
LICENSING (GENERAL PURPOSES) SUB-COMMITTEE

4 NOVEMBER 2011

Present:- Councillors Downing (Chairman), De-Vaux Balbirnie, V E Guglielmi, Powell, Pugh, Skeels.

Substitute Members:- Councillor Caines (for Councillor Casey).

Also Present:- Councillors McWilliams and White (except item 26).

In Attendance:- Streets and Seafronts Manager, Solicitor (WRR), Licensing Officer (AT), Senior Democratic Services Officer, Democratic Services Officer (ER).

(10.00 a.m. – 12.27 p.m.)

18. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Casey and Fawcett.

19. MINUTES

The minutes of the meeting of the Sub-Committee held on 2 September 2011 were approved as a correct record and signed by the Chairman.

20. HACKNEY CARRIAGE/PRIVATE HIRE LICENCES

The Sub-Committee noted the contents of a report of the number of drivers, vehicles and operators that were licensed with this Authority, which report was submitted for its information only.

21. REQUEST TO VARY THE OPENING HOURS OF A SEX ESTABLISHMENT LICENCE – THE ADULT CENTRE, 28 ORWELL ROAD, CLACTON ON SEA, ESSEX

The Sub-Committee considered an application from Miss Amanda Allen for the variation of the Sex Establishment Licence held in respect of the above premises.

The request was to vary the current opening hours of the existing Sex Establishment Licence in respect of the above premises to extend to 8.00 p.m. the opening hours on Mondays to Saturdays and to allow trading on Sundays. The current hours were from 10.00 a.m. to 7.00 p.m. on Mondays to Saturdays inclusive and not at all on Sundays and the variation requested was to allow trading on Mondays to Saturdays from 10.00 a.m. to 8.00 p.m. and Sundays from 10.00 a.m. to 4.00 p.m.

It was reported that consultation papers had been sent to Essex Police and the local Ward Councillors. At the time of the meeting no comments, objections or observations had been received from either of the afore-mentioned sources. Residents in the neighbourhood considered likely to be affected by the application had been consulted and no objections had been received by the date of the meeting.

Members were informed that the application had been displayed on the premises in the prescribed manner and a public notice inserted in a local newspaper as required by statute.

The Sub-Committee had before it, as set out in Appendix B to item A.2 of the Report of the Interim Head of Customer Services, those grounds which were material to the determination of such an application as set out in the Local Government (Miscellaneous Provisions) Act 1982.

The Sub-Committee was advised that the applicant had been invited to attend the meeting to put her case.

Miss Allen attended the meeting, spoke in support of the application and answered Members' questions.

It was moved by Councillor De-Vaux Balbirnie, seconded by Councillor Caines and:-

RESOLVED – That the afore-mentioned application for the variation of the Sex Establishment Licence, in respect of The Adult Centre, 28 Orwell Road, Clacton-on-Sea, be granted.

22. APPLICATION FOR THE RENEWAL OF A SEX ESTABLISHMENT LICENCE – PRIVATE SHOP, 28 ROSEMARY ROAD, CLACTON-ON-SEA

The Sub-Committee considered an application from Darker Enterprises Limited for the renewal of a Licence to run a Sex Establishment at 28 Rosemary Road, Clacton-on-Sea. It was reported that the applicant proposed that trading would continue to take place from 10.00 a.m. to 7.00 p.m. on Mondays to Saturdays and 10.00 a.m. to 8.00 p.m. on Mondays to Saturdays from 13 December to 23 December inclusive and from 10.00 a.m. to 4.00 p.m. on Sundays.

The Sub-Committee was advised that the premises complied with the current conditions imposed, as set out in Appendix 'A' to item A.3 of the Report of the Interim Head of Customer Services.

It was further reported that consultation papers had been sent to Essex Police and the local Ward Councillors. At the time of the meeting no comments, objections or observations had been received from either of the afore-mentioned sources. Residents in the neighbourhood considered likely to be affected by the application had been consulted and no objections had been received by the date of the meeting.

Members were informed that the application had been displayed on the premises in the prescribed manner and a public notice inserted in a local newspaper as required by statute.

The Sub-Committee had before them, as set out in Appendix 'B' of the afore-mentioned report, those grounds which were material to the determination of such an application as set out in the Local Government (Miscellaneous Provisions) Act 1982.

The Sub-Committee was advised that the applicant had been invited to send representatives to attend the meeting but that no-one was present.

It was moved by Councillor V E Guglielmi, seconded by Councillor Powell and:-

RESOLVED – That the afore-mentioned application for the renewal of a Sex Establishment Licence for one year, in respect of Private Shop, 28 Rosemary Road, Clacton-on-Sea, be granted subject to the conditions as set out in Appendix 'A' to item A.3 of the Report of the Interim Head of Customer Services.

23. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor De-Vaux Balbirnie, seconded by Councillor Skeels and:-

RESOLVED - That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business to be considered below on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act:-

- (a) Special minutes of the meeting of the Sub-Committee held on 2 September 2011.
- (b) Report of Interim Head of Customer Services
 - B.1 - Review of a Hackney Carriage Driver's Licence
 - B.2 - Applications for the Grant and Renewal of Hackney Carriage and Private Hire Drivers' Licences.

24. SPECIAL MINUTES

The special minutes of the meeting of the Sub-Committee held on 2 September 2011 were approved as a correct record and signed by the Chairman.