

COUNCIL - 10TH FEBRUARY 2011

RECOMMENDATIONS OF THE REGULATORY COMMITTEE 3RD FEBRUARY 2011

Minute No.

25 POLICING AND CRIME ACT 2009

The Committee received a report informing it of new powers introduced under Section 27 of the Policing and Crime Act 2009, which amended Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 to include reference to sexual entertainment venues (SEV) such as lap, table and pole dancing clubs.

Adoption of Schedule 3 would mean SEVs being required to obtain a licence under the same regime as for sex shops and sex cinemas. The new powers would provide local authorities with a wider range of grounds for refusing an application than the Licensing Act 2003, and would give local residents a greater say in the regulation of entertainment such as lap dancing in local pubs and similar venues in their area.

Although adoption of the new powers under the 2009 Act was not mandatory, a public consultation would have to be undertaken should the authority not adopt the provisions before 6 April 2011.

Officers reported that a small Surrey-based group of licensing officers had been established to draft a policy framework for dealing with applications, and that a report upon this would be brought back to the Committee in due course.

The report proposed adoption of Schedule 3 and that applications for a SEV should be dealt with by the Regulatory Committee in the same manner and with the same scale of fees as for applications for a sex shop licence under the provisions of the Local Government (Miscellaneous Provisions) Act 1982

RECOMMENDED to:

- (i) **adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by section 27 of the Policing and Crime Act 2009, to come into force from 1 April 2011;**
- (ii) **delegate to the Regulatory Committee authority to deal with applications under Schedule 3, as amended; and**
- (iii) **set the fee level for applications under Schedule 3, as amended, in line with that for other Sex Establishment Licences.**