

Subject:	Policy for the Licensing of Sexual Entertainment Venues	Status:	For Publication
Report to:	Licensing Committee	Date:	12 th March 2013
Report of:	Director of Business	Portfolio Holder:	Customers, Legal and Licensing
Key Decision:	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Community Impact Assessment:	Required:	Yes	Attached: No
Biodiversity Impact Assessment	Required:	No	Attached: No
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1.	RECOMMENDATION(S)
1.1	That the Committee resolves to recommend Council adopt the policy for the control of sexual entertainment venues under the Local Government (Miscellaneous Provisions) Act 1982.
1.2	That the Committee resolves to recommend Council approve the standard conditions applicable to licences for Sexual Entertainment Venues.
1.3	That the Committee resolves to recommend to Council that all future minor amendments to the policy to be delegated to the Director of Business in consultation with the Portfolio Holder.

2. PURPOSE OF REPORT

- 2.1 To propose a policy that will guide the Council when it considers an application for a sex establishment licence.

3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **Regenerating Rossendale:** This priority focuses on regeneration in its broadest sense, so it means supporting communities that get on well together, attracting sustainable investment, promoting Rossendale, as well as working as an enabler to promote the physical regeneration of Rossendale.
 - **Responsive Value for Money Services:** This priority is about the Council working collaboratively, being a provider, procurer and a commissioner of services that are efficient and that meet the needs of local people.
 - **Clean Green Rossendale:** This priority focuses on clean streets and town centres and well managed open spaces, whilst recognising that the Council has to work with communities and as a partner to deliver this ambition.

4. RISK ASSESSMENT IMPLICATIONS

- 4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:
- The absence of a policy to guide applicants and the public when an application for a sexual entertainment licence is being considered is detrimental to applicants, businesses and residents..

5. BACKGROUND AND OPTIONS

- 5.1 Rossendale Borough Council adopted Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Police and Crime Act 2009 on the 13th September

2010. This enabled the Council to regulate sexual entertainment venues, as defined in the Act, on a broader basis than was possible before and impose conditions that would not have been possible under the constraints of the Licensing Act 2003. It also gave local residents more opportunity to raise objections based on wider grounds than those of the Licensing Act.

5.2 It is now appropriate that a policy is adopted that would give an open account of the way, and the considerations, that a committee will view an application for a sexual entertainment venue.

5.3 The draft policy and conditions were published and circulated for consultation between Monday 5th November and Friday 14th December 2012. There have been no comments made from any source.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

6.1 There are no specific financial implications

7. MONITORING OFFICER

7.1 The Council must make a decision based on all relevant information and following consideration of all relevant Council policies.

8. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

8.1 There are no specific human resources implications.

9. CONSULTATION CARRIED OUT

9.1 The matter was considered by the Executive Management Team on 2nd July 2012.

A public consultation was carried out between Monday 5th November and Friday 14th December 2012. The following were specifically sent a copy;

- Lancashire Constabulary
- Lancashire Fire and Rescue
- East Lancashire PCT
- Whitworth Town Council
- Lancashire Social Services
- Departments of Rossendale Borough Council
- Adult Industry Trade Association
- In addition the draft policy was published on our website and in local libraries.

The matter was considered by the Policy Overview & Scrutiny Committee on 11th February 2013 who resolved:

1. That the Policy Scrutiny Committee recommend to Council the adoption of the policy for control of sexual entertainment venues under the Local Government (Miscellaneous Provisions) Act 1982.
2. That the Policy Scrutiny Committee recommend that Council approve the standard conditions application to licenses for Sexual Entertainment Venues.
3. That the Policy Scrutiny Committee recommend that all future amendments to the policy to be delegated to the Director of Business, in consultation with the Portfolio Holder.

9.2 This report will also be considered by the Licensing Committee on Tuesday 12th March 2013

10. CONCLUSION

10.1 That the Committee resolves to recommend Council to adopt the policy for the control of

sexual entertainment venues under the Local Government (Miscellaneous Provisions) Act 1982 and standard conditions applicable to licences for Sexual Entertainment Venues.

Appendices	
Document	Appendix Number
Policy for the control of sexual entertainment venues	Appendix A
Regulations prescribing standard conditions	Appendix B