

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

ADMINISTRATION COMMITTEE – 11 FEBRUARY 2015

JOINT REPORT OF THE DIRECTOR OF STRATEGY AND LOCAL SERVICES AND THE BI-BOROUGH DIRECTOR OF LAW

PROPOSALS FOR THE REALLOCATION OF FUNCTIONS CURRENTLY WITHIN THE REMIT OF THE REGULATION AND ENFORCEMENT REVIEW COMMITTEE (AND SUB-COMMITTEE)

This report modifies one aspect of the proposals contained in substantive report A6.

FOR DISCUSSION

1. BACKGROUND

1.1 Report A6 summarises proposals to wind-up the Regulation and Enforcement Review Committee (RERC) and redistribute its functions.

1.2 Paragraph 2.4 of that report suggests:

“Licences relating to special treatments, sex shops, sex encounter, sex establishments and public exhibitions could (and probably should more logically be) dealt with by the existing Licensing Sub-Committee”.

1.3 However the current RERC Chairman, Cllr. Charles Williams, has pointed out that only a limited number of such applications in reality need to be heard by Members and proposes instead that these special treatments etc. (as above) applications - including refusals to renew an application (many of which relate simply to failure to provide electrical etc. certificates) - should be determined by officers unless:

- the Director refers the matter to Committee* (e.g. where there are issues with authorised planning use, evidence of prostitution) or

[**Note:** a ‘threshold’ number of representations received will not be set for referral to Member-level hearing as it is usually not difficult for an objector to achieve this and to trigger a Sub-Committee hearing.]*

- a RBK&C Councillor asks for the matter to be considered by the Sub-Committee.

1.4 These amended proposals are supported by officers in both Legal and Licensing.

2. RECOMMENDATION

2.1 It is recommended that the above be incorporated into the detailed proposals to be reported back to the Administration Committee on 25 March 2015.

FOR DISCUSSION

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Background papers used in the preparation of this report: None other than previously published documents

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