

LICENSING AND SAFETY COMMITTEE

Wednesday, 20th July, 2011 at 6.00 p.m.

In a Conference Room at the Council House, Walsall

Present

Councillor Sears (Chairman)
Councillor Clarke (Vice-Chairman)
Councillor Anson
Councillor Barton
Councillor Carpenter
Councillor Cook
Councillor Douglas-Maul
Councillor Murray
Councillor Rochelle
Councillor Russell
Councillor Sarohi
Councillor Wilkes

1362/11 **Apologies**

Apologies for non-attendance were submitted on behalf of Councillors Burley and Harrison.

1363/11 **Minutes**

Resolved

That the minutes of the meeting held on 1st June, 2011, a copy having been circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

1364/11 **Declarations of Interest**

There were no declarations of interest.

1365/11 **Local Government (Access to Information) Act, 1985 (as amended)**

Resolved

That the public be excluded from the meeting during consideration of the items set out in the private agenda for the reasons set out therein and Section 100A of the Local Government Act, 1972.

1366/11

Local Government (Miscellaneous Provisions) Act, 1982 - Policing and Crime Act, 2009, Section 27 - Sex Establishment policy/guidelines

The report of the Interim Regulatory Manager was submitted:-

(see annexed)

The Principal Licensing Officer (Mr. Knapper) enlarged upon the report and drew the Committee's attention to the salient points. He added that the Council already had standard conditions for sex shops and cinemas. The Government had introduced the concept of sexual entertainment venues which had been agreed by the Council on 6th April, 2011; because of this, it was felt pertinent to produce a new set of guidelines/conditions for such venues.

Consultations had been undertaken with West Midlands Police, licensing solicitors and potential licence holders between 1st March and 6th May, 2011 and had resulted in the policy before the Committee. He asked the Committee to endorse the proposed guidelines contained in the Appendix to the report.

Several Members expressed concern that if a licence was granted for a sex establishment then it could put pressure on the Local Authority to grant planning permission for the venue. Steven Knapper reported that under the licensing process, any applications for sex establishments would be submitted to this Committee in all cases, and that the Planning Department was already a consultee on all such applications.

Councillor Rochelle asked if a licence would be an annual licence. Mr. Knapper confirmed that it would. He also confirmed that the fee was payable on application.

After further discussion it was,

Resolved (Councillors Russell and Wilkes voting against)

That the implementation of a new sex establishment policy/guidelines for the Borough, as contained in the Appendix to the report, be agreed.

1367/11

Promotional site event

The report of the Interim Regulatory Manager was submitted:-

(see annexed)

The Principal Licensing Officer (Mr. Knapper) enlarged upon the report and circulated additional material from Nikki Sinclair, MEP, to Members present at the meeting:-

(see annexed)

He reminded the Committee that the siting of the mobile surgery could only be located in Park Street, St. Paul's Square or Gallery Square within Walsall Town Centre. He added that Miss Sinclair's constituency covered 33 Councils and that she represented a total of 5.1 million constituents. Currently only Walsall had not been visited in her region. She had not encountered any difficulties when visiting other Authorities. He asked the Committee to recommend to Council whether permission for the use of a promotional site under Section 115(E) of the Highways Act, 1980 should be granted or refused.

Several Members expressed concern that the siting of the mobile advice surgery did not meet the Regulations contained in Appendix 3 of the report for the control of temporary exhibitions, displays, street entertainment, charitable and commercial activities on the highway and should be refused.

Resolved

That Council be recommended to refuse permission for the use of a promotional site as requested by Nikki Sinclair, MEP, under Section 115(E) of the Highways Act, 1980 as it does not meet the prescribed Regulations.

1368/11

Private Session

Exclusion of Public

Resolved

That, during consideration of the remaining items on the agenda, the Sub-Committee considers that the items for consideration are exempt information for the reasons set out therein and Section 100A of the Local Government Act, 1972 and accordingly resolves to consider those items in private.

Summary of items considered in private session

1369/11

Application for an Annual Street Trading Ward consent

The Committee considered the application and granted an Annual Street Trading Ward Consent

1370/11

**Local Government (Miscellaneous Provisions) Act, 1976 -
Application for discrete plates/identification stickers on private
hire vehicle**

The application was deferred

Termination of meeting

There being no further business, the meeting terminated at 6.55 p.m.