

Report to the Council

Committee: Licensing

Date: 28 June 2011

Subject: Licensing of Sex Entertainment Venues

Chairman: Councillor Richard Morgan

Recommendation:

That the Sexual Entertainment Venues and Sex Establishment Licensing Policy and the licence conditions attached be adopted

1. At the Licensing Committee meeting on 13 April 2011, we considered the draft policy for the regulation of sex cinemas, sex shops and sexual entertainment venues. The policy had been the subject of a consultation exercise. The list of those consulted which is attached to the policy was compiled before the election but as the consultation took place after, Robert Halfon MP was invited to comment instead of Bill Rammell.
2. The policy informs applicants and objectors which establishments are required to be licensed, the application process, how objections should be made, the conduct of the hearing and issues relating to the locality which the Authority will take into account when reaching a decision as to whether to grant the licence. Annexed to this policy document are the standard conditions that will be attached to licences for sex establishments unless the Licensing Sub-Committee decide otherwise.
3. We received three replies to the consultation exercise copies of which which were attached to the Licensing Committee agenda. Two of the replies to the consultation made no comment but the Loughton Town Council suggested a number of amendments which we agreed and these have been incorporated into the annexed policy document.
4. The Licensing Committee also agreed a change to the wording of paragraph 8.2 of the policy. This paragraph gives guidance as to the types of localities where the Council would consider it inappropriate having regards to the character of the locality to grant a licence. The policy had provided that there would be a "a general policy presumption against granting the licences" in the areas which were listed in the policy. This has been changed to "shall give strong consideration to the appropriateness of granting licences" in those areas.
5. We also decided that the decision to grant, renew, or vary a licence should only be taken by members of the Licensing Sub-Committee.
6. We would ask the Council to approve the draft policy.