



St Edmundsbury
BOROUGH COUNCIL

B456

Cabinet 16 February 2011

Recommendations from Licensing and Regulatory Committee: 10 January 2011 (Feb11/15)

*Cabinet Member: Cllr Robert Everitt Chairman of the Committee:
Cllr Frank Warby*

1. Sex Entertainment Licences: Regulation of Lap Dancing and Other Sexual Entertainment Venues (Report B393)

RECOMMENDED:-

That, subject to the approval of full Council, additional powers relating to the licensing of sexual entertainment venues, as contained in Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009 and outlined in Section 5 of Report B393, be adopted with a first appointed date of 1 April 2011.

The increase nationally in the number of lap dancing clubs since the implementation of the Licensing Act 2003 has become a concern for many local communities. Currently representations against premises licence applications for venues providing lap dancing and similar entertainment can only be based on the four licensing objectives, namely:-

- (a) the Prevention of Crime and Disorder;
- (b) Public Safety;
- (c) the Prevention of Public Nuisance; and
- (d) the Protection of Children From Harm.

As a result, Licensing Authorities cannot consider the objections of local people and businesses that are based on matters outside the scope of these four objectives. The Government had responded to proposals for further controls to be introduced specific to lap dancing clubs and similar premises, by introducing legislation relating to such licensing contained in Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009.

If the Council adopts the additional powers it will be able to require premises in the Borough that provide 'relevant entertainment' prescribed in the legislation, such as lap dancing, to obtain a sex establishment licence. The Committee noted that a revised Sex Establishment Policy relating to the licensing of sexual entertainment venues would be presented to the Committee for approval following public consultation which will cease on 18 February 2011.