

STOCKTON-ON-TEES BOROUGH COUNCIL

CABINET RECOMMENDATIONS

PROFORMA

Cabinet Meeting20th December 2010

1. Title of Item/Report

Licensing of Sexual Entertainment Venues: Adoption of Schedule 3 of Local Government (Miscellaneous Provisions) ACT 1982 as amended

2. Record of the Decision

Consideration was given to a report on the adoption of the amendment to the Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 by Section 27 of the Policing and Crime Act 2009. This introduced a Licensing regime for "sexual entertainment venues" such as lap dancing.

The report further proposed that Members consider consulting on a draft policy for sex establishments. This would give the Council clearer control over issues such as suitability of applicants, the number of establishments and where they could be located

Section 27 of the Policing and Crime Act 2009 came into force on 6 April 2010 and amended Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. Schedule 3 was adoptive legislation and would only apply to the Borough if the Council resolved to adopt the amended Schedule 3.

It was suggested that although there was no statutory requirement to have a policy concerning Sexual Entertainment Venues, it might be helpful for a policy to be introduced after consultation with the appropriate bodies and individuals. The policy may include consideration being given to the number of such establishments, if any, in various locations in the Borough and the requirements that would be expected to be in place before any such licence is granted.

Members noted the responses to a short consultation questionnaire regarding the adoption of Schedule 3.

The Licensing Committee had considered a report on the Licensing of Sexual Entertainment Venues and it recommended adoption of Schedule 3 and preparation of a draft Sexual Entertainment Policy.

RECOMMENDED to Council that:-

1. the amendment to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, by Section 27 of the Policing and Crime Act 2009, to allow the licensing of sexual entertainment venues, be adopted.

2. a draft Sexual Entertainment Policy be prepared by officers for consultation with relevant parties.

3. Reasons for the Decision

Section 27 of the Policing and Crime Act 2009 came into force on 6 April 2010 and amended Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. It was adoptive legislation and would only apply to the Borough if the Council resolve to adopt the amended Schedule 3.

Although there was no statutory requirement to have a policy concerning Sexual Entertainment Venues, it may be helpful for a policy to be introduced after consultation with the appropriate bodies and individuals. The policy may include consideration being given to the number of such establishments, if any, in various locations in the Borough and the requirements that would be expected to be in place before any such licence is granted.

4. Alternative Options Considered and Rejected

None

5. Declared (Cabinet Member) Conflicts of Interest

None

6. Details of any Dispensations

Not Applicable

7. Date and Time by which Call In must be executed

Midnight on 30 December 2010

Proper Officer

23 December 2010