

## Agenda Item:

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**Meeting:** Regulation Committee  
**Date:** 25 August 2010  
**Subject:** Notification to Members of Intention to Adopt Provisions of the Local Government (Miscellaneous Provisions) Act 1982  
**Report of:** Jane Moakes, Assistant Director Public Protection  
**Summary:** The report proposes to provide an update to Members in relation to the process and intention to adopt relevant provisions of the Local Government (Miscellaneous Provisions) Act 1982, for the licensing of Sexual Entertainment Venues and Street Trading.

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**Contact Officer:** Patricia Davies (licensing & Policy Officer); David McBain (Licensing Enforcement Officer)  
**Public/Exempt:** Public  
**Wards Affected:** ALL  
**Function of:** Council

### **RECOMMENDATIONS:**

- 1. that the Committee note the contents of the report.**

### **Introduction**

1. The purpose of the report is to provide an update to members in respect of the above mention issue.
2. It is the intention of the Central Bedfordshire Council Licensing team to seek committee approval for the adoption of the schedules of the Local Government (Miscellaneous Provisions) Act 1982, mentioned above.
3. The purpose of the intention to adopt the relevant provisions is to enable the Council to introduce the following:

### **Local Government Miscellaneous Provision Act, Schedule 3 – Control of Sexual Entertainment Venues**

4. Adoption of schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 will enable the Council to control the licensing of sex establishments.
5. Section 27 of the Policing and Crime Act 2009 has amended Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, to insert paragraph 2a, to include a new category of sex establishment known as a “sexual entertainment venue”. This gives local authorities powers to control the number and location of lap/pole/table dancing clubs, strip/peep shows, live sex shows and similar venues.

6. Premises which previously provided these facilities as “Regulated entertainment” under the Licensing Act 2003 licences are no longer able to do so and will need a sex establishment licence.
7. Within Central Bedfordshire there are venues that will need to be considered under this legislation.

#### **Local Government Miscellaneous Provision Act, Schedule 4 – Street Trading**

8. Adoption of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 will enable the Council to control the numbers and quality of street traders in the area. The purpose of this is to allow the Council to add vitality and choice to town centres and raise additional income.
9. Street trading is defined as “The selling or exposing or offering for sale of any article (including a living thing) in a street.
10. A street is defined as “any road, footway, beach or other area to which the public have access without payment, and, a service area as defined in section 329 of the Highways Act 1980”.
11. The intention is to make all streets in the area of Central Bedfordshire “Consent streets” – where street trading can lawfully take place with the consent of the Council.
12. At the moment policies are being written and procedures finalised to enable us to put the proposals before the next meeting of the Licensing and Regulation Committee on 17<sup>th</sup> November 2010, with the intention that the schemes can be in place early in 2011.

#### **Conclusion**

13. At future meetings, the Committee will be asked to consider the adoption of the provisions of the Local Government Miscellaneous Provision Act, and, if appropriate, approve the necessary consultation. At that time a fuller update will be given to members.

<b>CORPORATE IMPLICATIONS</b>
<p><b>Council Priorities:</b> Increased community safety. Compliance with Central Bedfordshire’s Licensing objectives.</p> <p><b>Financial:</b> None. Subject to the cost of advertising. The administrative team who can undertake the work is already in place.</p> <p><b>Legal:</b> Compliance with the requirements of the Local Government (Miscellaneous Provisions) Act 1982.</p>

**Risk Management:**

None

**Staffing (including Trades Unions):**

None

**Equalities/Human Rights:**

None

**Community Safety:**

None

**Sustainability:**

None

**Appendices:**

None.