

**Extract from Cabinet Minutes
15 February 2011**

A10. LICENSING: SCHEDULE 3 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

The Cabinet considered a joint report by the Head of Legal and Support Services and Head of Environmental Health Services (Reference 11/114). The Head of Environmental Services, Mr Skelton, stated that the report recommended the adoption of the amended provisions of the 1982 legislation to enable the wider powers of regulation in relation to Sexual Entertainment Venues. The report also recommended publication of the re-adoption of the relevant provisions of the 1982 legislation as now amended in their entirety. Councillor Dixon stated that if the legislation was not adopted the Council would have to hold a referendum which would be very costly so Local Authorities were being strongly encouraged to adopt this legislation.

RESOLVED that Cabinet recommend that Council:

1. agree to adopt the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009 and to undertake the regulation of lap dancing establishments under the Local Government (Miscellaneous Provisions) Act 1982 with effect from 1 April 2011;
2. re-affirm adoption of the Local Government (Miscellaneous Provisions) Act 1982 insofar as it relates to the regulation of licensable activities under that act, namely street trading, refreshment premises and acupuncture, tattooing, ear-piercing and electrolysis;
3. subject to such decision as may be made by Council in relation to the regulation of street trading the Council publish notice of confirming the decisions of Council in relation to the adoption of the provisions of the Local Government (Miscellaneous Provisions) Act 1982 (as amended) in the Scarborough Evening News and the Whitby Gazette on two consecutive weeks in accordance with the requirements within the legislation.

Reasons:

To provide the Council with the wider powers available under the provisions of the LG(MP) Act 1982 to regulate lap dancing establishments.