

LICENSING AND SAFETY COMMITTEE  
24 MARCH 2011

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**SEX ESTABLISHMENT LICENSING POLICY**  
**(Chief Officer: Environment and Public Protection)**

**1 PURPOSE OF DECISION**

- 1.1 The purpose of this report is to recommend adoption of the Sex Establishment Licensing Policy Statement which can be found at Annex A.

**2 RECOMMENDATIONS**

- 2.1 That the Committee adopts the Sex Establishment Licensing Policy Statement attached at Annex A effective as of midnight on 24 March 2011.**

**3 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

Borough Solicitor

- 3.1 The legal implications are identified within the report.

Borough Treasurer

- 3.2 There are no significant financial implications arising from the recommendation in this report.

Equalities Impact Assessment

- 3.3 There are no implications arising from the recommendation in this report.

Strategic Risk Management Issues

- 3.4 There are no strategic risk management implications arising from the recommendation in this report.

**4 SUPPORTING INFORMATION**

- 4.1 The Council has already adopted Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. This Act empowers the Council to grant, refuse and apply licence conditions to premises that wish to operate as sexual entertainment venues, sex shops or sex cinemas, known collectively as sex establishments.

- 4.2 A local authority is not legally required to have a Licensing Policy relating to sex establishments and the Council does not currently have such a policy. However, it is suggested that it would be appropriate to have a policy in place to assist with any

decision making that may be required. Not having such a policy could result in decisions being made against subjective criteria and therefore more vulnerable to legal challenge. Once a policy is in place, a Council would be obliged to take all relevant factors into consideration and determine each application upon its merits.

- 4.3 Consultation on the draft Policy started on 13 December 2010 and ended on 11 March 2011. The consultation was advertised on the Council's website and was sent directly to the representatives of the one premises which was known to hold sexual entertainment activities on a regular basis since 2008. This premises is no longer hosting activities which would require it to obtain a licence to operate as a sexual entertainment venue. Other than Thames Valley Police confirming that they had no objection to the policy, no comments or responses were received in respect of the consultation.

#### Background Papers

Sexual Entertainment Venues – Guidance for England and Wales [Home Office March 2010]

#### Contacts for further information

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#### Doc Ref

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