



AGENDA ITEM: 6

Report for:	Licensing and Health & Safety Enforcement Committee
Date of meeting:	30 November 2021
PART:	I
If Part II, reason:	

Title of report:	Review of Sex Establishment Licensing Policy
Contact:	Phil Wortley – Licensing Officer, Corporate and Contracted Services
Purpose of report:	To present proposed updates to the Council's Sex Establishment Licensing Policy and to seek approval to commence public consultation in respect of the revised documents.
Recommendations	That consultation be carried out on the draft Sex Establishment Licensing Policy, with responses to be reported to a future meeting of the Committee.
Corporate objectives:	A clean, safe and enjoyable environment Maintain a clean and safe environment Ensuring efficient, effective and modern service delivery
Implications:	This is an existing policy which is due to be reviewed, with only minor changes proposed. No new implications are expected to arise as a result.
Consultees:	This report proposes that public consultation be carried out on the revised policies, and the results reported back to the Committee.
Background papers:	Draft Sex Establishment Licensing Policy 2022-2027
Glossary of acronyms and any other abbreviations used in this report:	

1. BACKGROUND

- 1.1. The Council publishes policies in respect many of its licensing functions. While there is no statutory duty to do so, publication is seen as best practice, as it offers guidance to applicants and other persons on how the authority will exercise its powers, and helps to ensure consistency in the Council's decision-making.
- 1.2. The Council's policy in respect of the licensing of sex establishments is due to be reviewed and renewed.

2. SEX ESTABLISHMENT LICENSING POLICY

- 2.1. The Council has adopted schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, so as to enable the regulation of sex establishments (sex shops, sex cinemas and sexual entertainment venues). At present there are two licensed venues within Dacorum.
- 2.2. The current sex establishment licensing policy was last reviewed in 2016, and is due to expire in February 2022.
- 2.3. There have been no significant emerging issues, legislative change or case law in regards to this area of licensing in the last 5 years, so only very minor changes have been proposed. Due to the similarities with the current policy, and in the absence of expected statutory change affecting this regulatory area, it is proposed that the revised policy have effect for a further 5 years.
- 2.4. The draft sex establishment licensing policy for 2022-2027 is appended to the report.

3. CONSULTATION AND TIMESCALES

- 3.1. It is considered important that those persons who may be affected by this policy should have the opportunity to comment upon and influence the proposals, and as such public consultation is proposed. As this is a non-statutory policy, there are no formal requirements relating to consultation. As such it is intended to publish the draft policy on the Council's website, with notification sent to key parties, including elected representatives, parish and town councils, and trade bodies. Details of the sex establishments policy will also be sent to the relevant licence-holder.
- 3.2. A four week consultation is proposed.

4. RECOMMENDATIONS

- 4.1. **That consultation be carried out on the draft Sex Establishment Licensing Policy with responses to be reported to a future meeting of the Committee.**