

**Sexual Entertainment Venues**

Portfolio:	Community
Wards Affected:	All

**Purpose**

To approve the Sex Establishments Licensing Policy and Procedure after consultation and make a recommendation for approval by Full Council.

**Background**

1. From the 1<sup>st</sup> April 2011 the Council adopted the amended provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, which has been amended by virtue of Section 27 of the Policing and Crime Act 2009. The aim is to bring the licensing of "sexual entertainment venues" in line with other "sex establishments" such as "sex shops" and "sex cinemas".
2. The Licensing Committee were briefed on the 15<sup>th</sup> September 2010 and 1<sup>st</sup> December 2010 on the amendments to the legislation and the agreed for a policy and procedure.
3. A draft Sex Establishments Licensing Policy and Procedure was produced following agreement of the Licensing Committee on the 1<sup>st</sup> December 2010. The policy and procedure includes: the application process, how to comment on applications, determination, revocation and duration of a licence, policy considerations, location of premises and consultation on applications.

**Key Issues**

4. A working group which met on the 16<sup>th</sup> February and 25<sup>th</sup> February 2011 was formed to discuss the draft Policy and Procedure. The working group consisted of the Licensing Committee Chair and Vice-Chair, Portfolio Holder, representatives from all the Political Parties, Legal, Policy and Licensing Department.
5. The third draft of the Sex Establishments Policy and Procedure was presented to the Licensing Committee on the 9<sup>th</sup> March 2011 and agreement was obtained to consult on the draft Sex Establishments Licensing Policy and Procedure between the 1<sup>st</sup> April 2011 and 1<sup>st</sup> July 2011.
6. The consultation on the draft Sex Establishments Policy and Procedure was advertised in the local newspaper and sent to the list of agreed persons which included: County, Ward and Parish Councillors, resident groups, industry bodies and PCT. A press release was issued and information was also put on the Council's website.
7. Three consultation responses were received and can be seen in full in the background papers.
8. The working group met on the 19<sup>th</sup> July 2011 to discuss the consultation responses and agree on amendments to the Policy. A summary of consultation responses and the recommendation for changes can be seen in the attached papers.

9. For changes were agreed by the working group:
- Policy – Paragraph 5.4 amended to include the requirement for a plan marking locations.
  - Policy – Paragraph 7.4 (e) deleted as duplicated.
  - Policy – Paragraph 23.2 wording has been amended.
  - Appendix 9 – Surrey PCT sexual health contact details have been added.
10. The working group agreed that the attached version of the Policy and Procedure be recommended to the Licensing Committee for approval.
11. Paragraph 1.1 has also been amended to clarify that the Head of Neighbourhood Services is responsible for the development of the policy.

Proposal

12. The Licensing Committee make a recommendation to Full Council to adopt the Sex Establishments Licensing Policy and Procedure.

Resource Implications

13. Processing an application will be conducted within existing Environmental Health resources and the application fee will ensure that there will be cost recovery.

Recommendation

14. That the Licensing Committee recommends the Policy for approval by Full Council.

Background Papers:

1. Draft Sex Establishments Licensing Policy and Procedure
2. Summary of consultation responses from working group
3. Consultation responses in full

Annexes

Annex A – Sex Establishments Licensing Policy and Procedure (including appendices)  
Annex B – Consultation Responses

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