

1. **DRAFT POLICY IN RELATION TO THE LICENSING OF SEX ESTABLISHMENTS**

Submitted by: Head of Business Improvement, Central Services and Partnerships

Portfolio: Leisure, Culture and Localism

Ward(s) affected: All

Purpose of the Report

For Members to consider the attached draft policy in relation to the licensing of sex establishments as recommended by the Licensing Committee at its meeting on 27 August 2014.

Recommendation

That the attached Draft Sex Establishment Policy be adopted by the Borough Council.

1. **Background**

- 1.1 The Borough Council adopted schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (Appendix A) on 31st March 2010 and this came into effect on 3rd August 2010. A copy of the report submitted to Council is attached (at Appendix B).
- 1.2 The adoption of the schedule means that the Council can control and regulate the operation of certain kinds of sex establishment within its area.
- 1.3 Following an initial consultation and subsequent adoption by the Borough Council on 23rd February 2011, the current policy for the licensing of sex establishments, which ran for 3 years, has been found to be fit for purpose.
- 1.4 The Policy was again sent out for consultation in April 2014 and the only response which related to the policy was considered by the Licensing Committee at its meeting on 27 August 2014.

2. **Issues**

- 2.1 The Licensing Committee discussed the following issues when considering the draft policy:
 - The minimum age when customers should be required to provide proof of their age before being allowed access to the sex establishment; and
 - The time limit for CCTV recordings to be produced following a request by a police officer or an authorised officer of the Council

3. **Options Considered**

3.1 The amended policy is attached at Appendix C.

4. **Proposal**

4.1 That the amended Sex Establishment Policy be adopted by the Borough Council

5. **Reasons for Preferred Solution**

5.1 The Policy has been recommended by the Licensing Committee following consultation with all interested parties.

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

This Policy links to the Borough Council's corporate priorities of a clean, safe and sustainable borough; and the Sustainable Community Strategy of protecting vulnerable people.

7. **Legal and Statutory Implications**

7.1 The Borough Council adopted Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 on 31st March 2010, and this came into effect on 3rd August 2010.

8. **Equality Impact Assessment**

No differential impact has been identified.

9. **Financial and Resource Implications**

None at the present time.

10. **Major Risks**

None identified at present.

11. **Key Decision Information**

There are none.

12. **Earlier Cabinet/Committee Resolutions**

None

13. **List of Appendices**

Appendix A - Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982

Appendix B - Copy of the report submitted to Council regarding adoption of Schedule 3 (31st March 2010).

Appendix C - **Recommended** Policy in relation to the Licensing of Sex Establishments.

14. **Background Papers**

None