

SEX ESTABLISHMENTS POLICY

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Wards Affected: All

PROPOSED DECISION

That the current Sexual Entertainment Venue Policy is approved.

Executive Summary

Members will recall that, further to the implementation of new legislation, the Council approved a policy in relation to Sexual Entertainment Venues which became effective on the 1st April 2012. The Policy was last considered in 2013 and a review is now required. Given that there have been no comments in relation to the Policy and no changes in legislation it is not considered that any amendments are required at this time and that the Policy should remain unchanged.

Corporate Implications

The Council adopted new legislation in 2012 to enable licensing of Sexual Entertainment Venues, including sex shops, sex cinemas and lap dancing establishments. The foremost consideration in this respect is the safety of the public and the performers involved. Any policy considerations or changes should therefore reflect this need. Sections 13(1) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 permits local authorities to set standard conditions on premises providing sexual entertainment. Conditions should be aimed at protecting the public and the performers and at reducing nuisance to local residents. Licence holders have a right to appeal to a Magistrates Court if they are aggrieved by the imposition of any conditions and so it is considered that human rights are adequately protected.

There are no financial implications.

Policy/Community Plan Implications

The proposed recommendation is aimed at ensuring that businesses can be run effectively whilst ensuring public safety and minimising public nuisance. It therefore contributes to the People and Places themes in the Community Plan.

Detailed Report

1. In response to the implementation of new legislation relating to Sexual Entertainment Venues and the Council's decision to adopt new powers to control this type of business, a new Policy was produced and approved in 2012 which became effective on the 1st April 2012.
2. There is currently one Sexual Entertainment Venue in the district which is licensed to carry out lap dancing.
3. The Policy was reviewed and considered in 2013 when it was agreed that the terminal hour in the standard conditions be extended until 02:00 from Thursday to Saturday and 00:00 from Sundays to Wednesdays and bank holidays.

4. Although the Policy itself is not a statutory requirement, it is considered appropriate that it should now be reviewed given that 3 years have passed since it was last considered.
5. There have been no changes in legislation since the last review and no comments or complaints have been received in respect of the current Policy or the only licensed premises which fall under this policy. It is therefore considered that no amendments are required to the current Policy and that it should remain unchanged. Given the above, it is also not considered to be necessary for the policy to be subjected to a consultation process.

Background Papers

Relevant legislation