

# LICENSING COMMITTEE

12 October 2010

**CONTRIBUTORS**

ENV, FCS,

Legal and  
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Services

**Sexual Establishment Venues and Sex Establishment  
Licensing Policy  
Summary**

**WARDS  
ALL**

In April 2010, section 27 of the Policing and Crime Act 2009, amended Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, by introducing a new type of sex establishment called a 'sexual entertainment venue'.

The new legislation offers the Council and local residents greater power to control the number and location of lap dancing clubs and similar venues in the borough. If the Council wishes to adopt the powers offered by the legislation it needs to resolve to do so.

A draft Sex Establishment Licensing Policy was sent out for a 12 week consultation which began on the 8<sup>th</sup> June 2010 and ended on the 30<sup>th</sup> August 2010.

This report seeks the Committee's recommendation that Council resolve to exercise these powers and to adopt the policy which reflects and set out the Council's position.

**RECOMMENDATION:**

That the Committee recommend that

1. Full Council resolve that schedule 3 (as amended) to the Local Government (Miscellaneous Provisions) Act 1982 shall apply to its area and shall come into force on 28 November 2010.
2. Full Council adopt the levels of the appropriate maximum number of sex establishments within specified areas of the borough as set out at paragraph 6 of the Sex Establishment Policy;
3. Full Council make and adopt the regulations which provide a set of standard conditions applicable to sex establishments;
4. Full Council adopt the Sex Establishment Policy

## 1. Background

- 1.1 If the Council wishes to have the revised schedule 3 apply to its area, it needs to make a resolution to that effect. If adopted, the revised legislation would offer the Council and local residents greater power to control the number and location of lap dancing clubs and similar venues in their local area.
- 1.2 The 12 week consultation took place between 8<sup>th</sup> June 2010 to 30<sup>th</sup> August 2010, and was sent to over 2400 statutory and non statutory consultees. A full list of consultees can be seen in the Draft Full Council Report.
- 1.3 The licensing authority can only consider matters within the scope of the Licensing Act, and guidance documents, and cannot become involved in the moral issues relating to licensing.
- 1.4 Currently the borough has 3 businesses that are currently operating as a sex establishment as detailed below;

Name	Address	Description
Secrets	62 Glenthorne Road, London, W6 0LR	Lap Dancing Club
Simply Pleasure	123 Hammersmith Road, London, W14 0QL	Adult Sex Shop
Olympia (Occasional)	Olympia Exhibition Centre, Hammersmith Road, London, W14 8UX	Annual Erotica Exhibition

- 1.5 The adoption of schedule 3 is optional not mandatory. The Council could continue to licence lap dancing clubs and similar premises under the Licensing Act 2003. However, if the Council has not done so by April 2011 (a year after section 27 became effective) the Council would have to consult local people about whether such a resolution should be made

### LOCAL GOVERNMENT ACT 2000 BACKGROUND PAPERS

No.	Brief Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1	List of consultees	Sanju Manji Ext 3392	PPS/ENV
2	Home Office Sexual Entertainment Venues Guidance for England and Wales	Sanju Manji Ext 3392	PPS/ENV
3	R-V-Birmingham ex parte Quietlynn Limited	Sanju Manji Ext 3392	PPS/ENV