

## **GENERAL LICENSING COMMITTEE**

Minutes of a meeting of the General Licensing Committee of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Thursday, 7 October 2021 at 10:00 hours.

### **PRESENT:-**

Members:-

Councillor Ray Heffer in the Chair

Councillors Andrew Joesbury (Vice-Chair), Maxine Dixon, Mary Dooley, Evonne Parkin and Rita Turner.

Officers:- Kevin Shillitto (Solicitor), Charmaine Terry (Environmental Health Team Manager - Licensing), Hannah Cash (Legal Executive) and Tom Scott (Governance Officer).

Also in attendance at the meeting was Councillor Deborah Watson (Portfolio Holder - Environmental Health & Licensing).

### **GLC7-20/21 APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillor Rose Bowler, Councillor David Downes and Councillor Stan Fox.

### **GLC8-20/21 URGENT ITEMS OF BUSINESS**

There was no urgent business to be considered at the meeting.

### **GLC9-20/21 DECLARATIONS OF INTEREST**

There were no declarations made at the meeting.

### **GLC10-20/21 MINUTES**

Councillor David Dixon requested that an amendment be made to the minutes, because the question about making CCTV in taxis financially easier on operators was asked by Councillor David Downes rather than Councillor David Dixon.

Moved by Councillor Ray Heffer and seconded by Councillor Andrew Joesbury.

**RESOLVED** that the minutes of General Licensing Committee on 28<sup>th</sup> July 2021 be accepted as a correct record.

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### GLC11-20/21 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982: APPROVAL OF SEX ESTABLISHMENT POLICY

The Environmental Health Team Manager – Licensing presented a report to consider the responses to the Sex Establishment Policy consultation and approve the draft Sex Establishment Policy for adoption at Council, with officer responses to each consultation comment included in the Appendices. She explained that in summary, the consultation respondents considered:

- 1) That the draft policy was adequate, appropriate and clear;
- 2) That the draft policy was fair to both residents and licensed premises;
- 3) That there was likely no suitable area within the district for a Sex Establishment; and
- 4) That Sex Establishments were not desirable within the District and the adoption of the legislation was not necessary.

The Environmental Health Team Manager – Licensing explained that the response to the consultation showed an overwhelming objection to Sex Establishments being established within the District. She added that if the legislation and the draft policy were not adopted, the Council's powers to regulate such premises would be more limited.

Councillor Andrew Joesbury asked if it was made clear in the draft policy that the Council did not want Sex Establishments. The Solicitor stated that there was a presumption in the policy to that effect.

The Environmental Health Team Manager – Licensing explained that if the policy was approved, a notice about it would need to appear in a local newspaper for 2 weeks. The Solicitor added that a press release would be published at the same time to emphasise that the policy would give the Council more control over Sex Establishments, and would not result in more being opened. The press release would also make the distinction between brothels and Sex Establishments (sexual entertainment venues/sex shops/sex cinemas) because this was a point some consultees had misinterpreted.

Councillor Mary Dooley asked who had been responsible for this policy being produced. The Environmental Health Team Manager – Licensing explained that the advice to produce it was given by the former Council Solicitor.

Moved by Councillor Mary Dooley and seconded by Councillor Andrew Joesbury.

**RESOLVED** that:

- (i) General Licensing Committee notes the outcome of the Public Consultation on adoption of the powers on the control of sex establishments under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by section 27 of the Policing and Crime Act 2009, and the strong feelings expressed by respondents to the consultation.
- (ii) The Joint Assistant Director (Environmental Health) be required to make a report to the next full Council meeting to consider a recommendation to adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended) together with the draft policy.

## **GENERAL LICENSING COMMITTEE**

(Joint Assistant Director - Environmental Health/Environmental Health Team Manager –  
Licensing/Solicitor)

The meeting concluded at 10:45 hours.