

Meeting	Gambling, Licensing & Regulatory Committee
Date	7 September 2015
Present	Councillors Douglas (Chair), Boyce (Vice-Chair), Aspden, Flinders, Gillies, Hunter, Looker, Mason, D Myers, Orrell and Taylor
Apologies	Councillors Hayes, Mercer, Richardson and Shepherd

---

## **PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS**

### **6. Declarations of Interest**

At this point in the meeting, Members were asked to declare any personal, prejudicial or disclosable pecuniary interests that they might have had in the business on the agenda. No interests were declared.

### **7. Minutes**

Resolved: That the minutes of the previous meeting of the Gambling, Licensing & Regulatory Committee held on 20 July 2015 be signed and approved by the Chair as a correct record.

### **8. Public Participation**

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

### **9. Renewal of Sex Establishment Licence for Black Orchid (1st floor Tokyo), 3-5 Toft Green, York, YO1 6JT**

Members considered a report which asked them to determine an application for the renewal of a Sex Establishment Licence for a sexual entertainment venue which had been made under the Local Government (Miscellaneous Provisions) Act 1982, Schedule 3, Control of Sex Establishments in respect of Black Orchid (1<sup>st</sup> Floor, 3-4 Toft Green, York, YO1 6JT).

The Chair informed the Committee that this would probably be the final time that the full Committee would determine the renewal of a licence of a Sex Establishment as a new Council policy was being formulated would be determined at a sub committee in future.

In coming to their decision, Members took into consideration all the evidence and submissions that were presented to them including:

In coming to their decision, Members took into consideration all the evidence and submissions that were presented to them including:

1. The application form.
2. The Licensing Managers report and her comments made at the hearing, including that the application was for the renewal of a sex establishment licence in line with Section 27 of the Policing and Crime Act 2009 which allowed local authorities to regulate lap dancing clubs and similar venues. Members were advised that there had been no incidents of public order inside or outside of the building, and that previous issues identified at the site visit which had taken place (ahead of granting the licence??) had now been resolved. The establishment had also installed CCTV cameras in all of its booths.

In respect of the proposed licence, the Committee had to determine whether to take any of the steps mentioned under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended) that it considered necessary.

Members were presented with the following options:

- Option 1    Renew the Licence.
- Option 2    Renew the licence with modified/additional conditions imposed by the Gambling, Licensing and Regulatory Committee.
- Option 3    Reject the renewal application.

Resolved: That Members agreed Option 1 to renew the licence.

Reason: As required by the legislation.

## 10. Explosives Policy

*[See under Part B Minute]*

Members considered a report which outlined and sought support for a proposed Explosives Policy and advised of recent changes to legislation and the consultation undertaken by the Council. The policy was attached at annex 1 of the report.

The Licensing Manager and an Officer from the Council's Trading Standards Department presented the report and informed the Committee that the policy would licence shops to store fireworks. It would also detail the length of a licence, this would depend on the experience of the trader. "Pop up" firework shops would not be licenced for a long term duration. The Fire Authority and North Yorkshire Police would be notified once the licences were granted by the Council.

Officers had the power to enter premises and check that the storage of explosives were kept in a safe manner and conformed to the regulations.

In relation to a question about costs and fees, the Licensing Manager responded that the fees for Licences were fixed but that if an Assent Procedure had to be followed, there could be additional associated procedural costs relating to this.

Resolved: That Full Council approve the Explosives Policy and adopt the delegation scheme.

Reason: To provide the Council with an explosives policy that will aid applicants, licence holders and officers and provide a delegation scheme for dealing with applications.

## PART B - MATTERS REFERRED TO FULL COUNCIL

## 11. Explosives Policy

*[See under Part A Minute]*

Members considered a report which outlined and sought support for a proposed Explosives Policy and advised of recent

changes to legislation and the consultation undertaken by the Council. The policy was attached at annex 1 of the report.

Recommend: That Full Council approve the Explosives Policy and adopt the delegation scheme.

Reason: To provide the Council with an explosives policy that will aid applicants, licence holders and officers and provide a delegation scheme for dealing with applications.

Councillor H Douglas, Chair

[The meeting started at 4.00 pm and finished at 4.35 pm].