

**COUNCIL'S SCHEME OF DELEGATION –
DETERMINING APPLICATIONS FOR SEXUAL ENTERTAINMENT VENUE LICENSES**

Submitted by: Rebecca Cooper – Legal Services

Purpose of the Report

To inform the Committee of the need to amend the Council's Scheme of Delegation to determine applications for Sexual Entertainment Venue licences.

Recommendation

That it be recommended to full Council that the Council's Scheme of Delegation be amended to provide:-

- (1) that all applications for the grant of a new Sex Establishment Licence will be determined by the Licensing Committee.
- (2) that all applications for the grant, variation or transfer of Sex Establishment Licences whether or not representations are received will be determined by the Licensing Committee.

1. **Background**

Members will recall that at the Council meeting on the 23rd February 2011 the Sex Establishment Policy in relation to the regulation and licensing of Sex Establishments was adopted. A Sex Establishment means a Sex Cinema, Sex Shop or Sexual Entertainment Venue.

It is proposed to amend the Council's current Scheme of Delegation by deleting the current all encompassing delegation at item 11 'Licensing Functions' and replace that delegation with the specific delegations recommended above in order to reflect what is contained in the agreed policy.

2. **Issues**

The Council is obliged to exercise all of its powers and duties in accordance with the law and the Constitution.

3. **Options**

The Committee can only act in accordance with its delegated powers.

4. **Options Linked to Sustainable Community Strategy and Corporate Priorities**

Creating a Borough of Opportunity

People are able to work can do so and there is improved prosperity.
There is an entrepreneurial culture.

Creating a Cleaner, Safer and Sustainable Borough

People are safe and feel safe in their homes, neighbourhoods parks and open space

People have access to enjoy and feel safe in our towns, shopping centres and places of work.

5. **Legal and Statutory Implications**

Failure to follow the correct procedure could result in judicial challenge.

6. **Equality Impact Assessment**

No issues identified

7. **Financial and Resource Implications**

Fees charged cover the Council's costs

8. **Major risks**

None