

**OXFORD CITY COUNCIL
GENERAL PURPOSES LICENSING COMMITTEE
Date of meeting – 25th November 2005**

Report of: Environmental Health Business Manager

Title: APPLICATION FOR A VARIATION OF A SEX
ESTABLISHMENT LICENCE

Ward: St Mary's

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Key Decision: No

Lead Member: Cllr Tony Brett, Chair, General Purposes Licensing
Committee

RECOMMENDATIONS

The General Purposes Licensing Committee is asked to:

1. Determine the application for a variation of the Sex Establishment Licence for the Private Shop, 54 Cowley Road.

Summary

1. This report concerns the application for the variation of a Sex Establishment Licence for 54 Cowley Road, Oxford. The variation is to increase the hours of opening on Monday to Saturday from 1800 hours to 2000 hours, and to allow the premises to open on Sundays from 1000 hours to 1600 hours. The variation is for a period of approximately two weeks from the 11th December 2005 to the 23rd December 2005.

Background

2. An application for the renewal and variation of a Sex Establishment Licence for the Private Shop, 54 Cowley Road, Oxford, was received from Raymond Glen Darker on the 11th July 2005.
3. The variation is to increase the hours of opening to allow the premises to remain open until 2000 hours on Mondays to Saturdays, and to open on Sundays from 1000 hours to 1630 hours.
4. The variation is for a period of 13 days from 11th December 2005 to 23rd December 2005 inclusive, which includes the two Sundays preceding Christmas.
5. The current hours of opening are:
Monday to Saturdays 0900 hours to 1800 hours

6. The application has been advertised in one local paper (Oxford Mail) and a site notice was displayed at the premises for the statutory period of 21 days. Although no details about the proposed variation were given there is no requirement in the legislation that notice of a variation must be advertised. The requirements for advertising the application have therefore been met.

Hours of Opening for Sex Establishments

7. The requirement for a Sex Establishment to be regulated and hold a Sex Establishment Licence under the Local Government (Miscellaneous Provisions) Act 1982 was introduced in Oxford in 2003. The Public Entertainment and Other Matters Licensing Committee approved standard conditions that would apply to all such licenses at its meeting in December 2002.
8. The times of opening are specified in conditions 5 and 6 of the standard conditions as follows:

Condition 5: Except with the previous consent of the Council a Sex Establishment shall not be open to the public before 9 a.m. and shall not be kept open after 6 p.m.

Condition 6: The premises shall not open on Sundays or any Bank Holidays or any public holidays.

Comments

9. The Police and Fire Authorities have been consulted and have no objection to the application.
10. No representations have been received about the application, and there have been no complaints about the premises.
11. The Sex Establishment Licence has been renewed with the existing conditions. The Committee is requested to determine the variation to extend the hours of opening for a period 13 days in December 2005.

Human Rights Act

12. The Environmental Health Business Manager has taken the Human Rights Act 1988 into account in considering this application. The Environmental Health Business Manager considers there is no interference with the rights of the applicant under Article 1 of the First Protocol of the Act.

THIS REPORT HAS BEEN SEEN AND APPROVED BY:

The Environmental Health Business Manager
Legal and Democratic Services Business Manager (Jeremy Franklin)

Background papers: None