

REGULATION COMMITTEE

6th September 2010 at 6.00 pm

PRESENT: Councillor: Riaz (Chair), Mead, Rutstein, Singh and Worthing

17 APOLOGY FOR ABSENCE (REF: 1)

An Apology for absence from the meeting was received from Councillor Ayub.

18 MINUTES (REF: 2)

Resolved: That the Minutes of the meeting of the Committee held on 9th June 2010 be taken as read, approved as a correct record and signed by the Chair.

19 PROPOSED GATING ORDER IN RELATION TO BEECH HILL FOOTPATH (REF: 7)

The Committee received a report from the Head of Street Services in relation to the Beech Hill footpath. On 7th September 2009 Regulation Committee authorised formal notice procedure. Following formal consultation 2 objections have been received to the gating order.

The previous informal gating of the footpath had considerably reduced the number of anti social behaviour incidents being reported and the increased journey to walk the alternative route (via Hampton Road) was 33 seconds. 99% of users stated that they would walk the alternative route if the footpath was closed.

Resolved: (i) That the report (Ref: 7) be noted.

(ii) That the installation of a gating order in respect of the footpath running between 54 and 56 Ash Road, alongside Beech Hill Primary School to Dunstable Road be approved.

(iii) The proposed order would apply to the whole length of the path except where it crosses the entrance to Beech Hill Primary School. The proposed order would restrict access to the footpath at all times.

20 PROPOSED SEX ESTABLISHMENT POLICY (REF: 8)

The Committee received a report from the Head of Environmental and Consumer Services to adopt a Policy (as amended by section 27 of the Policing and Crime Act 2009) that sex shops, sex

cinemas and sexual entertainment venues (SEV's) can be licensed within the Borough. The Authority already has two licensed sex shops under the Local Government (Miscellaneous Provisions) Act 1982 and had recently seen a number of alcohol licensed premises offering lap dancing type activities that would be covered by the above amendment. Currently the function setting policy for this type of premises is the responsibility of this Committee. Given the overlap with other forms of premises licensing this function could be better served by being delegated to the Licensing Committee. The new legislation must be adopted by early April 2011. Consultation had taken place with the Police, interested parties, businesses and existing licence holders, the consultation period commenced on 3rd June 2010 and lasted the recommended 12 weeks.

Consultation was currently being undertaken on the Licensing Policy for Sex Establishments. Members were asked to make comments or recommendations on the Statement of Policy and Delegation to be incorporated for consideration by Full Council in November 2010.

Members requested that SEV's should not be established in the vicinity of schools, churches, youth clubs or playgrounds

Members did not want to limit the number of SEV's but requested that the locality of the these venues were suitable

Resolved: (i) That the report (Ref: 8) be noted.

(ii) That venues for proposed SEV's were situated in suitable locations away from schools, churches, youth clubs and playgrounds.

21 LOWER WARDOWN FOOTPATH DIVERSION (REF: 9)

The Committee received a report from the Corporate Director of Children and Learning to divert the existing public footpath that transverses the Lower Wardown Sports Ground and to close off part of the existing public Right of Way. This would enable a 2 metre high fence to be erected around the perimeter of the site, securing the ground and allowing it to be used as a more formalised school and community sports provision.

A Member remarked that he was unhappy with the report and recommendations. Another Member raised concerns regarding the casual users who used the ground for recreational purposes and where they would go to. Members were concerned that if recreational grounds like this were not available for the public vandalism could increase.

Resolved: (i) That the report (Ref: 9) be noted.

(ii) That the Committee does not accept the report and recommendations. That the report is inadequate and although the Committee were sympathetic to the School's playing fields needs felt that this was not the right way to address it as it would stop informal use of the ground.

(Note: The meeting ended at 6.55 p.m.)