

ANGUS COUNCIL

CIVIC LICENSING COMMITTEE – 18 FEBRUARY 2021

LICENSING OF SEXUAL ENTERTAINMENT VENUES

REPORT BY THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT

Members are asked to note the update in respect of the progress being made in relation to the introduction of a licensing regime for Sexual Entertainment Venues.

1. RECOMMENDATION

It is recommended that the Committee note: -

- (i) the updated position in respect of the licensing of Sexual Entertainment Venues and that the Resolution contained within Appendix 1 was passed by Angus Council on 12 August 2020;
- (ii) that consultation in relation to the formation of a Licensing Policy Statement will take place between February and April 2021 with groups who may have an interest in this matter including, but not limited to, Police Scotland, Violence against Women Partnerships, Angus Women's Aid, Angus Community Planning Partnership as well as the public; and
- (iii) that the Director of Legal and Democratic Services will report back to this Committee providing a proposed note of the application process for approval by the Committee, including application forms, guidance and a draft Sexual Entertainment policy statement prior to the Resolution coming into effect on 12 August 2021.

2. REPORT

- 2.1 At its meeting on 9 January 2020, this Committee considered responses received in relation to a consultation exercise which was carried out between 6 November 2019 and 16 December 2019. This consultation focussed on whether Sexual Entertainment Venues ought to be licensed in terms of Part 3 of the Civic Government (Scotland) Act 1982. The Committee determined that a recommendation be made to Angus Council to pass a resolution which would have the effect of introducing a licensing regime for Sexual Entertainment Venues within Angus.
- 2.2 As a result of the COVID-19 pandemic and the impact that this has had upon the wider Council business and meetings, the Council did not consider this recommendation until its meeting on 12 August 2020. At this meeting, the Council determined to pass the resolution which has the effect of the licensing regime coming into effect on 12 August 2021.
- 2.3 The Act requires the Committee to agree to a Sexual Entertainment Venue Licensing Policy Statement and it requires this to be created in consultation with interested groups. This Statement requires to be approved prior to the Resolution coming into effect.
- 2.4 The Committee is being asked to note that a consultation exercise will be carried out in relation to the Licensing Policy Statement between February and April 2021 with a view to the draft Licensing Policy Statement being agreed prior to August 2021. The groups noted within the recommendation section as well as wider members of the public will be asked for feedback in relation to the content of the policy statement. The consultees will also be asked for views in relation to number of Sexual Entertainment Venues which should be permitted within the Angus area so that this can be detailed within the Policy Statement.
- 2.5 Details of the consultation will be circulated directly to the groups noted within the recommendation section of this report. The consultation will also be advertised through the Have Your Say section of the website as well as through the Council's social media platforms.

2.6 Once the consultation period has ended, the responses will be collated and presented to Members, together with the draft Policy Statement, with responses incorporated, for approval prior to the licensing regime coming into effect. The Committee will also be required to approve the application form, fee and accompanying guidance prior to the licensing system going live in August 2021.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from this report.

4. HUMAN RIGHTS IMPLICATIONS

There are no human rights issues arising directly from this report.

5. EQUALITIES

The Committee ought to have regard to their obligations in terms of the Equality Duty under the Equality Act 2010. An Equalities Impact Assessment was completed in relation to the passing of the Resolutions by the Council. This Assessment will be updated in relation to the approval of the Licensing Policy Statement.

NOTE: No background papers as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing this report.

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RESOLUTION

That Angus Council has, having consulted with the public, resolved in accordance with section 45(1) of the Civic Government (Scotland) Act 1982, to adopt a resolution that, with effect from one year after making of this resolution, the following activity, viz:-

- a. The use of any premises at which sexual entertainment is provided before a live audience for (or with a view to) the financial gain of the organiser

shall require to be licensed by Angus Council in accordance with the provisions of Schedule 2 of the Act and shall be regulated by those provisions.