

MINUTES OF LICENSING AND REGULATORY COMMITTEE

Wednesday, 17 July 2019
(6:01 - 6:27 pm)

Present: Cllr Moin Quadri (Chair), Cllr Lee Waker (Deputy Chair), Cllr Laila M. Butt, Cllr Kashif Haroon, Cllr Donna Lumsden, Cllr Olawale Martins and Cllr Foyzur Rahman

Apologies: Cllr Peter Chand and Cllr Glenda Paddle

1. Declaration of Members' Interests

There were no declarations of interest.

2. Minutes (1 May 2019)

The minutes of the meeting held on 1 May 2019 were confirmed as correct.

3. Sub-Committee Minutes (10 June 2019)

The minutes of the Licensing Sub-Committee meeting held on 10 June 2019 were confirmed as correct.

4. Public Consultation on the adoption of the amended provisions and Draft Sex Establishments Policy 2019

The Council's Service Manager, Public Protection (SMPP) presented a report on the draft Barking and Dagenham Sex Establishment Licensing Policy, which asked for members' observations on the revised draft policy.

The Council currently acted as local licensing authority for sex establishments under the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Greater London Council (General Powers) Act 1986. The licensing regime deals with sex shops, sex cinemas and sex encounter establishments.

Adoptive provisions established under Section 27 of the Policing and Crime Act 2009 further extended the scope of the Act to also include 'sex entertainment venues'. To date, these provisions have not been adopted locally. Enquiries to the Authority concerning the establishment of such venues have been few in recent years; however, it was considered prudent in the light of the continued regeneration of the borough, to adopt these provisions so as to ensure that any future approaches for licensing may receive full and proper consideration and enable such premises to be properly regulated.

The decision to adopt the amended provisions was required, by law, to be subject to a public consultation.

In the event that Cabinet and then Assembly should decide to adopt the Section 27 provisions following the public consultation, the Council's sex establishment policy be updated and revised accordingly.

The SMPP took members through the draft Sex Establishments Policy, which through the Local Government (Miscellaneous Provisions) Act 1982 enabled a local licensing authority to:

- Grant, transfer and renew a licence to any applicant, on such terms, conditions and restrictions as may be so specified;
- Determine the number of sex establishments that are considered appropriate in a relevant locality (and that number may be nil);
- Determine where the grant or renewal of a licence would be inappropriate having regard to:
 - The character of the locality;
 - The use to which any premises in the locality are put; and
 - The layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.
- Prescribe standard conditions;
- Revoke licences; and
- Carry out enforcement actions.

In response to questions from the Committee, the SMPP advised that:

- A 12-week consultation had begun and was currently advertised on the Councils website. Social media, such as twitter and Facebook would be engaged shortly, and a press release had recently been prepared by the Communications Team;
- Councillors would be consulted at part of the 12-week consultation process; and
- Following a request from the Committee, Youth Zones would be added to the defined categories where further licenced sex related activities would not be permitted.

Members thanked officers for the report and requested that the results of the consultation be reported back to the Committee in due course.

5. Appeals and Applications

The Committee noted the report and requested a further breakdown of the figures for Temporary Event Notices (TENs) in future reports.