



TITLE:	SEX ESTABLISHMENTS
TO/ON:	LICENSING COMMITTEE, THURSDAY 8TH DECEMBER 2005
BY:	SUSAN CHADWICK, LICENSING MANAGER
LEAD MEMBER:	JUDITH DRIVER, STREET SCENE AND LIVEABILITY
STATUS:	FOR PUBLICATION

1. PURPOSE OF THE REPORT

- 1.1 To appoint authorised officers of the Council.
- 1.2 To review, revise and authorise consultation with the Police, Environmental Health, Crime and Disorder Reduction Partnership, Borough Solicitor and Building Control, with regard to the proposed standard conditions applicable to licensed premises under the Local Government (Miscellaneous Provisions) Act 1982 Schedule 3.
- 1.3 To revise the fees applicable to these applications.

2. RECOMMENDATIONS

- 2.1 The Licensing Committee are recommended to:
 - a) exercise their powers to appoint the Licensing Officers of the Licensing Unit as authorised officers of the Licensing Authority.
 - b) authorise the Licensing Manger to consult on the proposed standard conditions (see Appendix A).
 - c) impose the new fees applicable to a Sex Establishment licence.

3. REPORT AND REASONS FOR RECOMMENDATIONS AND TIMETABLE FOR IMPLEMENTATION

- 3.1 The Committee resolved to formally adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 on 26th May 2004 with this adoption coming into effect from 1st July 2004.
- 3.2 The Committee are requested to formalise the appointment of authorised officers of the Council.

- 3.3 The current standard conditions do not impose sufficient precautions to ensure the safety of the public and thus enhance community safety.
- 3.4 Further conditions will continue to link in with our Section 17 Crime and Disorder strategies, in particular the protection of children from harm.
- 3.5 Consultation in order to tighten these conditions would ensure an efficient regulatory service and thereby reduce the risk to the Council.
- 3.6 The current fee of £1,600 for such licence was approved by Committee in May 2004. A list of fees applicable to Councils within Lancashire and bordering Authorities are attached at Appendix B.
- 3.7 It is proposed that the fee be revised to £1,750 to account for the Human Resources required in the processing of the application by consulting, dealing with objections, site inspections and Member resources for the determination of applications.
- 3.8 To accommodate withdrawn applications prior to committee determination, it is recommended that 50% of the fee be refunded to the applicant. This enhances our customer service strategies.
- 3.9 It is proposed that the renewal fee for such a licence be set to the same amount required for the grant of a new licence.

4. CORPORATE IMPROVEMENT PRIORITIES

Risk Management, Performance Management, Customer Services

4.1 FINANCE AND RISK MANAGEMENT

- 4.1.1 The recommendations reduce risk of legal challenges and the financial burden of such challenges.

4.2 MEMBER DEVELOPMENT AND POLITICAL ARRANGEMENTS

- 4.2.1 **Not applicable**

4.3 HUMAN RESOURCES

- 4.3.1 Use is made of existing resources to achieve Best Value.

4.4 ANY OTHER RELEVANT CORPORATE PRIORITIES

- 4.4.1 Quality Services for Local People, Confident Communities, Effective Partnerships and Culture and Leisure.

5. RISK

- 5.1 There is a theoretical risk of legal challenge without formal appointment of officers.

5.2 There is a public safety risk of inefficient regulation without effective conditions imposed on such premises.

6. LEGAL IMPLICATIONS ARISING FROM THE REPORT

6.1 All legal implications are identified in the report

7. EQUALITIES ISSUES ARISING FROM THE REPORT

7.1 Nil

8. WARDS AFFECTED

8.1 All wards

9. CONSULTATIONS

9.1 Nil

Background documents:

1. Current standard conditions relating to Sex Establishments.
2. Proposed standard conditions relating to Sex Establishments.
3. List of Fees

For further information on the details of this report, please contact:

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