

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING COMMITTEE

9<sup>TH</sup> SEPTEMBER 2010

A MEETING of the LICENSING COMMITTEE was held at THE MANSION HOUSE, DONCASTER on THURSDAY 9<sup>TH</sup> SEPTEMBER 2010 at 10.00 A.M.

PRESENT :

Chair - Councillor Patricia Bartlett  
Vice Chair - Councillor Ken Keegan

Councillors Linda Curran, Beryl Harrison, Barbara Hoyle, Barry Johnson, John McHale and Bill Mordue.

APOLOGIES :

Apologies for absence were received from Councillors Elsie Butler, Susan Phillips and Austen White.

**ACTION**

8. DECLARATIONS OF PERSONAL OR PREJUDICIAL INTEREST

No declarations were made at the meeting.

9. MINUTES OF THE MEETING HELD ON 3<sup>RD</sup> JUNE 2010

RESOLVED that the Minutes of the Meeting held on 3<sup>rd</sup> June 2010, be agreed as a correct record and signed by the Chair.

All to note

10. LICENSING ACT 2003 – UPDATE REPORT

Members considered a report introduced by the Licensing Manager, the purpose of which was to update the Committee on progress of the review of the Council's Licensing Policy. The Licensing Manager also informed Members that in order to meet statutory requirements for the despatch of the agenda papers, the report provided within the Agenda did not contain legal implications. In view of this, the Council's legal representative provided the Committee with details of legal implications associated with the report. It was reported that whilst reviewing the Licensing Policy, this should have regard to licensing guidance.

As part of the comments received during the consultation process, the Licensing Manager reported that he had received a request from South Yorkshire

Police to remove the Cumulative Impact Zone from the policy. It was felt that this had been effective and should any future licensing applications be received within the area currently designated as the CIZ, these should be considered on their own merits. In addition, the Licensing Manager informed the Committee that other amendments to the policy were in light of changes to mandatory licensing conditions and legislation. Members were advised that the report would follow the due process and it was anticipated that the policy would be put before full Council for adoption by January 2011.

The Committee discussed the impact of the changes to licensing legislation, whereby Elected Members were now able to make representations in relation to licence applications in their own right and were no longer required to receive representations from local residents in order to do so. Members were reminded that wherever representations were made, they would not be permitted to sit as a member of the Sub-Committee considering such application.

The Licensing Manager invited expressions of interest from members of the Committee for the purposes of undertaking a formal visit around the Town Centre in order to observe the nightlife and the effects upon Council and Police resources. Members felt that details of proposed dates should be provided before committing themselves to attending. As part of the discussion, Councillor McHale also took the opportunity to inform the Committee about a pilot triage nursing scheme within the Town Centre which was welcomed by the Committee.

RESOLVED that

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| (1) | The amended Licensing Policy be accepted and recommended to Full Council for adoption; and  | Licensing Manager |
| (2) | The Licensing Manager provide the Committee with details of proposed dates for undertaking a formal visit to examine the nightlife and effects on Council and Police resources. | Licensing Manager |

11. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 – UPDATE REPORT (SEX ENTERTAINMENT VENUES)

The Licensing Manager informed the Committee about changes to legislation for the regulation of sex entertainment/lap dancing.

It was reported that until now, lap dancing had been regarded as 'other entertainment' under the Licensing Act 2003 and in Doncaster had been controlled by way of strict conditions which had been introduced when the activity had been classed as Public Entertainment. However, the Licensing Manager confirmed that Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 had been amended and had introduced a new category of sex establishments called 'sexual entertainment venues'. This amendment allowed Local Authorities to regulate lap dancing clubs and similar venues under Schedule 3.

The Committee was informed that the Council was required to re-adopt the Act, as amended, which would be undertaken by way of an Executive Decision and Members were asked to note the changes outlined.

As part of the debate, the Council's Senior Legal Officer took the opportunity to inform the Committee about some Local Authorities exploring the option of by-laws for introducing a minimum price per unit of alcohol. The impacts of such proposals were also discussed. The Committee agreed to keep a watching brief on such issues and the Senior Legal Officer agreed to keep Members informed of developments.

RESOLVED that

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| (1) | the Committee note that the Council was taking steps to adopt the amended Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 in relation to lap dancing premises; and | Licensing Manager    |
| (2) | the Committee keep a watching brief in relation to any by-laws implemented by other Local Authorities for the introduction of a minimum price per unit of alcohol.                        | Senior Legal Officer |