

CARLISLE CITY COUNCIL

Report to:- REGULATORY PANEL

Date of Meeting:- 9th February 2011

Agenda Item No:-

| Public | Operational | Delegated Yes | |
|---|--|-----------------|-----------------|
| Accompanying Comments and Statements | | Required | Included |
| Title:- | SEX ESTABLISHMENT POLICY | | |
| Report of:- | ASSISTANT DIRECTOR - GOVERNANCE | | |
| Report reference:- | GD 12/10 | | |

Summary:-

In the previous 12 months there have been changes in legislation in respect of Sex Establishment licensing. Primarily this has been to introduce a new category called Sexual Entertainment Venues, the procedures for which were adopted by this Council on 9 November 2010.

It is considered beneficial to both applicants, persons in the locality of the premises and the Council, if we were to establish a policy to deal with applications for sex establishment licences.

Recommendation:-

1. That the Licensing Manager prepares a draft licensing policy in relation to sex establishments prior to consultation.
2. That the Regulatory Panel form a working group of their members to approve the draft policy and consider any representations, prior to submitting it for adoption by the Regulatory Panel.

J A Messenger
Licensing Manager

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:- Local Government (Miscellaneous Provisions) Act 1982 as amended by section 27 of the Policing and Crime Act 2009.

To the Members of the Regulatory Panel 9th February 2011

1 Background

- 1.1 Local authorities currently regulate sex establishments under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, which the City Council adopted on 7 February 1989.
- 1.2 Section 27 of The Policing and Crime Act 2009 introduced a new category of sex establishment called 'Sexual Entertainment Venue', which will allow local authorities to regulate lap dancing and similar entertainment under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.
- 1.3 On 9th November 2010 the City Council adopted the new legislation outlined in paragraph 1.2.

2 Licensing Policy

- 2.1 This Council currently does not have a written policy regarding the application, determination and grant of sex establishment licences. Although the law does not require this, best practice would suggest that having a policy in place would assist both the applicant, persons living in the locality of the premises and the licensing authority.
- 2.1 It is proposed that a draft licensing policy in relation to sex establishments be prepared prior to consultation. A working group of the Regulatory Panel be formed to consider the draft policy and any representations, prior to presenting it to the Regulatory Panel for adoption.
- 2.2 If a working group is formed, the suggested date for the first meeting is 2pm on Monday 14th February 2011.

3 Recommendation

- 3.1 That the Licensing Manager prepares a draft licensing policy in relation to sex establishments prior to consultation.
- 3.2 The Regulatory Panel form a working group of their members to approve the draft policy and consider any representations, prior to submitting it for adoption by the Regulatory Panel.

Prepared by:
J A Messenger
Licensing Manager