
MEETING	LICENSING ACT 2003 COMMITTEE
DATE	6 OCTOBER 2006
PRESENT	COUNCILLORS NIMMO (CHAIR), BARTLETT (VICE-CHAIR), D'AGORNE, EVANS, SUE GALLOWAY, HYMAN, KING, REID, RUNCIMAN, I WAUDBY AND WILDE
APOLOGIES	COUNCILLORS HALL, HORTON, MOORE AND B WATSON

5. DECLARATIONS OF INTEREST

At this point Members were asked to declare any personal or prejudicial interests they had in the business on the agenda.

Councillor Evans declared a personal non-prejudicial interest in agenda item 4 (Operational Implications of the Licensing Act 2003) as an employee of York Museums Trust, who held the licence for Museum Gardens.

6. MINUTES

RESOLVED: That the minutes of the meeting held on 7 July 2006 be approved and signed as a correct record.

7. PUBLIC PARTICIPATION

It was reported that there were no registrations to speak under the Council's Public Participation Scheme.

8. OPERATIONAL IMPLICATIONS OF THE LICENSING ACT 2003

Members received a report which advised them of two operational implications of the Licensing Act 2003 in relation to the performance of exotic dance and the holding of licensable activities on public land where a premises licence is in force.

The report explained that the Council had granted premises licences for nine public spaces within the city. The effect of this was that the licence holders could authorise any other person to hold licensable activities on this land within the limitations and conditions of the licence.

Members noted that the aborted plan to stage a circus in Hull Road Park was inappropriate but not in breach of the licence. They highlighted the need for Council directorates holding licences for public spaces to assess the merits of proposed events and carry out risk assessments, as well as checking that they complied with the licence, and requested that this be drawn to the attention of officers in these directorates.

The report also explained that the relaxation of the licensing laws had seen a number of enquiries from businesses interested in opening venues which provided exotic dancing and that this had resulted in the opening of a lap-dancing club in the Micklegate area of the city. It advised that, whilst the Licensing Authority could not object on moral grounds, it could, alongside statutory bodies and interested parties, take into account the increased risk to the licensing objectives and the statement of licensing policy, set out in paragraphs 15-20, in considering any applications made under the Licensing Act 2003 for grant, variation or review.

With regards to the suggested conditions listed at paragraph 20 of the report, Members noted that the age restriction for performers was 18 and for attendees was 21. They expressed the view that these age restrictions should be the same and noted that the age restriction for performers could not be raised without contravening the Employment Equality (Age) Regulations 2006 and that licence holders' house rules could stipulate an age restriction of 21 for attendees, even if the condition stipulated 18.

Members suggested that a daytime site visit to the club on Micklegate would be useful to view the premises and the CCTV monitoring equipment and procedures.

RESOLVED: That the contents of the report be noted.

REASON: To update Members on the operational implications of the Licensing Act 2003.

G NIMMO
Chair

The meeting started at 2.00 pm and finished at 2.35 pm.