

Minutes of the **Licensing Committee**  
of the **Test Valley Borough Council**  
held in Council Chamber, Duttons Road, Romsey  
on Wednesday 17 November 2010 at 5.30 pm

Attendance:

<b>Councillor A Hope</b> <b>(Chairman)</b>	(P)	<b>Councillor J N Anderdon</b> <b>(Vice-Chairman)</b>	(A)
Councillor D Baverstock	(A)	Councillor M Kerley	(A)
Councillor C S Borg-Neal	(-)	Councillor P Lashbrook	(P)
Councillor P R Bundy	(P)	Councillor J Lovell	(P)
Councillor E Charnley	(A)	Councillor P Mutton	(A)
Councillor A G Dowden	(P)	Councillor A L Tupper	(-)
Councillor A F Dyde	(A)	Councillor J Whiteley	(P)
Councillor I Hibberd	(P)		

267

**Minutes**

**Resolved:**

**That the minutes of the meeting held on 19 October 2010 be confirmed and signed as a correct record.**

268

**Licensing of Sexual Entertainment Venues**

The Committee considered a report by the Licensing Manager regarding proposals to adopt new provisions for the regulation of sexual entertainment venues.

The Licensing Manager explained that Section 27 of the Policing and Crime Act 2009 allows local authorities to regulate lap dancing clubs and similar venues under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and gives local authorities powers to control the number and location of lap dancing clubs and similar venues in their area. However, these powers are not mandatory and will only apply where they have been adopted. Where adopted, the provisions of Schedule 3 will allow the Council to refuse an application on potentially wider grounds than is currently permitted under the Licensing Act 2003 and will give local people a greater say over the regulation of lap dancing in pubs and similar venues in their area.

The Licensing Manager confirmed that this type of premises has not been a cause of problems in Test Valley and at the present time there is only one premise that is likely to need to comply with the new licensing requirements (The George, George Yard, High Street, Andover). The management of those premises are aware that they may need to apply for this new licence. Hampshire Constabulary has asked if the Council will be adopting the new provisions and there is an expectation on their part that the authority will do so.

A Member expressed concern that a premise which provided entertainment on an infrequent basis is exempt from the need for a licence. The legislation stated that to comply with this exemption premises must not have provided relevant entertainment on more than 11 occasions within the previous 12 months, no such occasion must have begun within the period of one month beginning with the end of any previous occasion and no such occasion must last for more than 24 hours.

In response to a question from a Member, the Licensing Manager confirmed that the licence fee had been set at a level that was sufficient to cover the cost of administering the licence and no more. Officers had undertaken an exercise in calculating the total cost to the Council of processing and issuing a licence which would be set at £1460. The Licensing Manager agreed to provide the Committee with a detailed breakdown of the costs and to ensure the Cabinet were similarly informed prior to their consideration of the report.

**Resolved:**

**That the standard conditions for sexual entertainment venue licences as set out in Annex 3 to the report be applied.**

**Recommended to Council:**

**That Schedule 3 of the Local Government (Miscellaneous Provisions Act) 1982 as amended by section 27 of the Policing and Crime Act 2009 be applied to the Borough of Test Valley.**

**That the powers and duties of the Licensing Committee be amended as set out in Annex 1 to the report.**

**Recommended to Cabinet:**

**That the fee for a sex establishment licence be set at £1460 for the grant, renewal or transfer of a licence and £182 for the variation of a licence.**

**That the policy with regard to the licensing of sexual entertainment venues as set out in Annex 2 to the report be adopted.**

(Meeting terminated at 6.06 pm)