

DELEGATED

REPORT TO LICENSING COMMITTEE

12 JANUARY 2021

REPORT OF ASSISTANT DIRECTOR OF ADMINISTRATION, DEMOCRATIC AND ELECTORAL SERVICES

REVIEW OF SEX ESTABLISHMENT LICENSING POLICY

SUMMARY

To update Members on comments received on the proposal to readopt the current Sex Establishment Licensing Policy.

RECOMMENDATION

1. That Members note the contents of the report.
2. That Members agree with the recommendation that the current policy is readopted.

DETAIL

1. The original Sex Establishment Licensing Policy was agreed in 2011 and reviewed in 2015 when minor revisions we agreed.
2. Since the adoption of the original policy in April 2011, no applications for a Sex Establishment Licence have been received by the Authority and no issues or concerns have been raised. There have been no changes to legislation or to the Home Office guidance issued in 2010 which can be viewed at:

<https://www.legislation.gov.uk/ukpga/1982/30>

<https://www.legislation.gov.uk/ukpga/2009/26/part/2/crossheading/sex-establishments>

<https://webarchive.nationalarchives.gov.uk/20100408140149/http://www.crimereduction.homeoffice.gov.uk/crimereduction057a.pdf>

3. As a result it is proposed that the current policy remains relatively unchanged. A copy of the draft policy was emailed to all members on 14 December 2021, and can also be found at: <https://www.stockton.gov.uk/our-people/licensing/sex-establishment-licence/>
4. A log of changes is attached as Appendix 1.
5. The proposal to readopt the policy was sent via email to all Members and Responsible Authorities under the Licensing Act, namely Cleveland Police, Childrens Services, Environmental Health, Cleveland Fire Service Public Health and Planning.
6. Comments received and any additional information is detailed in Appendix 2.

7. The adoption of a policy for Sex Establishments is not statutory but allows the Council to outline its views for applicants about issues such as suitability of applicants, the number of establishments and where they can be located. In determining applications Members and Officers will have due regard to the Policy whilst considering each application on its merits. It is proposed that review period should be 5 yearly for this Policy.
8. It is now proposed that the revised Policy will be considered by Cabinet on the 25 February 2021 and then Council on the 24 March 2021, with a final implementation date likely to be 1 April 2021.
9. The Policy will then be due for a further review by the end of 2026.

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Financial Implications

None. Sexual Entertainment fees are set and reviewed locally.

Environmental Implications

Through the maintenance of a strategic licensing policy there will be opportunities to further improve the environment, to the benefit of all.

Legal Implications

A licensing policy can be challenged by way of judicial review.

Community Safety Implications

The administration and enforcement of the licensing regime should assist in reducing crime and disorder.

Human Rights Implications

None

Background Papers

Appendices, Web links.

Ward

Not ward related