



REPORT TO:	Licensing Committee
DATE:	28 th June 2017
LEAD OFFICER:	Head of Planning & Public Protection
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SUBJECT:	Review of Sex Establishment Policy

1. PURPOSE OF THE REPORT

To inform Members of the current position regarding proposals to compile a draft revised Sex Establishment Policy.

2. EXECUTIVE SUMMARY

2.1 Members may recall that a report proposing a review of the Council's Sex Establishment Policy was placed before them for consideration in March 2015.

3. POWER TO MAKE THE DECISION

Local Government (Miscellaneous Provisions) Act 1982.

4. BACKGROUND

4.1 The original report informed Members of the introduction of Section 27 of the Policing and Crime Act 2009 which reclassified lap dancing clubs as sexual entertainment venues and gave local authorities the power to regulate such venues as Sex Establishments under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.

4.2 Members were informed that these powers were not automatic and would only apply if specifically adopted by local authorities. Consequently, Members were asked to consider whether to adopt the provisions of Section 27 which would require a public consultation prior to implementation.

4.3 Having considered the contents of the report, Members agreed that steps should be taken with a view to adopting the necessary legislation and amending the current Sex Establishment Policy in that regard. It was therefore resolved that:

(a) Officers be requested to compile a draft revised Sex Establishment Policy that is fit for purpose for submission to a future meeting prior to undertaking a public consultation, and

(b) The provisions of Section 27 of the Policing and Crime Act 2009 be adopted and incorporated within the draft revised Sex Establishment Policy.

5. CONSIDERATION

5.1 Whilst there are currently no premises of this type in Denbighshire, the adoption of these powers will serve as a preventative measure for any future premises.

5.2 For Members' information, the Policing and Crime Act provides an exemption that already permits premises licensed under the Licensing Act 2003 to offer adult entertainment, provided it does not take place on more than one occasion each month for no longer than 24 hours for 11 months of the year.

5.3 Premises wishing to make use of this exemption must ensure that they are authorised for the provision of regulated entertainment and that there are no restrictions on their premises licence relating to adult entertainment, otherwise they must apply for a Temporary Event Notice.

5.4 Due to the need to prioritise the formulation and revision of policies, officers consider they will be in a position to present Members with a draft revised Policy in 2018.

5.5 Until such time as a revised policy is formulated and adopted, officers will refer any applications for Sexual Entertainment Venues to Licensing Committee under existing procedures.

6.0 RECOMMENDATION

That Members note the report and agree to the timescales therein for formulation of a revised draft Sex Establishment Policy.