

## REGULATORY COMMITTEE

*At a meeting of the Regulatory Committee held on 4<sup>th</sup> October 2004  
at the Town Hall, Runcorn*

Present: Councillors Philbin (Chairman), Cole, Cross, Drakeley, D. Inch, Lowe, Pearsall and E. Ratcliffe.

Apologies for absence: Councillor Wainwright.

Absence declared on Council business: None.

### ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE COMMITTEE

*Action*

#### REG4 APPLICATION FOR SEX SHOP LICENCE AT 119 ALBERT ROAD, WIDNES

The Committee considered an application for a Sex Shop Licence at 119 Albert Road, Widnes. The applicant, Mr. Stephen Wesley, attended the meeting and addressed the Committee in support of the application.

The Chairman invited Ward Councillor E. Jones to address the Committee to raise concerns regarding the application on behalf of local residents.

The Committee noted that Section 2 and Schedule 3 of the Local Government Act (Miscellaneous Provisions) Act 1982 enabled local authorities to adopt controls over sex establishments. The Council adopted these provisions in 1983 and confirmed its policies and procedures in 2000 after consideration by the Council's Licensing Review Body. Details of circumstances where an application must be refused as well as circumstances where an application may be refused were outlined in the report.

Objections could be made to the grant of a licence not later than 28 days after the date of the application. Within this period over 2,000 objections were received in response to the application. The Committee was advised that they could take these objections into account in the extent that they raised issues which were material to the potential grounds for refusal set out in the legislation. An analysis of the objections was set out in the report.

In accordance with the procedure for sex shop applications, Members of the Board, Council Legal representatives and the Committee Administrator left the room to consider the application.

Following consideration of the objections and the application put forward, the Committee returned and a decision was provided to the applicant and members of the public present.

RESOLVED: That the application be refused on the grounds that for the purpose of paragraphs 12 (3) (d) (i) and (ii) of Schedule 3 to the Act. The grant of a licence would be inappropriate having regard to the character of premises in the locality shown on Plan 2, namely

Chief Executive

- Fairfield Junior School;
- Fairfield Infants School;
- Gospel Hall, Peelhouse Lane;
- Day Centre, Peelhouse Lane;
- Trinity Methodist Church;
- Nursing Home, Albert Road;
- Hannah and Olivier Court Nursing Home;
- Children's Daycare Centre, Deacon Road;
- Baptist Church, Deacon Road;
- Fairfield High School;
- St. Bede's Church and School;
- St. Ambrose Church;
- Mill Brow Nursing Home; and
- to the predominantly residential use of premises in the vicinity.

REG5 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT, 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

In view of the nature to be transacted, it was:

RESOLVED: That under Section 100(A)(4) of the Local Government Act 1972 the public and press be excluded from the meeting for the following items of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 7 of Part 1 of Schedule 12A of the Act.

REG6 TAXI MATTERS

The Committee were asked to determine the referral cases, details of which had been circulated to Members of the Committee only. Six of the applicants attended the Committee in support of their applications.

RESOLVED: That in respect of:

Case No. 661

A Single Status Drivers Licence be renewed for one year. Thereafter the licence be renewed on an annual basis for the subsequent two years.

Chief Executive

Case No. 662

A Hackney Carriage Vehicle Licence late renewal application be allowed on the condition that the Licence is not transferred within 12 months from the issue of the licence.

**COUNCILLOR PEARSALL IN THE CHAIR**

Case No. 663

Permission to allow advertising on Private Hire Vehicles and for an exemption of the Council's official door stickers be refused.

*(N.B. Councillor Philbin declared a personal and prejudicial interest in Case No. 663 and left the room during its consideration).*

*Meeting ended at 9.45 p.m.*

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