

SEXUAL ENTERTAINMENT VENUES

Portfolio:	Community
Wards Affected:	All

Purpose

To advise the Licensing Committee on the legislative change affecting the licensing of lap dancing and pole dancing clubs and similar venues.

Background

1. On the 1st January 1984 the Council adopted Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 which controls and licences 'sex establishments' within the Borough. Sex establishments are defined as 'sex cinema' and 'sex shop'.
2. On the 11th February 2003 the Licensing Committee adopted a Sex Establishments Licensing Policy which determined that the appropriate number of premises in the Borough was nil.
3. There are currently no licensed sex establishments within the Borough.

Current Position

4. As of the 6th April 2010, Section 27 of the Policing and Crime Act 2009 extended the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 by inserting the term 'sexual entertainment venue' into paragraph 2 of the schedule. 'Sexual entertainment venue' means any premises at which relevant entertainment is provided to a live audience for financial gain of the organiser or the entertainer.
5. The effect is to take activities such as lap dancing and striptease outside the provisions of the Licensing Act 2003 and into the licensing regime under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.
6. To have control of these premises the Council needs to adopt the new legislation and update the Sex Establishments Licensing Policy to take into the account the new changes. An updated policy would assist the Committee in determining an application were one to be submitted.

Proposal

7. The Council adopts Schedule 3 in its new form and amends the existing Sex Establishments Licensing Policy thereby be able to control the number and location of sex establishments. The Committee will be one of the Consultees on the policy.

Resource Implications

8. The process of adopting the legislation and producing and consulting on the new policy will be conducted within existing resources with Environmental Health.
9. There will be advertising costs attached to the public notice which is required as part of the process of adopting the legislation.

Recommendation

10. The Members note the contents of the report.

Background Papers:

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