
MEETING	LICENSING & REGULATORY COMMITTEE
DATE	2 JULY 2010
PRESENT	COUNCILLORS GILLIES (CHAIR), HORTON, LOOKER, MOORE (VICE-CHAIR) AND WAUDBY (SUBSTITUTE)
APOLOGIES	COUNCILLOR FIRTH

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS

1. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

Councillor Looker declared a personal non prejudicial interest that she had known one of the applicants' solicitors in a professional capacity many years ago.

Councillor Waudby echoed Councillor Looker's declaration and added that she too had known the solicitor concerned.

No other interests were declared.

2. MINUTES

RESOLVED: That the minutes of the Licensing and Regulatory Committee held on 5 March 2010 be signed and approved by the Chair as a correct record.

3. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the Press and Public be excluded during the consideration of agenda item 5(Application to renew a Hackney Carriage Licence) on the grounds that it contains information relating to the financial or business affairs of a particular person. This informed is classed as exempt under Paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government Act (Access to Information) (Variation Order) 2006.

4. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak under the Council's Public Participation scheme, on general issues within the remit of the Committee.

5. APPLICATION TO RENEW A HACKNEY CARRIAGE VEHICLE LICENCE.

Members were asked to determine the renewal of a Hackney Carriage Vehicle Licence where there was a dispute between two parties as to whose name should be entered on the Licence.

The Council's Head of Licensing Services and a Legal Officer were in attendance. The two parties involved and their legal representatives were also in attendance.

Representations were heard from both parties by the Committee.

In coming to their decision the Committee took into consideration all of the evidence and submissions that were presented to them and determined their relevance to the renewal of the Hackney Carriage Vehicle Licence. The following issues relating to this were taken into account:

- The particular nature of the case in relation to other requests for renewal of Hackney Carriage Vehicle Licences.
- The history and background of the vehicle and its licensing arrangements.
- That the question of vehicle ownership was not contested before the Committee.

RESOLVED: That the licence be granted to the current owner of the vehicle, as the rightful proprietor for vehicle licence plate number 3, and that its issue should be delegated to officers once all appeal opportunities have been exhausted.

REASON: To comply with the Council's legal obligation to determine the applications for hackney carriage vehicle licence renewal.

PART B - MATTERS REFERRED TO COUNCIL

6. REGULATION OF SEXUAL ENTERTAINMENT VENUES

Members considered a report advising them of the introduction of section 21 of the Policing and Crime Act 2009. They were told that the Act introduced adoptive provisions that allowed local authorities to regulate lap dancing clubs and similar venues under the same regime as sex shops and sex cinemas.

Members felt that there was not a need for a city wide consultation in regards to the licensing of sex entertainment venues.

RECOMMENDED: That Council resolve that amendments made to Schedule 2 of the Local Government (Miscellaneous Provisions) Act 1982 by section 27 of the Policing and Crime Act 2009 shall apply to the administrative area of the City of York from 1 December 2010.

REASON: To provide additional controls for the licensing of lap dancing clubs and other sexual entertainment venues in respect to existing and any potential new establishments.

Cllr Gillies, Chair

[The meeting started at 2.05 pm and finished at 3.00 pm].