



LICENSING AND HEALTH COMMITTEE

Tuesday 9 October 2018

SEX ESTABLISHMENT LICENSING POLICY (LH 08/18)

EXECUTIVE SUMMARY

1. In 2005, when the Licensing Act 2003 commenced, a Licensing Authority was obliged to adopt a Statement of Licensing Policy and review it every third year; Legislation now allows for a five year period.
2. On 16 July 2018 report **LH 06/18** proposed a draft Sex Establishment Policy for consultation.
3. It was agreed that any responses to the consultation would be reported to the Licensing & Health Committee at its October meeting, in order that Full Council can adopt the statement at its meeting in November.
4. This report documents the responses received during the consultation period.

Is the report Open or Exempt?	Open
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Wards Affected:	All Wards within the District
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Cabinet Member:	Cllr. Steve Gallant Cabinet Member with responsibility for Community Health
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Supporting Officer:	Caroline Evans Licensing Services Manager 01394 444678 caroline.evans@eastssuffolk.gov.uk
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1. BACKGROUND

- 1.1 Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 regulates the 'Control of Sex Establishments' by Local Authorities.
- 1.2 Section 27 of the Policing and Crime Act 2009 amended Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 by adding a new category of 'sexual entertainment venues' alongside sex shops and sex cinemas.
- 1.3 In October 2010 Suffolk Coastal District Council resolved that the change in the law brought about by Section 27 should take effect within its area with effect from 15 December 2010.
- 1.4 Suffolk Coastal District Council does not have an adopted policy relating to Sex Establishments.

2. PROPOSAL

- 2.1 The proposal is to introduce a new joint policy to cover both Suffolk Coastal and Waveney District Councils which can later be adopted by the new East Suffolk Council in April 2019.

3. CONSULTATION

- 3.1 The draft revised Sex Establishment Licensing Policy, agreed at the July meeting, was available for consultation for an eight week period commencing 23 July 2018 and ending 16 September 2018.
- 3.2 The proposed policy was available to view on the Council's website alongside both the Licensing Act 2003: Statement of Policy and the Gambling Act 2005: Statement of Principles.
- 3.3 During the consultation period the Licensing Team received no comments about the draft proposals.

4. HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?

- 4.1 By giving clear guidance on licensing matters to applicants, licensees and the public; promoting economic growth for local businesses whilst enabling the community to make constructive representations should the need arise.

5. FINANCIAL AND GOVERNANCE IMPLICATION

- 5.1 None.

6. OTHER KEY ISSUES

- 6.1 The decision affects the entire district.

7. OTHER OPTION CONSIDERED

- 7.1 None.

8. REASON FOR RECOMMENDATION

8.1 To adopt a policy to cover the licensing of sex establishments.

RECOMMENDATION

That the Licensing and Health Committee recommends to Full Council that it adopts for immediate use the Sex Establishment Licensing Policy (as approved by the Committee on 16 July 2018) at its meeting on 29 November 2018

BACKGROUND PAPERS

Link to draft policy	Council website http://www.eastsuffolk.gov.uk/business/licensing/licensing-policy-consultations/
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