
Report of the Assistant Chief Executive (Corporate Governance)

Licensing Committee

Date: 16th November 2010

Subject: Sexual Entertainment Venues Update
Local Government (Miscellaneous Provisions) Act 1982

Electoral Wards Affected:

Specific Implications For:

Ethnic minorities

Women

Disabled people

Executive Summary

The Policing and Crime Act 2009 amends the Local Government (Miscellaneous Provisions) Act 1982 s2 and Sch 3 to introduce a new classification of sex establishment, namely sexual entertainment venues. Potentially, this brings to lap dancing, pole dancing and other “relevant entertainment” within a new licensing regime.

The Licensing Committee previously resolved to recommend adoption of the new powers to Council and set up a cross party working group to develop a policy and standard conditions.

This report updates members of the Licensing Committee about the progress the working group have made in developing a policy and standard conditions.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to provide an update to members of the Licensing Committee about the progress the working group have made in developing a policy and standard conditions

2.0 Background Information

- 2.2 On 22nd Licensing and Regulatory Panel decided to recommend to Council to adopt the provisions of Sch 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009.
- 2.3 The Panel also determined to develop a policy and set of standard conditions relating to sexual establishments, in particular sexual entertainment venues, sex shops and sex cinemas.
- 2.4 The Panel formed a cross party Working Group to work with officers of Entertainment Licensing to develop the policy and conditions.

3.0 Main Issues

3.1 Work Completed

- 3.2 The Working Group has met three times to discuss the development of the policy.
- 3.3 At the first meeting it was decided that the working group needed expert advice regarding the issues surrounding sex establishments and lap dancing clubs in particular.
- 3.4 At the second meeting the working group heard from:
- Prof T Sanders, Leeds University on her research into lap dancing clubs, and her initial findings
 - Chief Insp McNeil, West Yorkshire Police, who described the types of crime and disorder associated with sex establishments
 - Mark Heap, Taxi and Private Hire Licensing, who described specific issues relating to the contract hire of vehicles relating to lap dancing clubs.
- 3.5 For the third meeting officers had prepared a first draft of a policy, reflecting the issues described to the Working Group by the three speakers at the previous meeting. The Working Group read through and discussed issues such as
- Advertising
 - Dancers Welfare Pack
 - External appearance of clubs
 - Locality
 - Limiting numbers

3.6 Future work planned

- 3.7 The Working Group intends to continue to develop the policy and conditions.
- 3.8 Interest has been expressed by the council's Domestic Violence team (whose agenda includes violence against women) to meet with the Working Group to discuss issues they experience in their work with women.
- 3.9 The group intends to pre-consult on the policy with the trade, with a meeting to include all existing businesses. This will provide assurance on the workability of the proposed policy.
- 3.10 The group intends to visit sex establishments in Leeds, to see how the premises are managed and operate and the issues that the public, entertainers and businesses may face.
- 3.11 Consultation Methodology
- 3.12 It is the Council's usual practice to develop a policy, in consultation with relevant stakeholders and to undertake a three month public consultation with members of the public, the trade and stakeholders. If there are major changes after public consultation a second public consultation will be required.
- 3.13 The Group intends to undertake the public consultation mid 2011, with the policy ready for adoption at the Council's September meeting.

4.0 Implications for Council Policy and Governance

- 4.1 This report is to advise members on the work undertaken to develop a policy, therefore any implications for Council Policy and governance will be identified and addressed during the presentation of the policy itself.
- 4.2 The development of a policy under the Local Government (Miscellaneous Provisions) Act 1982 is a responsibility delegated to the Licensing Committee under the Council's constitution.
- 4.3 After the public consultation, when the policy is ready for adoption it should be referred back to Council at the same time as the Council's resolution to adopt the provisions of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009.

5.0 Legal and Resource Implications

- 5.1 Legal advice will be required to advise the council on the proposed policy.
- 5.2 Once a policy has been developed the subsequent consultation is likely to attract a large number of responses, both from the trade, members of the public and interested action groups. This will have resource implications for Entertainment Licensing who will need to handle enquiries from the public and written responses to the consultation.

5.3 The transitional arrangements will also apply pressure on the council with a high number of representations expected for each of the applications.

6.0 Conclusions

6.1 The Government has provided local authorities with a way of controlled the number and location of lap dancing clubs in their area. It has also given the Council great latitude in deciding the policy relating to sex establishments in the Leeds area.

6.2 The Working Group formed by the Licensing Committee is currently developing a policy and standard conditions, and has sought advice from partners in relation to the contents of the policy.

7.0 Recommendations

7.1 That Members note the contents of the report.