

**Report to:** **PUBLIC PROTECTION SUB-COMMITTEE**

**Relevant Officer:** Tim Cogan, Service Manager - Public Protection

**Date of Meeting** 12 July 2022

## **APPLICATION FOR A SEXUAL ENTERTAINMENT VENUE – 11 – 13 Queen Street, Blackpool.**

### **1.0 Purpose of the report:**

1.1 To consider an application by AA Recreation 1 Ltd for a Sexual Entertainment Venue (SEV) licence for 'Dreams' 11 – 13 Queen Street, Blackpool.

### **2.0 Recommendation(s):**

2.1 The Sub-Committee will be requested to determine the application.

### **3.0 Reasons for recommendation(s):**

3.1 An application needs to be determined.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

### **4.0 Other alternative options to be considered:**

4.1 The Sub-Committee can determine to grant or refuse the application.

### **5.0 Council priority:**

5.1 The relevant Council priority is:  
"The economy: Maximising growth and opportunity across Blackpool."

### **6.0 Background information**

6.1 On 8 September 2021, the Sub-Committee heard an application by AA Recreation 1 Ltd for a new Sexual Entertainment Venue licence at 11/13 Queen Street. Having considered the objection, the Sub-Committee determined to defer a decision on the application pending the

outcome of an appeal by Pool Construction Ltd against the refusal to transfer the licence for 15/17 Queen Street.

- 6.2 The appeal remains outstanding, listed for hearing on 12 October 2022.
- 6.3 Due to the time elapsed since first consideration this application is brought back before the Sub-Committee for determination. The Sub-Committee is reminded that the 2016 Sex Establishment Policy was in force at the time of application and original hearing. The Sub-Committee may hear an argument that they should however base any decision on the revised Policy approved in 2021. Counsel will be present at the hearing to advise the Sub-Committee.

Schedule 3 Local Government (Miscellaneous Provisions) Act 1982, governs the issue of SEV licences.

The Act provides a number of discretionary grounds on which an application may be refused:

- (a) that the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- (b) that if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;
- (c) that the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality;
- (d) that the grant or renewal of the licence would be inappropriate, having regard
  - to the character of the relevant locality; or
  - to the use to which any premises in the vicinity are put; or
  - to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

- 6.4 Does the information submitted include any exempt information? No

**7.0 List of Appendices:**

- 7.1 Appendix 2A - Application  
Appendix 2B - Objection  
Appendix 2C – Sex Establishment Policy 2016

**8.0 Financial considerations:**

- 8.1 None.

**9.0 Legal considerations:**

9.1 This licence may only be refused on one of the grounds listed in Schedule 3 Local Government (Miscellaneous Provisions) Act 1982.

There is the right of appeal to the Magistrates' Court if the refusal relates to the unsuitability of the applicant.

**10.0 Risk management considerations:**

10.1 None.

**11.0 Equalities considerations:**

11.1 None.

**12.0 Sustainability, climate change and environmental considerations:**

12.1 None.

**13.0 Internal/external consultation undertaken:**

13.1 None.

**14.0 Background papers:**

14.1 Local Government (Miscellaneous Provisions) Act 1982.