

LICENSING POLICY COMMITTEE

MINUTES OF A MEETING of the Licensing Policy Committee held on Wednesday 21 September 2011 at 9.30am in the executive meeting room, 3rd floor of the Guildhall, Portsmouth.

Present

Councillors Les Stevens (chair)
Peter Eddis (vice chair)
Margaret Adair
Ken Ellcome
Jason Fazackarley
Malcolm Hey
Lee Mason
Eleanor Scott (standing deputy for Councillor Fuller)
Lynne Stagg

6. Apologies for Absence (AI 1)

Apologies for absence were received from Councillors David Fuller, Margaret Foster, James Williams, Jacqui Hancock and April Windebank, and standing deputies, Councillors Hugh Mason and Frank Jonas.

7. Declaration of Members' Interests (AI 2)

There were no declarations made.

8. Minutes of the Licensing Policy Committee meeting held on 23 February 2011 (AI 3)

(TAKE IN MINUTES)

RESOLVED that the minutes of the Licensing Policy Committee meeting held 23 February 2011 be agreed and signed by the chair as a correct record.

9. Minutes of the Licensing Sub Committee meetings held on 10 February, 9, 16, 29 and 30 March, 3 and 11 May, 1, 22 and 29 June, 14, 19 and 27 July & 24 and 31 August 2011 (AI 4)

(TAKE IN MINUTES)

RESOLVED that the minutes of the Licensing Sub Committee meetings held on 10 February, 9, 16, 29 and 30 March, 3 and 11 May, 1, 22 and 29 June, 14, 19 and 27 July & 24 and 31 August 2011 be agreed as a correct and signed by the relevant chair of the meeting.

10. Sex Establishment Licensing – Consideration of options for formulating a draft policy for consideration. Schedule 3 Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009. (AI 5)

(TAKE IN REPORT BY THE LICENSING MANAGER)

The Licensing Manager introduced the report and explained that members today must consider its preferred approach in the formulation of its draft sex establishment policy, having regard to the options as set out in the report. The Licensing Manager went on to explain in detail the three options available and the potential areas of concern including reference to established case law. The Licensing Manager will then prepare a draft policy for consideration and approval prior to public consultation.

Deputations were heard from Ms Charlie Dacke, Ms Sarah Bland, Caroline Storey and Eleanor Hill (local residents) and Shonagh Dillon (manager, Early Intervention Programme) who all spoke in favour of Option 1 and made the following points during their representations:

- On 22 March 2011 the council voted to adopt the new measures and this included Councillor Halls amendment;
- Residents of Portsmouth do not want lap dancing in the city;
- Today there is the 'freshers fayre' and there will be new young female students who will be approached by owners looking to recruit;
- Many local authorities have adopted a 'nil' cap;
- If you care about young women the committee will adopt a 'nil' cap too;
- Moved from Plymouth to Portsmouth. Portsmouth is a great place in comparison except for the sex establishments;
- Residents would welcome a 'nil' option;
- Urge the committee to take a firm stance and adopt a 'nil' cap;
- The committee has a responsibility to keep homes and streets safe;
- Feel vulnerable when having to pass 'clubs' when they are open with sexually charged men hanging around the premises;
- Lap dancing clubs encourage women to be seen as sex objects;
- Men force women into these establishments to work; for financial gain;
- Do have people coming forward and our department are supporting victims.

Councillor Terry Hall spoke in favour of Option 1 and included the following points in her representations;

- Residents do not want more establishments;
- Had numerous reports/complaints from the establishment in my ward;
- The building itself is run down and scruffy, and now has degrading graffiti scrawled on the outside walls;
- Many women are scared to venture out at night;
- Live in a city with high percentage of teenage pregnancies;
- Adults should not sanction these type of establishments;
- SEVs do not help with tourism in the city;
- Urge the committee to adopt a 'nil' cap for a safer city to be proud of.

Ms Julia Palmer (solicitor) and Mr Glenn Nicie (FYEO Operations Director/Owner) spoke (and submitted a written deputation) in support of Option 3 and included the following points in their representations;

- Have 3 licences granted to premises in Newcastle for SEVs;
- Have operated a good, clean business for over 15 years;
- I have children of my own and am a family man;
- Club employs a number of local people, for bar, waiting, security and management work;
- Endorse the licensing managers report with regards to option 1, a 3-mile radius would be contrary to case law;
- Support option 3;
- If premises are licensed, they are then controlled;
- Better to have control over premises than for them to be poorly operated.

Written deputations had been submitted by Mandy Webb, Sam Britton, Kim Shawyer and Becky Gardner (local residents) and Tricia Cane, Portsmouth City Unison – Women's Officer which were circulated to all members of the Licensing Committee.

Members' questions: Members sought clarification as to whether the views of the Police and the ACPO (Association of Chief Police Officers) had been sought, what happens to existing venues and will there be a wind down period?

Members' comments: Licensing Manager to ensure that there is a body of evidence available at the next meeting including a report from the Police, domestic violence in the city is on the increase, views of faith communities, statistics can be twisted either way, domestic violence/sexual encounters have been taking place in the city long before lap dancing clubs were established, wards could be used as 'locality', local people frequent SEVs, local people are employed at SEVs, matter of personal choice to work or visit an SEV, rude graffiti not just attributable to SEVs, Hilsea railway is an example of this, feel there is sufficient SEVs in the city, keep current venues open if they are operating well.

RESOLVED that:

- 1. The Licensing Committee agreed that Option 1 – identifying pre-determined localities and the imposition of numerical controls, where appropriate – should be followed in respect of the drafting of the sex establishment policy.**
- 2. The Head of legal, Licensing and Registrars be authorised to draft a policy for consideration and approval by the Licensing Committee prior to public consultation.**

11. Annual Review of Licensing Fees (AI 6)

(TAKE IN REPORT BY THE LICENSING MANAGER)

RESOLVED;

- 1. That the proposed table of licensing fees be approved and implemented with immediate effect; and**
- 2. That the Head of Legal, Licensing and Registrars be given authority to advertise, (where appropriate), such fees and charges that are subject to any formal public statutory consultation.**

12. Recent Prosecutions – Licensing Matters (AI 7)

(TAKE IN REPORT BY THE LICENSING MANAGER)

The committee wished to place on record their thanks to officers for all their hard work with enforcement.

RESOLVED that the report be noted.

The meeting concluded at 11.30am.

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Signed by the chair of the committee
Councillor Les Stevens.