

## Report of the Chief Executive

**SEX ESTABLISHMENTS POLICY  
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982  
(AS AMENDED)  
POLICING AND CRIME ACT 2009**1. Purpose of report

To propose that the transitional arrangements of the above Acts in relation to the licensing of sex establishments be removed from the Broxtowe Borough Council's current policy.

2. Background

In 1982 the Local Government (Miscellaneous Provisions) Act introduced a discretionary licensing regime for Sex Shops and Sex Cinemas. These provisions were adopted by the Council on 14 February 1983.

The Licensing Act 2003 introduced a new licensing regime which amalgamated several pieces of old legislation under the heading of "Regulated Entertainment". Entertainment of an adult nature such as lap dancing, pole dancing and striptease etc. fell under this heading

The Policing and Crime Act 2009 introduced provisions creating a new category of Sex Establishment known as a Sexual Entertainment Venue (SEV) to enable local authorities to require venues such as lap dancing establishments to be licensed as Sex Establishments. These provisions are also discretionary but the Council adopted them with effect from 26 July 2010. The legislation has not changed since that date.

3. Detail

The current policy contains a number of references to transitional arrangements which are now redundant and no longer form a useful part of the document. It is proposed to remove these redundant references. There will be no change to the current policy as a consequence of this. There are no licensed sex establishments in the borough.

A full list of deletions together is attached at appendix 1 with a tracked change policy at appendix 2. An Equality Impact Assessment is not necessary as the amendments just reflect current law.

**Recommendation**

**The Committee is asked to APPROVE the revised Council's Sex Establishment Policy.**

Background papers

Nil

## APPENDIX 1

**Proposed deletions**

1.	<b><u>Page 2</u></b> Remove appendix 1 "SEVs AND THE TRANSITIONAL PROVISIONS from the contents list.
2.	<b><u>Page 5 Para 2.3</u></b> Remove final sentence referring to special transitional provisions
3.	<b><u>Page 13 Para 7.1</u></b> Amend paragraph to reflect current enforcement considerations.
4.	<b><u>Pages 15 – 19 Appendix 1</u></b> Remove Appendix 1 in its entirety. The content has no effect from October 2011 by when all transitional arrangements were completed.

None of the proposed deletions affect the content of the policy.