

BARNSELY METROPOLITAN BOROUGH COUNCIL

GENERAL LICENSING REGULATORY BOARD

18th January, 2012

13. **Present:** Councillors C. C. Wraith (Chairman), P Birkinshaw, J Carr, M Dyson, Gaunt, Key, Kyte, Lamb, Leech, Millner, Mitchell, Noble, Price, M Sheard, Shepherd and Worton.

14. **Declarations of Personal Interest**

There were no declarations of personal interest from Members in respect of items on the agenda.

15. **Minutes**

The minutes of the meeting held on 21st September, 2011 were taken as read and signed by the Chairman as a correct record.

16. **Sex Shop Premises**

- (a) **Urgent Action Taken under Paragraph A16 of the Responsibility for Non-Executive Functions – Officer Delegations**

The Acting Chief Executive submitted a report requesting members to note the action taken as a matter of urgency, following consultation with the Chair of this Regulatory Board, in granting a temporary extension to the 19th January, 2012 of the Sex Shop Licence for 3, Doncaster Road, Barnsley.

RESDOVED that the action taken under Paragraph A16 of the Responsibility for Non-Executive Functions – Officer Delegations, as contained within the Appendix attached to the minutes be noted.

- (b) **Sex Shop Licence – 3, Doncaster Road, Barnsley – Renewal Application**

The Principal Officer Licensing will submit a report on an application from Darker Enterprises Ltd for the renewal of their licence to use the premises at 3, Doncaster Road, Barnsley as a Sex Shop from 29th November, 2011.

Since the granting of the previous licence some 12 months ago, no complaints had been made regarding the operation of the premises and neither had there been any representations received to the statutory consultation of proposals for the renewal of the licence.

RESOLVED that the licence in respect of 3, Doncaster Road, Barnsley be approved in accordance with the previous licences issued

(c) Renewal Applications

The Borough Secretary and Assistant Director (Planning and Regulatory Services) submitted a joint report seeking approval to authorise the Assistant Director (Planning and Regulatory Services), following consultation with the Chairman of the General Licensing Regulatory Board, to determine sex shop premises licence renewal applications where no adverse comments had been received during the consultation process and where there were no concerns and substantial changes made regarding the operation of the premises.

It was noted that Barnsley had relatively few licenced sex shop premises and those that there were, were generally well managed and few or no representations were received to the statutory consultation on renewal applications. The proposal would streamline the process and prevent delays in determining such application and, in addition, it would prevent the need to take urgent action in the event that there was no meeting of the Board scheduled within a 'reasonable' timescale.

It was also noted that because of the potential controversial nature of these licences, all new applications would continue to be submitted to the Board for approval.

RECOMMENDED TO FULL COUNCIL ON THE 1ST MARCH, 2012:-

- (i) that the Assistant Director (Planning and Regulatory Services) be authorised, following consultation with the Chair of the General Licensing Regulatory Board, to determine applications for the renewal of Sex Shop premises Licences where no adverse comments have been received to the statutory consultation process and where there are no concerns and substantial changes made regarding the operation of the premises; and,
- (ii) that the Constitution of the Council be amended accordingly.

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Chairman

Action Taken under Paragraph A16 of the Responsibility for Non-Executive Functions – Officer Delegations contained in the Council Constitution

- | | <u>Date of Decision</u> |
|---|--------------------------------|
| 1. <u>Sex Shop Premises, 3 Doncaster Road, Barnsley</u> | 24 th |
| <u>Assistant Director Planning and Regulatory Services</u> | November, 2011 |

That the extension to 19th January, 2012 of the Sex Shop Licence for 3 Doncaster Road, Barnsley be approved in accordance with the previous licences that have been issued.

