

Sex Establishment Policy

April 2021



Introduction and Overview



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Background



- The Sex Establishment Policy ensures compliance with all statutory requirements placed on the council in relation to the licensing of sex establishments
- The policy is being updated to adopt the provisions of relevant legislation to include all the BCP conurbation. The policy sets out the framework to facilitate consideration of applications in respect to these premises.
- The purpose of the policy is to enable BCP Council to have clear guidelines in relation to the licensing of sex establishments in its area for applicants, residents and workers. This policy ensures a transparent consistent approach that gives direction and focus to the Licensing Committee in determining applications.

Legal Framework



- The policy is prepared under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.
- Section 27 of The Policing and Crime Act 2009 amended the Local Government (Miscellaneous Provisions) Act 1982 to introduce a new classification of sex establishment, namely sexual entertainment venues (SEV's).
- Sex Establishments include Sexual Entertainment Venues, Sex Shops, Sex Cinemas

Policy Development



- Bournemouth currently has 3 Sexual Entertainment venues and 2 Sex Shops. There are none in Poole or Christchurch.
- The previous Bournemouth policy set a cap on the numbers of venues at this level and for these localities.

Policy Development



- The Licensing Committee were presented with a draft policy for consultation on 10th December 2020.
- After discussion it was agreed that the cap on numbers was historic and not relevant to the new authority, but that any new application be considered on it's own merits considering the character of the locality

Character of the Locality

When considering any new applications the Licensing Committee will consider whether the grant of the application would be inappropriate having regard to its proximity to:

- Residential premises
- Premises which are frequented by children, young persons or families
- Shops used by or directed at families or children
- Premises sensitive for religious purposes for example, churches, mosques and temples
- Places and/or buildings of historical/cultural interest and tourist attractions
- Cultural facilities such as museums, theatres and cinemas
- Public leisure facilities such as leisure centres, parks and open spaces
- Community buildings such as community centres, libraries and drop in centres
- Places used by vulnerable persons such as day centres, hostels and other adult social care facilities
- Hospitals and other medical facilities
- The number, type and concentration of other sex establishments already licenced within the locality.
- Other factors relevant to the locality

Consultation

- The consultation was open for 4 weeks, from 4 January – 1 February 2021.
- An online survey was made available, alongside links to the draft policy document.
- In total there were 206 responses to the survey.
- The majority of respondents disagreed that the cap on numbers of establishments should be removed
- Most respondents strongly agreed with all the criteria for consideration when determining an application

Consultation

- The Sexual Entertainment Venues were the most controversial aspect in responses, with many respondents suggesting a nil limit on venues
- The Licensing Committee working group considered many of the comments to be objecting to the venues on moral grounds, which cannot be considered
- Removing current licenses could also be challenged in court

Equalities Impact Assessment



Research into the impact of sexual entertainment venues is inconsistent:

- Many dancers have degrees and other use the earnings to fund education
- There is little evidence of links to trafficking or prostitution
- Venues provide employment for a number of female dancers
- There are suggestions that venues normalize the objectification of women and can have an impact on women's safety in the locality
- Also, that dancers can suffer harassment from customers and staff

Community Safety Issues

- There is little evidence of crimes or criminality associated with the current venues in Bournemouth
- Measures will be in place to enhance safety when the night-time economy re-opens – SafeBus, Street Pastors, Taxi Marshalls, CCTV
- Strict conditions are placed on licenses to keep dancers safe whilst working

Next Steps

- Member Engagement session – May?
- Licensing Members Workshop
- Licensing Committee – July
- Full Council – July/September