



REPORT TO:	Licensing Committee
DATE:	Wednesday, 15 March 2023
SUBJECT:	Sex Establishments and Sexual Entertainment Venues Policy
PURPOSE:	To review the Council's Policy Statement for Sex Establishments established under the Local Government (Miscellaneous Provisions) Act 1982 (As amended by Section 27 of the Policing and Crime Act 2009)
KEY DECISION:	No
PORTFOLIO HOLDER:	Portfolio Holder for Public Protection
REPORT OF:	Christian Allen, Assistant Director Regulatory
REPORT AUTHOR:	Donna Hall, Head of Public Protection
WARD(S) AFFECTED:	All wards
EXEMPT REPORT:	No

SUMMARY

Members of the Licensing Committee are asked to consider and approve the Sex Establishments Policy as required under the Local Government (Miscellaneous Provisions) Act 1982 (As amended by Section 27 of the Policing and Crime Act 2009)

RECOMMENDATIONS

That the Licensing Committee consider and approve the 'Sex Establishments and Sexual Entertainment Venues Policy'.

REASONS FOR RECOMMENDATIONS

To ensure the licensing authority has an up-to-date policy to deal with applications and licences for sex establishments under the Local Government (Miscellaneous Provisions) Act 1982 (As amended by Section 27 of the Policing and Crime Act 2009)

OTHER OPTIONS CONSIDERED

Do nothing and do not consider the review of the policy.

1. BACKGROUND

- 1.1 On 14 February 2011 South Holland District Council adopted Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended by Section 27 of the Policing and Crime Act 2009) which brought sexual entertainment venues under the same licensing regime as sex shops and sex cinemas.
- 1.2 Sex Establishments fall into one of the following three categories:
- Sex Shops
 - Sex Cinemas
 - Sexual Entertainment Venues
- 1.3 A Sex Establishment Policy was developed detailing the application process and standard conditions that would be applied to sex shops and sexual entertainment venues. The policy has been in force since April 2013 and was reviewed in November 2017.
- 1.4 In reviewing the Policy in 2017, minor amendments were made to bring the policy up to date.

2.0 REPORT

- 2.1 There have been no changes in legislation or guidance, and so there are no substantive changes being recommended to the policy at this time.
- 2.2 There have been no applications received since the adoption of the Schedule to apply for a Sex Establishment. As such there is no reason to make a change to the recommendation of nil establishments.
- 2.3 As consultation on the policy is not a statutory requirement, it is advised that the minor amendments are made and accepted.
- 2.4 The only amendments to the policy that are recommended at this time are the amendment to population and geographical information in section 1, and the additional section 4.4 which refers to the last update in 2017.

3.0 CONCLUSION

- 3.1 The Committee are asked to consider the policy and approve the updated version which is attached at Appendix A.

4.0 EXPECTED BENEFITS TO THE PARTNERSHIP

4.1 This is the recommended policy of South Holland District Council although consideration has been given to the policy of Boston Borough Council and East Lindsey District Council within the South and East Lincolnshire Councils Partnership.

5.0 IMPLICATIONS

5.1 SOUTH AND EAST LINCOLNSHIRE COUNCILS PARTNERSHIP

5.1.1 None

5.2 CORPORATE PRIORITIES

5.2.1 This policy supports the corporate priorities of promoting “your place” and protecting “your health and wellbeing”.

5.3 STAFFING

5.3.1 There are no staffing implications arising from this report.

5.4 CONSTITUTIONAL AND LEGAL IMPLICATIONS

5.4.1 The legal officer has been consulted in respect of this report.

5.5 DATA PROTECTION

5.5.1 None

5.6 FINANCIAL

5.6.1 None

5.7 RISK MANAGEMENT

5.7.1 None

5.8 STAKEHOLDER / CONSULTATION / TIMESCALES

5.8.1 Committee may consider carrying out public consultation however the changes to the policy are minor and it is therefore considered that consultation is not required.

5.9 REPUTATION

5.9.1 The Council should have an up-to-date policy to assist with the consideration of applications.

5.10 CONTRACTS

5.10.1 None

5.11 CRIME AND DISORDER

5.11.1 Crime and disorder is a consideration within the licensing policy and process as identified within this policy.

5.12 EQUALITY AND DIVERSITY/ HUMAN RIGHTS/ SAFEGUARDING

5.12.1 Safeguarding is a consideration within the licensing policy and process as identified within this policy.

5.13 HEALTH AND WELL BEING

5.13.1 None

5.14 CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

5.14.1 None

5.15 LINKS TO 12 MISSIONS IN THE LEVELLING UP WHITE PAPER

MISSIONS	
This paper contributes to the follow Missions outlined in the Government's Levelling Up White paper.	
Pride in Place	By 2030, pride in place, such as people's satisfaction with their town centre and engagement in local culture and community, will have risen in every area of the UK, with the gap between the top performing and other areas closing.
Crime	By 2030, homicide, serious violence, and neighbourhood crime will have fallen, focused on the worst-affected areas.

6. ACRONYMS

6.1 None

APPENDICES	
Appendices are listed below and attached to the back of the report: -	
APPENDIX A	Sex Establishments Policy

BACKGROUND PAPERS
No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

CHRONOLOGICAL HISTORY OF THIS REPORT
A report on this item has not been previously considered by a Council body.

REPORT APPROVAL	
Report author:	Donna Hall Donna.Hall@sholland.gov.uk
Signed off by:	Christian Allen, Assistant Director - Regulatory
Approved for publication:	Portfolio Holder for Public Protection