

SALISBURY DISTRICT COUNCIL
SPECIAL DELEGATION PROCEDURE

Cllr

For your approval &
return to DSU

For Information

Committee: **CITY AREA (Planning & Licensing)**

FROM: T Oke – Licensing Officer

SERVICE UNIT: Environmental Health Services

DATE: 12th February 2004

SEX ESTABLISHMENT LICENSING

1. Introduction

- 1.1 On the 6th August 2003 the Planning & Regulatory Panel resolved to adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 which enables the Council to licence sex shops. Prior to this sex shops could operate but they could not sell R18 videos.

2. Procedure

- 2.1 Information was sent to four companies who had shown interest in operating licensed establishments. Applications were received from the two existing sex shops operating in Salisbury.
- 2.2 On 24th October 2003 an application was received from Mr S Sternschuss, the proprietor of Amazing Fantasy, 105 Fisherton Street, Salisbury.
- 2.3 On 27th October 2003 an application was received from Mr R G Darker, the proprietor of the Adult Shop, 125 South Western Road.
- 2.4 These applications were advertised on the premises, in the local press and were referred to the local ward Councillors. No objections were received and consequently the licensing officer issued licences to the applicants.
- 2.5 As part of the Council's scheme of delegation Area Committees are authorized to deal with applications for sex shops. In other licensing functions there is a further delegation to Service Unit Heads and licensing officers where there are no objections made to application but it has emerged that this was not extended to sex shops.
- 2.6 Further to 2.5 above, on 21st January 2004, Cabinet considered the Licensing Officer's report on the licensing of Sex Establishments and the Council on 18th February is being recommended to give delegated authority to the Head of Environmental Services.

3. Recommendation

3.1 In the circumstances you are requested to regularise the situation by endorsing the Licensing Officer's decision to licence the two existing shops.

4. Background Papers - None

5. Implications:

- **Financial:** None
- **Legal:** Contained in the report
- **Personnel:** None
- **Community Safety:** None
- **Council's Core Values:** By accepting the recommendation it will enable Council officers to continue to provide Excellent service in line with the Council's core values.
- **Ward(s) Affected:** All City Wards
- **Consultation Undertaken:** Legal

(Please tick relevant box)

IMPLICATIONS	OFFICER	COMMENTS (incl)	NONE	NOT APPLICABLE
Legal		In the report		
Financial			√	
Personnel			√	
Environmental		In the report		

Co-ordinated with

Officer (s)

Unit (s)

APPROVED :

Chairman : Vice Chairman :