

# LICENSING REGULATORY COMMITTEE

## Sexual Entertainment Venues Policy

16 February 2012

### Report of Licensing Manager

#### PURPOSE OF REPORT

The report seeks Members' approval of the adoption of a Sexual Entertainment Venues Policy for the Council, and approval of the fees structure as set out in the report.

**This report is public**

#### RECOMMENDATIONS

**That the attached Draft Sexual Entertainment Venues Policy be adopted, and that the licence fees as set out in the report be approved.**

##### 1.0 Introduction

- 1.1. As Members will be aware, the Licensing Service is responsible for regulating a wide range of functions including the licensing of Sexual Entertainment Venues.
- 1.2 Members may recall that at a meeting of this Committee on the 2 September 2010, they recommended that Council adopt new provisions to regulate Sexual Entertainment Venues (SEV's). The resolution was subsequently made under Section 2 of the Local Government (Miscellaneous Provisions) Act 1982 stating that Schedule 3 as amended by Section 27 of the Policing and Crime Act 2009 has been adopted and shall apply to the Council's area from the 1 November 2010. The report is attached at appendix 1 to this report.
- 1.3 An SEV is defined as "any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer." Whereas the meaning of 'relevant entertainment' is given as "any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of an audience (whether by verbal or other means)."
- 1.4 The adoption of these new measures does not give such premises an automatic entitlement to operate within the area; rather it provides the Council with the means by which applications for such premises can be properly determined. Furthermore, it provides the Council with the means to refuse an application on potentially wider grounds than is permitted under the Licensing Act 2003 and will give local people a

greater say over the regulation of lap dancing clubs and similar venues in the Lancaster City Council district.

- 1.5 To date we have not received any applications for such premises, this report is simply brought to ensure that a policy and procedure is in place should an application be received at any time in the future.
- 1.6 The Licensing Manager has drafted a policy on the procedure for licensing Sexual Entertainment Venues, as well as guidance for applicants, and seeks member 'approval of its adoption. A copy of the draft policy is attached at appendix 2 to this report, and the guidance is attached as appendix 3.
- 1.7 Members will also need to consider the setting of fees for the licensing of Sexual Entertainment Venues and approve an appropriate fee level. For the purpose of this the licensing manager recommends the following fees are approved.

Grant	£5125
Renewal	£5125
Variation	£2500
Transfer	£5125
Change of name	£50

## 2.0 Conclusion

- 2.1. Members are recommended to approve the proposed Sexual Entertainment Venues Policy. They are also recommended to approve the fees structure as set out in this report, or to approve an alternative fees structure, and to approve immediate implementation.

### **CONCLUSION OF IMPACT ASSESSMENT**

**(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

The proposed policy does not have the potential to cause negative impact or discriminate against different groups in the community based on age, disability, gender, race/ethnicity, religion or religious belief (faith), sexual orientation, or rural isolation.

### **FINANCIAL IMPLICATIONS**

There are no financial implications as a result of this report.

### **LEGAL IMPLICATIONS**

Legal Services have been consulted and have no further comments.

### **BACKGROUND PAPERS**

None

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