divisional Director for Environmental Services, in consultation with the Cabinet Member and Chair and Vice Chairs of the Licensing Committee.

