

COUNCIL MEETING – 24TH FEBRUARY 2011

**Extract from the Minutes of the Licensing Committee Meeting on
10th January 2011**

SEXUAL ENTERTAINMENT VENUES – SCHEDULE 3 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 (AS AMENDED)

The Committee considered a report regarding the amendments to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ('the 1982 Act') made by section 27 of the Policing and Crime Act 2009 and the statutory provisions in relation to the adoption of the power to regulate 'sexual entertainment venues' within the amended Schedule. The report also detailed the consultation responses received in relation to both the principle of adoption of the amendments to Schedule 3 of the 1982 Act and a draft policy on the licensing of sexual entertainment venues. In addition, the Solicitor reported four further responses which had been received following the end of the consultation period. Based on the consultation responses received, the Committee made a number of changes to the draft policy on the licensing of sexual entertainment venues, to reflect some of the observations made.

RESOLVED

- (a) That it be recommended to Council that the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by section 27 of the Policing and Crime Act 2009, be adopted and shall apply within the Borough of Cheshire East; and
- (b) That it be recommended to Council that the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by section 27 of the Policing and Crime Act 2009, shall come into force in the Borough of Cheshire East on 4th April 2011.

Background Note

On 10th January 2011 the Licensing Committee resolved to recommend that the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ('the 1982 Act'), as amended by section 27 of the Policing and Crime Act 2009 be adopted and shall apply within the Borough of Cheshire East with effect from 4th April 2011.

As Members will note from the Licensing Committee report, the amended provisions of Schedule 3 of the 1982 Act provide local authorities with the power to regulate 'sexual entertainment venues.' The Licensing Committee made its recommendation to Council having considered consultation responses, relating to the principle of adoption of the legislation, made during a twelve week consultation period.

In parallel with the consultation exercise in relation to the adoption of the legislation, and without prejudice to that decision, a consultation exercise was carried out in relation to a draft policy. Subject to Council's decision, the Licensing Committee considered the responses received relating to the draft policy. The Committee resolved to make a number of amendments to the policy which have been subject to a further period of consultation. Subject to Council's decision, it is proposed that the additional responses on the draft policy will be considered at a meeting of the Licensing Committee on 7th March 2011.