

LICENSING AND SAFETY COMMITTEE

Thursday, 27th May, 2010 at 6 pm
in Committee Room 2, The Council House, Dudley

PRESENT: -

Councillor Ryder (Chairman)
Councillor Mrs Dunn (Vice Chairman)
Councillors Mrs Ameson, Mrs Aston, Evans, A. Finch, Mottram, Vickers and
J Woodall.

Officers: -

Senior Solicitor, Licensing Officer and Mr J Jablonski (all Directorate of Law,
Property and Human Resources) and the Food and Occupational Safety Manager
(Directorate of the Urban Environment)

1 DECLARATIONS OF INTEREST

No member made a declaration of interest in accordance with the Members' Code
of Conduct.

2 MINUTES

RESOLVED

That the minutes of the Special Meeting of the Committee held on 24th
February, 2010, be approved as a correct record and signed.

3 APPOINTMENT OF SUB COMMITTEES

A report of the Director of Corporate Resources was submitted on the appointment
of four Licensing Sub-Committees for the municipal year 2010/11 arising from a
decision made at the meeting of Annual Council held on 20th May, 2010.

Appendix 1 to the report submitted set out the functions allocated to the Committee
which it was proposed be delegated to the Sub-Committees. Details of the
proposed membership of Licensing Sub-Committees for 2010/11 and a schedule of
meetings of the Sub-Committees from June, 2010 to May, 2011 were attached as
Appendices 2 and 3 to the report submitted.

Arising from consideration of this matter it was noted that training for new members
appointed to the Committee would be arranged in due course.

RESOLVED

- (1) That four Licensing Sub-Committees, numbered 1 to 4, be established to deal with all licensing functions requiring member determination in accordance with the functions allocated to the Licensing and Safety Committee as set out in Appendix 1 to the report submitted.
- (2) That the membership of the Sub-Committees for 2010/11, as set out in Appendix 2 to the report submitted, be as follows;-

Sub-Committee 1 –
Councillors Ryder *, Evans and Vacancy (Labour Group)

Sub-Committee 2 –
Councillors J Woodall *, Vickers and Mrs Aston

Sub-Committee 3 –
Councillors Mrs Dunn *, Mrs Ameson and Mottram

Sub-Committee 4 –
Councillors A Taylor *, A Finch and Mrs Roberts

with those members whose name appears with an asterisk acting as the Chairman of the respective Sub-Committee.
- (3) That the schedule of meetings of Licensing Sub-Committees for the period June, 2010 to May, 2011, as set out in Appendix 3 to the report submitted, be noted.
- (4) That the substitution arrangements set out in the Council's Procedure rules be noted and be applied to Licensing Sub-Committees subject to an eligibility requirement that any named substitute must be;-
 - (a) appointed to the Licensing and Safety Committee;
 - (b) otherwise eligible to serve on any given occasion; and
 - (c) notified to the Director of Corporate Resources prior to the commencement of the meeting in question and that Democratic Services be responsible for arranging substitutes for Sub-Committees.

4

AMENDMENT TO LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 SCHEDULE 3

A report of the Director of Corporate Resources was submitted on a proposal to adopt the amended Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 in respect of the regulation of sex establishments. The Home Office had

issued Guidance to Sexual Entertainment Venues and the forms of entertainment that would fall within the amended Schedule arising from the coming into force on 6th April, 2010 of Section 27 of the Police and Crime Act 2009. This section re-classified lap dancing clubs as sexual entertainment venues and gave local authorities in England and Wales the power to regulate such venues as sex establishments together with the forms of entertainment indicated in paragraph 5 of the report submitted.

Arising from the consideration given to this matter issues in respect of the fee to be charged and on consultations to be undertaken with interested parties regarding the appropriateness of sex establishments in particular localities needed to be clarified.

RESOLVED

- (1) That the Council be recommended to agree to the adoption with effect from 1st September,2010,of the amended Schedule 3 to the Local Government (Miscellaneous Provisions) Act, 1982, as a consequence of the coming into force of Section 27 of the Police and Crime Act, 2009,on 6th April,2010, giving local authorities in England and Wales the power to regulate sexual entertainment venues as sex establishments and that the Director of Corporate Resources be authorised to agree any consequential amendments to the Constitution and arrangements for the publication of the required Notices to bring this matter into effect.
- (2) That a Special Meeting of the Committee be held in due course, following the consultations to be held with interested parties, regarding the appropriateness of sex establishments in particular localities and on clarification as to the fee to be charged.

5

HEALTH AND SAFETY ENFORCEMENT SERVICE PLAN 2010-11

A report of the Director of Urban Environment was submitted on the Health and Safety Service plan 2010-11, including a review of achievements of the service in 2009-10.

The Food and Occupational Safety Manager in her presentation of the report, highlighted various aspects contained within the report, in particular the key achievements of the health and safety enforcement service in 2009-10 and the Regulatory Services Peer Challenge process as referred to in paragraph 9 of the report.

The Manager also referred to the content of paragraph 11 of the report updating the Committee on previous information given in respect of the Primary Authority Scheme.

Following questions on the content of the report it was

RESOLVED

That the information contained in the report submitted, on the Health and Safety Service Plan, 2010-11, be endorsed; that the achievements of the service in 2009-10 be noted and that the Food and Occupational Safety Manager and her team be thanked for the work achieved as outlined in the report submitted.

The meeting ended at 6.33 pm.

CHAIRMAN