

# Consultation on Leicester City Council's Policy on Licensing Sexual Entertainment Venues

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## Introduction

The Policing and Crime Act 2009 has introduced new powers for local authorities to regulate sexual entertainment venues. Sexual entertainment venues are premises on which live entertainment or displays of nudity take place for the purpose of sexually stimulating an audience. One of the principal types of premises where this occurs is lap dancing venues.

The City Council intends to adopt these powers and this consultation is designed to gather views on its policy for their use.

From the date on which the powers come into force, which will be decided by the Council, premises must be licensed. Premises on which sexual entertainment takes place infrequently, less than twelve times in a twelve month period and on occasions at least one month apart, are exempt from the requirement for a licence. The Council may decide not to grant a licence if they consider that the location of the premises is unsuitable, or because of the use to which other premises in the vicinity are put, or because they consider the applicant to be unsuitable. They may also decide how many licences should be granted in particular locations, which may be none.

If a licence is granted the Council may impose conditions, which could relate to such things as the outside appearance of the property, the management of the premises, internal layout, and the nature of the performances. The Council will also decide what the application process will be and how problem premises will be dealt with.

### Responding to this Consultation

The Council intends to consult with members of the public, relevant organisations and the trade on its policy. You may make your views known by completing all or any part of the following document. For instance if you are a member of the public you may be most interested in the effect a sexual entertainment may have on the area in which you live, in which case you may wish to fill in only Sections 1 – 4. You may also make submissions of your own.

You may make your submissions either online by visiting [www.leicester.gov.uk](http://www.leicester.gov.uk) or by email or by post to the Licensing Section. The closing date for submission is

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Further copies of this document can be obtained at:

[www.leicester.gov.uk/licensing](http://www.leicester.gov.uk/licensing)

or from:

Licensing Section  
Leicester City Council  
New Walk Centre  
Leicester  
LE1 6ZG

Telephone 0116 252 8555

Email: [Licensing@Leicester.gov.uk](mailto:Licensing@Leicester.gov.uk)

**Outcome of Consultation**

The City Council will take account of all views expressed during this consultation.  
The outcome of the consultation will be published on the Council's website  
[www.leicester.gov.uk](http://www.leicester.gov.uk).

## Section 1 - Controlling the Location of Sexual Entertainment Venues

- a) Please tell us which of the following areas you consider to be suitable or unsuitable for a sexual entertainment venue:

Area	Suitable	Unsuitable
The City Centre (inside the Inner Ring Road)	<input type="checkbox"/>	<input type="checkbox"/>
Other areas associated with the night time economy (eg Braunstone Gate)	<input type="checkbox"/>	<input type="checkbox"/>
Industrial estates	<input type="checkbox"/>	<input type="checkbox"/>
District shopping areas (eg Beaumont Leys Shopping Centre, Queens Road, Evington Road, Aylestone Road, etc)	<input type="checkbox"/>	<input type="checkbox"/>
Residential Areas	<input type="checkbox"/>	<input type="checkbox"/>
Other areas, please specify ..... .....	<input type="checkbox"/>	<input type="checkbox"/>
Are there any other comments you would like to make about the location of sexual entertainment venues? ..... ..... .....		

b) Please tell us which, type of premises listed below you think sexual entertainment venues should **not** be located near.

	Type of premises (tick as many as apply)
Sexual entertainment venues should <b>NOT</b> be located in the near to:	Places of worship <input type="checkbox"/>
	Schools <input type="checkbox"/>
	Other community facilities such as libraries, community centres etc <input type="checkbox"/>
	Residential Premises <input type="checkbox"/>
Are there any other comments you would like to make about the types of premises which sexual entertainment venues should not be located close to?	
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c) The City Council does not intend to specify a fixed distance from any other premises that sexual entertainment venues must be located, but will judge each case on its individual merits. (For example, we will **not** state that a sexual entertainment venue must be more than 2 miles from any school). Do you agree or disagree with this approach?

A fixed distance should not be used to determine which premises a proposed sexual entertainment venue is in the vicinity of:	Agree <input type="checkbox"/> Disagree <input type="checkbox"/> Don't know <input type="checkbox"/>
If you disagree with this approach please explain why:	
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If you believe a fixed distance should be used please state what this should be:	
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## Section 2 - Limiting Numbers of Sexual Entertainment Venues

The City Council intends to limit the number of sexual entertainment venues that will be licensed in particular locations. It has not decided yet how to identify which these locations should be. The number of premises in a particular location could be limited to nil. Please give you views on this.

If the City Council decides to limit the number of sexual entertainment venues in the following locations what should that number be?	Please write in the number of venues for each of the locations
City Centre (inside the Inner Ring Road)	.....
The whole of the area outside the inner ring road	.....
Braunstone Gate	.....
Other areas, please specify ..... ..... ..... .....	..... ..... ..... .....

### Section 3 - Controlling the External Appearance of Sexual Entertainment Venues

The City Council do not consider it appropriate for Sexual Entertainment venues to have explicit displays outside their premises. However, there is a need for there to be a clear indication of the type of entertainment that takes place within the premises. It is therefore proposed that there would be a condition prohibiting explicit displays outside the premises, that the premises should be allowed to clearly display its name, and that any other displays would have to be approved by the City Council. Please give your view of whether you support these proposals.

	Agree	Disagree	Don't know
Premises should be prohibited from having explicit displays outside the premises	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The premises should be allowed to display its name, but other displays would need to be approved by the City Council.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There should be no visibility from outside the premises into the interior.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are there any other comments you would like to make about the external appearance of sexual entertainment venues? ..... ..... ..... ..... ..... ..... ..... ..... ..... ..... .....			

## Section 4 - Protection of Children and other Non-users

The City Council believes that it is appropriate to introduce conditions to protect children and non-users of the premises. Please give your views on the following proposals:

	Agree	Disagree	Don't know
A Challenge 21 scheme on admissions should be operated.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There should be no distribution of leaflets advertising the premises.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The premises should not advertise by means of cruising vehicles or use any other form of solicitation to invite people into the premises.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Premises should have hours of operation that will ensure nuisance is not caused to neighbouring premises	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please provide any other comments you have about these proposals:

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## Section 5 - Controlling the Management of Sexual Entertainment Venues

The City Council thinks that it is appropriate to introduce conditions on licences to ensure that only appropriate people are engaged in the management of sexual entertainment venues. People engaged in the management of the premises must have suitable experience and understanding of the requirements relating to the business. Please tell us if you agree or disagree with the following proposals.

	Agree	Disagree	Don't know
All persons engaged in the management of the business should be required to undergo a Criminal Records Bureau check.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All persons with a financial interest in the business, including third party beneficiaries, should be required to undergo a Criminal Records Bureau check.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Persons engaged in the management of the premises should be required to provide evidence to demonstrate they have suitable experience and understand the requirements of the business.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please provide any other comments you have about these proposals:

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## Section 6 - Protection of Performers and Prevention of Crime and Disorder

The City Council believes that it is appropriate to introduce conditions to protect performers and prevent crime and disorder. Please give your views on which of the following you consider appropriate:

	Agree	Disagree	Don't Know
The management of the premises should have a written policy on the conduct of performers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The management of the premises should have a policy on clear display on the conduct of customers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There should be no physical contact between performers and customers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There should be no physical contact between performers and other performers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The performance should not include the use of any sex toys	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Performances should be to seated audiences only	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Where performances take place in open areas there should be adequate separation between customers and performers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There must be a clear exit route for performers without going through the audience area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There should be no audience participation in performances	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Photography of performances should not be allowed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There should be secured dressing rooms available to performers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Performers should have separate sanitary facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Free drinking water or other refreshments should be available to performers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There should be routine monitoring to ensure that drugs are not being used by performers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Secure transport from the premises should be provided for performers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There should be routing checking of employment records and right to work in the UK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CCTV should be provided of all parts of the premises including private dancing booths	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adequate SIA registered door supervisors should be employed to control entry and to provide security within the premises.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please provide any other comments you have about these proposals:

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## **Section 7 - Application Process**

### **The Legislation**

Parts of the application process are set out in law and are fixed. Applications for sexual entertainment licences will be in two phases. The first phase will cover application made between the \*\*\*\*\* and the \*\*\*\*\* any applications will be held and considered together. The second phase will be for all other applications and consideration will not take place until the first phase has been completed.

Applicants will be required to provide sufficient information to enable the licensing authority to decide whether it is appropriate to grant a licence. The licensing authority may also decide to make further enquiries about any application.

Applicants will be required to publicise their application by means of a newspaper advertisement and a notice on the site.

### **The City Council's approach**

Any member of the public may make representations about applications. Representations will also be allowed from the Police, Fire Service and City Council's teams responsible for preventing noise nuisance, planning, health and safety and child protection. Where members of the public make representations and wish to remain anonymous the City Council will respect that anonymity, but will also take account of the applicants reduced ability to respond to representations from unknown sources.

Applications will be considered by a panel of three members of the Council's Licensing Committee. The Committee will operate using the same code of practice which it uses for hearings under the Licensing Act. Copies of the code of practice are available online or from the Licensing Section (see Introduction on Page 2 for contact details). The panel will consider any representations made about the applications and persons who have made representations will be given an opportunity to address the panel, as will the applicant.

Under the Provision of Services Regulations 2009, the City Council proposes not to grant tacit authorisation to applications not dealt with within the time frame that it sets. The reason it is considering doing this is because it will need to consider an unknown number of applications during the first phase (see above) before any applications can be approved. It also considers that an inappropriately located or managed premises has the potential to have a significant adverse impact on a local community and it would not be in the public interest to grant a licence without full consideration.

### **Dealing with problem premises**

Licences will remain in force for no longer than a year and any person may make representations about the renewal of the licence. Where representations are made the City Council will hold a hearing to consider whether a licence should be renewed or not.

During the period when a licence is in force, if an officer of the police or the Licensing Section has concerns about the operation of the premises, they may ask the Licensing Committee to consider revocation of the licence. The City Council will then hold a hearing to consider whether the application should be revoked.

Please provide any other comments you have about these proposals:

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## Section 8 - About You

Please provide any information about yourself that you wish. All information will remain confidential to the City Council and will not be given to any third parties:

If your response is on behalf of an interested organisation please specify.	
If you are the owner or manager of an existing sexual entertainment venue please specify	
If you are a prospective owner of a sexual entertainment venue please tick	
If you work as a performer in a sexual entertainment venue please tick	<input type="checkbox"/>
If you work in a sexual entertainment venue other than as a performer please tick	<input type="checkbox"/>

## Return of Forms

Please return completed forms by \*\*\*\*\* to:

Licensing Section  
Leicester City Council  
New Walk Centre  
Leicester  
LE1 6ZG

Or by email: [Licensing@Leicester.gov.uk](mailto:Licensing@Leicester.gov.uk)

# Equalities Monitoring

In order to meet your needs and improve service we need to know a bit more about you. Please help us by completing this form. You will not be disadvantaged in any way. This information is confidential.

## 1) Ethnic Background

### a) Asian or Asian British

- Bangladeshi     Indian     Pakistani  
Any other Asian background (please write in) .....

### b) Black or Black British

- African     Caribbean     Somali  
Any other Black background (please write in) .....

### c) Chinese

Any other Chinese background (please write in) .....

### d) Dual / Multiple Heritage

- Asian & White     Black African & White     Black Caribbean & White  
Any other Heritage background (please write in) .....

### e) White

- British     European     Irish  
Any other White background (please write in) .....

### f) Other ethnic group

- Gypsy/Romany/Irish traveller  
Any other ethnic group (please write in) .....

### g) Prefer not to say

## 2) Gender

- Female     Male     Prefer not to say

## 3) Age

- Date of birth (day/month/year) .....
- Age in years .....
- Prefer not to say

Continued over . . . .

#### 4) Disability

The Disability Discrimination Act (DDA) defines a person as disabled if they have a physical or mental impairment which has a substantial and long term effect on their ability to carry out normal day-to-day activities and has lasted or is likely to last for at least 12 months. Since 2005 people with HIV, cancer, multiple sclerosis (MS) and severe disfigurement are covered by the DDA.

**Do you consider yourself to be a disabled person?**

- Yes       No       Prefer not to say

#### 5) Sexual Orientation

- Bisexual     Gay (female)/Lesbian     Gay (male)     Heterosexual/straight  
 Prefer not to say     Other (please write in) .....

#### 6) Religion & Belief

How would you define your religion or belief?

- Bahai       Buddhist       Christian       Hindu  
 Jain       Jewish       Muslim       Sikh  
 Atheist     No religion     Prefer not to say  
 Other (please write in) .....

#### 7) Postcode

- First 4 digits only  
 Prefer not to say

Thank you for completing this monitoring form. Please return it with your completed questionnaire. The information you have provided will be kept in accordance with terms of the Data Protection Act 1998 and will only be used for the purpose of monitoring.

Your details will not be passed on to any other individual, organisation or group. Leicester City Council is the data controller for the information on this form for the purposes of the Data Protection Act.