

COUNCIL

Wednesday, 14 November 2018

SEX ESTABLISHMENT LICENSING POLICY (REP1891A)

EXECUTIVE SUMMARY

1. In 2005 when the Licensing Act 2003 commenced, a Licensing Authority was obliged to adopt a Statement of Licensing Policy and review it every third year; legislation now allows for a five year period.
2. On 6 June 2018 the Licensing Committee approved a draft Sex Establishment Licensing Policy for consultation.
3. No responses were received during the consultation exercise.
4. On 3 October 2018, Licensing Committee resolved to recommend to Council that it adopts its revised Sex Establishment Licensing Policy for publication on 31 January 2019.

Is the report Open or Exempt?	Open
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Wards Affected:	All
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Cabinet Member:	Councillor Mary Rudd Cabinet Member for Community Health & Safety
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Supporting Officer:	Chris Bing Legal and Licensing Services Manager 01394 442310 chris.bing@eastsoffolk.gov.uk
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1. BACKGROUND

- 1.1 Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 regulated the 'Control of Sex Establishments' by Local Authorities.
- 1.2 Section 27 of the Policing and Crime Act 2009 amended Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, which deals with licensing by Councils of sex establishments, by adding a new category of 'sexual entertainment venues' alongside sex shops and sex cinemas.
- 1.3 In July 2010 Waveney District Council resolved that the change in the law brought about by Section 27 should take effect within its area with effect from 15 December 2010.
- 1.4 Waveney District Council's current policy relating to the licensing of Sex Establishments was formulated in 2011 and adopted on 21 July 2011.

2. PROPOSAL

- 2.1 The proposal is to introduce a new joint policy to cover both Suffolk Coastal and Waveney District Councils which can later be adopted by the new East Suffolk Council in April 2019.

3. CONSULTATION

- 3.1 The draft revised Sex Establishment Licensing Policy, agreed at the meeting of the Licensing Committee on 6 June 2018, was available for consultation for an eight week period commencing 23 July 2018 and ending 16 September 2018.
- 3.2 The proposed policy was available to view on the Council's Website alongside both the Licensing Act 2003: Statement of Policy and the Gambling Act 2005: Statement of Principles.
- 3.3 During the consultation period the Licensing Team received no comments about the draft proposals.

4. HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?

- 4.1 By giving clear guidance on the requirements of licensing sex establishments to applicants, licensees and the public; promoting economic growth for local businesses whilst enabling the community to make constructive representations should the need arise

5. FINANCIAL AND GOVERNANCE IMPLICATION

- 5.1 None.

6. OTHER KEY ISSUES

- 6.1 The decision affects the entire district.

7. OTHER OPTION CONSIDERED

- 7.1 None.

8. REASON FOR RECOMMENDATION

8.1 To adopt a policy to cover the licensing of sex establishments.

8.2 This report was considered by the Licensing Committee at its meeting on 3 October 2018 and the policy was approved without amendment.

RECOMMENDATION

That the Licensing Committee recommends to Council the Sex Establishment Licensing Policy for adoption and immediate use.

APPENDICES

Appendix A

Sex Establishment Licensing Policy