IN THE MATTER OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

AND IN THE MATTER OF THE LICENSING OF SEXUAL ENTERTAINMENT VENUES

ADVICE

INTRODUCTION

1. I am instructed to advise the City of London Corporation in relation to the new sex licensing provisions introduced by the Policing and Crime Act 2009. These provisions, which have now been adopted by my client, give local authorities the possibility of tighter control over sexual entertainment venues than was previously the case. In particular, there is now the possibility of refusing a licence for such an establishment on the grounds that the grant would result in more such licences in any given locality than is appropriate. For these purposes, nil may be considered an appropriate number. The Corporation wishes to consult the public as to whether it should have any and if so what policy in relation to the appropriate number in particular localities. I am asked to advise on the merits and demerits of such an approach.

BACKGROUND

2. I should start by setting some context. This area of law is concerned with the sexual entertainment industry. In the past this has principally concerned stripping, whether in pubs or dedicated clubs. One variant on that theme is pole dancing. It also concerns the hard core end of the market such as peep shows and live sex shows. Since the mid-1990s the industry has grown to accommodate an American import – lap dancing and table dancing. Here, the performer is not on a stage but dances at the behest of individual customers, usually fully nude but sometimes partially nude. Depending on the local authority, this may also take place in a private booth, and may involve full body contact, the maintenance of some separation between performer and customer or a 3 foot separation between the two.

3. In London, the Greater London Council (General Powers) Act 1986, which introduced amendments to the Local Government (Miscellaneous Provisions) Act 1982, gave London authorities the power to regulate premises as sex encounter establishments. However, the 1982 Act was disapplied for premises with licences for regulated entertainment or late night refreshment under the Licensing Act 2003. This was an anti-duplication measure, with the consequence that the principal form of regulation of the industry in London came under the Licensing Act 2003. Outside London, the Licensing Act 2003 was the sole means of regulation of adult entertainment.

4. The Licensing Act 2003 has as its objectives the prevention of crime and disorder, the prevention of nuisance, the protection of children from harm and public safety. These are all worthwhile objectives in their own right, but they do not cover the full range of concerns which local people may have about venues offering sexual entertainment. For example, the objectives do not respond to concerns regarding the effect which a venue may have on the character of an area. Furthermore, the Licensing Act 2003 permits participation in the licensing process by those who live or work in the vicinity of the premises in question, but does not permit participation from those living or working further afield. So, for example, those who merely shop, worship, take their leisure or educate their children in the vicinity of the premises would have no right to participate in the licensing process.

5. These concerns were answered by further amendments to the Local Government (Miscellaneous Provisions) Act 1982 introduced by the Policing and Crime Act 2009. The previous categories of sex establishment under the 1982 Act had been sex cinemas, sex shops and, in London, sex encounter establishments. The amendments added a new category applicable nationally, the sexual entertainment venue. Broadly, this is a commercial venue at which live performance or live display of nudity is provided for the purpose of sexual stimulation. Notably, the performance does not have to be nude, provided that its purpose is sexual stimulation.

6. Furthermore, the list of potential objectors is not circumscribed. Any person may object, wherever they live or work, although plainly the extent of their true interest in the application may affect the weight that is given to their objection.

7. Most important, however, is the list of reasons for refusal under the 1982 Act, which goes far wider than the licensing objectives under the Licensing Act 2003. There are mandatory and discretionary grounds for refusal.

8. The mandatory grounds may be summarised as follows:

   (1) The applicant is underage.
   (2) The applicant is disqualified following an earlier revocation of its licence.
   (3) The applicant is not resident in an EEA state.
   (4) The applicant is not incorporated in an EEA state.
   (5) The applicant has within the last 12 months been refused a licence for the premises in question.

9. The discretionary grounds are, in summary:

   (1) The applicant is unsuitable to hold a licence.
   (2) The applicant's manager or the beneficiary of the business would be refused a licence.
   (3) If the licence is granted, the number of establishments in the locality would exceed the number considered appropriate. The appropriate number may be nil.
   (4) The grant would be inappropriate having regard to the character of the locality.
   (5) The grant would be inappropriate having regard to the use of premises in the vicinity.
   (6) That grant would be inappropriate having regard to the layout, character or condition of the premises.

10. It will be seen that there is a wide range of reasons for refusal, going far beyond those permitted by the Licensing Act 2003. Further, while the inquiry under the Licensing Act 2003 tends to be as to whether people would be harmed, e.g. through visiting unsafe premises or by being woken at night, the inquiry under this new legislation is more widely-based. For example, the character of an area may be such that a grant would be inappropriate even though there is no evidence that any person would be, or even might be, harmed by the proposed establishment.

11. The mandatory grounds are largely self-explanatory. It is, however, worthwhile exploring some of the discretionary grounds briefly.

12. The unsuitability spoken of in the first mandatory ground does not just relate to the criminal record of the applicant. The applicant might be unsuitable for other reasons too. So, for example, the authority might enquire as to whether he is qualified by experience to run a potentially sensitive operation, and whether the management systems he intends to employ are such as to protect performers, customers and the wider public.

13. The second discretionary ground extends the suitability inquiry beyond the applicant himself to his managers and backers.

14. The third discretionary ground permits the authority to focus on the appropriate number of sex establishments, or sex establishments of a particular kind, in the locality. The question of appropriateness may involve planning type considerations. It might involve a consideration of potentially sensitive uses in the locality, such as schools, places of worship or family leisure areas. However, it cannot be used as an opportunity to import moral considerations. A moral aversion to sexual entertainment is not a lawful reason for refusal of a licence.

15. The fourth discretionary ground permits consideration of the character of the locality. To some extent there is some overlap here with the previous ground. It requires consideration of what the character of the locality actually is, and also the nature, size and impact of the proposed premises on that locality. For example, a small adult bookshop may have one type of impact on a locality while a large live sex venue might have another.

16. The fifth discretionary ground focuses on the use of premises in the vicinity. The concept of vicinity is narrower than locality, although neither term is defined in the legislation. Here, the focus is on juxtaposition of uses. So, for example, a sex establishment might be refused opposite a sixth form college based on this ground.

17. The sixth discretionary ground deals with the premises themselves, and enables refusal based on their layout, character or condition. This would enable refusal, for example, on grounds that they are of an inadequate standard, difficult to supervise, or provide poor accessibility,

THE ROLE OF POLICY

18. Unlike the Licensing Act 2003, the Local Government (Miscellaneous Provisions) Act 1982 makes no provision for licensing policies. However, this does not prevent the adoption of a non-statutory licensing policy.

19. The general benefits of a licensing policy are to provide greater certainty for applicants and residents, greater consistency in the licensing process and guidance for the benefit of decision-makers. To take one example, a policy might create a strong presumption

against a particular form of licence in one part of a local authority area, but take a more neutral or positive stance in relation to a different proposal in a different place. That would help to guide investment decisions by operators, give certainty to intending residents, provide a benchmark for objectors and a starting point for the Committee deciding the application.

20. Well-drafted policies can also set out considerations which might be taken into account on licence applications. These might operate as a check list of material factors or as criteria, breach of which would be likely to lead to refusal. So, for example, in dealing with the character of the locality, a policy might presume against the grant of particular licences in family residential areas. It would not need to, but could, specify what those areas are. In dealing with juxtaposing uses, it might presume against the grant of a licence within a certain distance of the Bank of England or a congregational church, and so on. It might also set out the standards which it expects of premises and their management.

21. The policy may also act as a repository for information and other material required by the Act. For example, it may include a list of the standard conditions to be applied by authorities under the legislation and pro forma application forms, adverts and site notices. It may give further details of the procedures of the licensing authority itself. It may also set out the authority's enforcement policy.

22. In short, when considering the adoption of a sex licensing policy, it is important to understand that a policy may potentially play a far wider role than merely setting out the approach to the correct number of premises per locality. It is in that context that I now turn my attention to the pros and cons of having a policy on that matter.

THE APPROPRIATE NUMBER

23. In setting the appropriate number for a given locality, the authority may take into account a host of considerations. These may include, for example, the character of the locality, the reputation of the City, the presence of sensitive uses (e.g. educational, religious, family), any reasonable fear of crime and the gender equality implications thereof[1] and the effects on regeneration and tourism.

[1] Bearing in mind that s 149 Equality Act 2010 obliges local authorities, in carrying out their functions, to have due regard to the need to eliminate discrimination, harassment and victimisation, to advance equality of opportunity and foster good relations between men and women.

24. The Council has four broad options.

25. The first is not to have any policy as to numbers of premises. The effect of that would be that each individual case would be decided on its merits. The authority would start with the premises, ask itself what locality it is in, and then consider what the appropriate number is for that locality and whether that number has already been reached.

26. The second is to have a policy which defines areas of the City, and then sets limits for each. Those limits may be zero, one, two or some other number.

27. The third is to have a policy which does not define actual localities but which sets out the authority's policy approach to the question of the appropriate number. This could, for example, state that the policy is that there is no locality in the City in which it would be appropriate to licence any sex establishments of a particular kind.

28. The fourth option is to set out guidelines or criteria which will be taken into account in deciding what the appropriate number of premises is and, therefore, whether that number would be exceeded by the grant of a licence. Those guidelines could include consideration of character and also other uses in the vicinity. However, those particular factors simply replicate other discretionary grounds for refusal. The discretion to refuse a licence on the grounds of the appropriate number in the locality presumably goes somewhat wider than merely character and other uses. If it does not, it would be redundant. It might include matters such as the reputation of the locality as a financial centre, the regeneration needs of the locality, tourism, gender equality (and any perception on the part of women that at night the locality is becoming dominated by sex-related uses), the nature of the users of the locality (as opposed to the uses of premises), the size of the locality and therefore the concentration of sex establishment venues produced by particular numbers of such venues and their impact on the tone of the area, the separation of sex establishment uses that can be achieved within a given space, or even that the character of an area is actually undistinguished but the authority wishes to set about enhancing it. This is obviously a non-exhaustive list, but all seem to me to be potentially relevant criteria.

29. It is fundamental to note that a policy does not permit the authority to ignore the merits of an individual case. So, even if the policy sets zero as an appropriate number in a

given locality, the authority must still consider the case on its merits. Conversely, if the policy sets a higher number which would not breached by granting the application, the authority must still give proper consideration to an objection that there are sufficient establishments already. It may be strongly guided by its policy, and may, depending on the wording of the policy, take the stance that it will only depart from it in exceptional circumstances. However, it is not open to the authority to refuse an application, or reject an objection, on pure policy grounds without giving the application or objection due consideration.

30. I do not believe that there are significantly greater legal risks attached to decision-making in a policy than in a no-policy world or vice versa. I do think it arguable that if there is a policy, the High Court may be less inclined to permit a challenge to a decision made in accordance with it. Conversely one might plausibly argue the contrary case, that the court would be more inclined to scrutinise a decision made because of the contents of a policy rather than one conscientiously made having regard to the facts of the individual case. In truth, provided that the decision has been made in the proper way, taking account of anything that is relevant, including the policy, and leaving out of account everything that is irrelevant, I would find it hard to advise that one course carries greater or lesser risk than the other. Therefore, I do not advise that the risk of challenge is a good reason to decide to adopt, or not to adopt, a policy.

31. I would take the opposite view in respect of challenges in the magistrates' court. In general, the magistrates are reluctant to overturn decisions made in accordance with a local licensing policy. However, this consideration is less relevant here, because only the first two discretionary grounds may be appealed to the magistrates court in any event, so that refusals on grounds of character of the area, the appropriate number of premises in the locality, or the layout, character or condition of the premises may not be appealed there.

32. I would regard the principal merits of having a numbers policy as being the following:
    a. Certainty for applicants and others who may be affected by applications. This may help in a positive sense, by encouraging operators to make applications only where they can see that there are significant prospects of obtaining a grant, and in a negative sense by deterring speculators from applying where a grant is unlikely to issue.
    b. The provision of a framework against which applications, representations and decisions can be made.

c. The likelihood of greater consistency which a policy affords.
d. The potential for challenges and legal issues to be dealt with at the policy stage rather than having to be dealt with at the application stage.

33. This is not to say that there are no detriments to having a numbers policy. Imagine a policy which sets its face against applications in a given locality. Were there to be premises which have demonstrably not caused any concern in a locality, it might be considered regrettable if upon transition to the new regime those premises were to lose their licence to operate. It is possible that having a nil policy for the locality, or for all localities in the City, would have that effect. However, of course, as I state above, it is always open to the Council to make an exception to a licensing policy, and the fact that a business had traded there without difficulty for many years, and that to cancel its licence would entail the loss of a significant investment and the jobs that go with it, may be a persuasive reason for an exception. Having said that, it is arguable that in such a situation it would be preferable that the business applied with a level playing field rather than having to demonstrate an exception to the policy. Further, a nil policy might have the effect not just of queering the pitch of an applicant, but deterring a meritorious application altogether.

34. A further demerit of a policy is the administrative cost of creating the policy, including the costs of consultation and the officer costs associated with drawing up the policy. This cost is not one-off, but has to be incurred again if and when the policy is revised. This applies not just to numbers policies but to all policies.

35. This is linked to a further point, which is that policies do get out of date, and a good application might find itself hindered by having to comply with, or pitch itself as an exception to, an out of date policy.

36. The considerations set out above pull in different directions. They might result in a decision to have a numbers policy in one area but not in another. The result of the debate will turn on the administrative expediency of taking one course rather than another, and not on legal rules and arguments.

37. My own view is that Parliament has given local authorities, as representatives of their communities, the opportunity to make decisions regarding the commercial sex industry based on a full range of considerations rather than simply those reflected in the Licensing Act 2003. The best way of understanding the value that the community

places on those considerations is to consult them. Once the authority has consulted the local community, it will be in a position to decide whether the preponderance of views is such as to justify the adoption of a policy. So, if the community view is in general that certain localities are inappropriate for sexual entertainment venues, this could be reflected in a nil policy. If the community view is that it all depends on the circumstances, and there is some consistency of view as to what circumstances might be relevant, these could be reflected in a policy which sets out material considerations. If the view is that it is impossible to generalise and that all depends on the circumstances, that might be a strong reason not to have a policy at all.

38. Therefore, while it is possible to point out general factors which might militate in favour of or against having a policy, I do believe that the best way of proceeding is first to consult the community as to whether there should be a policy and as to what it might contain.

CONSULTATION

39. On the assumption that my client decides to consult the public as to whether to have a sex licensing policy and as to what it should contain, I have drafted a proposed letter of consultation herewith. Obviously, this is a first draft only, and I would be pleased to consider or assist with any revisions to the draft as requested.

40. It will be noted that the consultation is at a high level. It does not descend to detail as to the policy, but asks more general questions as to the areas it may cover. In the absence of a draft policy upon which to consult, this is inevitable. My client might consider a stage 2 consultation once there is a draft policy, but I do not believe it will be necessary to distribute copies of the draft policy by post. It can be publicised more generally and made available online.

41. I would emphasise that although I have appeared in cases involving this type of research, I am not a social researcher, and so my client may wish to take further professional advice before using the questionnaire. In any event, I highly recommend that my client pilots this questionnaire before using it.

42. I would in particular note that questions 4-8 contain some overlap. This is deliberate on my part due to the complexity of the questions. One is not trying to elicit a straight yes or no, but a more general feel as to whether it is felt that any localities are appropriate,

or none, and if so how many SEVs might be appropriate in particular localities. One could do that by inviting open-ended answers, but inevitably this gives rise to difficulties of collation and interpretation, which are avoided by inviting tick box answers.

CONCLUSION

43. While for obvious reasons, the debate in sex licensing often turns on how many establishments there should be in any given locality, it is important to understand that there are many other potential elements in a sex licensing policy. These might deal with the other grounds of refusal, standard licence conditions, procedures and enforcement. Moreover, a policy does not just have to say yes or no to applications, but can deal more sensitively with the criteria or considerations which may be taken into account.

44. Furthermore, the adoption of a policy does not preclude the consideration of the individual merits of an application. Rather, each application must be considered on its merits, although if there is a policy it will have to be taken into account and, depending on its wording, departed from only in exceptional circumstances.

45. As to whether there should be a numbers policy in any given locality, there are clear advantages based on certainty for adopting such a policy. The reasons for not having such a policy are the potential inflexibility of the policy and the potential cost of developing and reviewing such a policy. I take the view that it is appropriate to consult the public as to whether there should be such a policy and what it should contain.

46. I have drafted a consultation letter and questionnaire herewith for the consideration of my client.

47. If I can assist further, I would be glad to do so.

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21st September 2010

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CITY OF LONDON CORPORATION

SEXUAL ENTERTAINMENT VENUES

CONSULTATION

BACKGROUND

The City of London Corporation ("the Council") has adopted legislation which gives it greater power to regulate sexual entertainment venues ("SEVs") in the City. The legislation also allows a wide range of people to participate in the licensing process, wherever they live or work.

The purpose of this consultation is to find out whether you think the Council should have a policy about how it should exercise its powers and what such a policy should contain. One of the important things that such a policy may include is an appropriate number of SEVs. That number could be zero. But there are other important matters which can go into a licensing policy. The Council would like your views on all of them.

Please take a little time to read this letter, and then complete the attached questionnaire. **Please return it to the Council to arrive by xxxx 2010.**

THE NEW LEGISLATION

The Policing and Crime Act 2009 allows local authorities to regulate sexual entertainment venues. These include striptease, lap-dancing, pole-dancing and other forms of entertainment designed to sexually stimulate the audience.

The Council adopted this new legislation on 1st September 2010.

Any venue which wants to offer sexual entertainment in the future will need a sex establishment licence from the Council. Members of the public may object to licence applications.

Mandatory grounds of refusal. The Council is obliged to refuse a licence where the "mandatory grounds for refusal" apply. Broadly these are where the applicant is underage, has been disqualified from holding a licence, has previously been refused a licence at these premises or is not an EEA resident or company. There is no need for the Council to have a policy about these grounds, because where they apply a refusal is mandatory.

Discretionary grounds of refusal. The Council has the power to refuse a licence where the "discretionary grounds for refusal" apply. It may also refuse to renew a licence on those grounds. The Council is considering the adoption of a policy setting out its approach in respect of the discretionary grounds.

The discretionary grounds are:

(1) The applicant is unsuitable to hold a licence.
(2) The applicant's manager or the beneficiary of the business would be refused a licence.
(3) If the licence is granted, the number of establishments in the locality would exceed the number considered appropriate. The appropriate number may be nil.
(4) The grant would be inappropriate having regard to the character of the locality.
(5) The grant would be inappropriate having regard to the use of premises in the vicinity.

(6) That grant would be inappropriate having regard to the layout, character or condition of the premises.

SEXUAL ENTERTAINMENT VENUE LICENSING POLICY

General

The Council wants your views as to whether it should adopt a policy at all.

If the Council does not adopt a policy, it will have to consider each licence application on its own individual merits. If it does that, it would just decide in each case whether the discretionary grounds for refusal apply, taking into account everything said to it by the applicant and any objectors or other statutory authorities.

Alternatively, the Council could adopt a policy regarding the discretionary grounds. If it does so, then it will consider each application in the light of the policy, and decide whether it is appropriate to make an exception from the policy in the individual case. Even if the Council adopts a policy, it must still consider the individual merits of the case. It could not refuse to consider an application just because it is contrary to policy.

One benefit of having a policy is that it creates more certainty for all concerned. But some may think that this makes the system less flexible and less able to respond to each individual case on its merits.

We would like to know whether you think we should have a licensing policy for sexual entertainment venues. Please go to Question 1 on the attached questionnaire.

Discretionary grounds

How might the policy deal with the discretionary grounds of refusal? The discretionary grounds are set out below, with a brief note of the kinds of factors that a policy could include.

The Council is entitled to adopt a policy as to each of these grounds. In doing so it is entitled to set out presumptions for or against applications of particular types in particular localities. It may also set out guidelines to help it consider applications properly.

Grounds (1) and (2)

These grounds are:

(1) The applicant is unsuitable to hold a licence.
(2) The applicant's manager or the beneficiary of the business would be refused a licence.

The first and second discretionary grounds concern the suitability of the applicant, his management team and the ultimate owners of the business. Here, the Council may have a policy as to the approach it will take if the applicant or others have criminal records. The policy might also set out standards of management of the premises so as to ensure that the performers, customers and neighbours are all protected.

We want to know whether you think the Council should have a policy regarding the suitability of the applicant and others involved in the management and ownership of the premises. To answer this, please go to questions 2 and 3.

Ground (3)

This ground is:

(3) If the licence is granted, the number of establishments in the locality would exceed the number considered appropriate. The appropriate number may be nil

The third ground allows the Council to have a policy as to how many licences are appropriate in a given locality. The Council might decide that nil, or some other number, is an appropriate limit. In considering this, the Council can take account of many considerations, including sensitive uses such as schools, places of worship or housing in the area. Or it might take account of the business, tourism or regeneration needs of the area, the reputation of the City of London or the need for gender equality and the elimination of discrimination. The Council may not, however, be influenced by moral considerations about sexual entertainment.

We want to know whether you think that the Council should adopt a policy setting out the appropriate number of premises in any localities. To give your views, please go to questions 4-8.

Ground (4)

This ground is:

(4) The grant would be inappropriate having regard to the character of the locality.

This ground allows the Council to look at the character of the locality and consider its compatibility or otherwise with sexual entertainment venues. For example, the character might be business, or education, or residential, or heritage buildings, or transport. As the character changes, so might the suitability of a sexual entertainment venue to be located there.

We would like to know whether you think that the Council should have a policy as to whether SEVs are compatible or incompatible with the character of certain localities. To give your views, please go to questions 9-10.

Ground (5)

This ground is:

(5) The grant would be inappropriate having regard to the use of premises in the vicinity.

The fifth ground allows consideration of whether sexual entertainment uses should be set alongside other uses such as worship, residential, educational and so forth.

We would like to know whether you think that SEVs are inappropriate near to particular types of premises. To state your views, please go to questions 11-12.

Ground (6)

The final discretionary ground is:

> **(6) That the grant would be inappropriate having regard to the layout, character or condition of the premises.**

This ground allows the Council to focus on the premises themselves and consider whether they are appropriate to be licensed. It might take into account the quality of the premises, the possibility of supervising activities in the premises properly or accessibility issues.

We want to know whether you think that there ought to be a policy in relation to the layout, character or condition of the premises. To answer, please go to questions 13-14.

THE CONSULTATION QUESTIONNAIRE

The attached questionnaire asks for your views on these questions. Most of the questions simply require you to tick a box. Your answers will be tabulated to get an objective picture of the views of the community.

All views will be taken into account, and will help the Council to decide whether to adopt a policy, and what it should contain.

CONSULTATION CO-ORDINATOR

If you wish to comment on this consultation exercise, please contact xxx at the address set out below. This Co-ordinator works to ensure that best practice in consultation is followed. He does not process consultation responses.

CONSULTATION QUESTIONNAIRE

Question 1

All things considered, should the Council adopt a policy in relation to Sexual Entertainment Venues at all?

[Please tick one]

Yes ☐

No ☐

Don't know ☐

Question 2

If the Council adopts an SEV policy, should it include a policy regarding the suitability of the applicant and others associated with the premises?

Yes ☐

No ☐

Don't know ☐

[If you answered yes, please go to question 3.

If you answered no, please go to question 4.]

Question 3

Should the policy as to suitability set standards of management for the premises?

Yes ☐

No ☐

Don't know ☐

Question 4

If the Council adopts a policy, should it include a policy regarding the appropriate number of premises in given localities?

Yes ☐

No ☐

Don't know ☐

[If you answered yes, please go to question 5.

If you answered no, please go to question 6.]

Question 5

Please identify any localities which you believe ought to be named in the policy and what number of premises you believe should be specified.

[Note 1. The City of London as a whole is not a locality.

Note 2. The appropriate number may be any number, including nil.]

Locality 1. [Name]…….. Appropriate number ……..

Locality 2. [Name]……..Appropriate number ……..

Locality 3. [Name]……..Appropriate number ……..

Question 6

In general, are there any localities in the City of London you consider to be appropriate for Sexual Entertainment Venues?

Yes ☐

No ☐

Don't know ☐

[If you answered yes, please go to question 7.

If you answered no, please go to question 8.]

Question 7

Which localities are appropriate for sexual entertainment venues?

[Note: The City of London as a whole is not a locality.]

Locality 1. [Name]……..

Locality 2. [Name]……..

Locality 3. [Name]……..

Question 8

Are there any localities you consider to be inappropriate for Sexual Entertainment Venues? If so, please name them.

[Note: The City of London as a whole is not a locality.]

Locality 1. [Name]……..

Locality 2. [Name]……..

Locality 3. [Name]……..

Question 9

If the Council adopts a policy, should it include a policy as to the character of localities and their compatibility with Sexual Entertainment Venues?

Yes ☐

No ☐

Don't know ☐

Question 10

Which of the following types of character of locality are compatible or incompatible with Sexual Entertainment Venues? Please tick one box in each row.

	Very compatible	Quite compatible.	Quite incompatible.	Highly incompatible.
Residential	☐	☐	☐	☐
Historic	☐	☐	☐	☐
Educational	☐	☐	☐	☐
Financial	☐	☐	☐	☐
General business	☐	☐	☐	☐
Family leisure	☐	☐	☐	☐
Retail	☐	☐	☐	☐
Night time economy	☐	☐	☐	☐
Cultural	☐	☐	☐	☐

Question 11

If the Council adopts a policy, should it include a policy as to the compatibility of Sexual Entertainment Venues with particular neighbouring uses?

Yes ☐

No ☐

Don’t know ☐

Question 12

Are Sexual Entertainment Venues compatible or incompatible with each of the following neighbouring uses?

	Very compatible	Quite compatible.	Quite incompatible.	Highly incompatible.
Residential	☐	☐	☐	☐
Educational	☐	☐	☐	☐
Places of worship	☐	☐	☐	☐
Financial institutions	☐	☐	☐	☐
Family leisure (e.g. cinemas)	☐	☐	☐	☐
Shops	☐	☐	☐	☐
Pubs and bars	☐	☐	☐	☐
Galleries / museums	☐	☐	☐	☐
Youth facilities (e.g. youth clubs)	☐	☐	☐	☐

Question 13

If the Council adopts a policy, should it include a policy regarding the layout, character or condition of proposed Sexual Entertainment Venues?

Yes ☐

No ☐

Don’t know ☐

Question 14

How important are each of the following features in deciding whether or not to grant a licence for a Sexual Entertainment Venue?

	Very important	Fairly important	Not very important	Unimportant
The quality of the premises	☐	☐	☐	☐
The ability properly to supervise activities in the premises	☐	☐	☐	☐
Disabled accessibility	☐	☐	☐	☐

Thank you for taking the time to complete this questionnaire. Please also complete the following section. These details will not be disclosed to any other person.

Name ……..

Residential address OR Work address

…… ……

…… ……

…… ……

Post-code ……. ……

Contact telephone number ……

Age

18 – 30 ☐

31 – 45 ☐

Over 45 ☐

Gender Male ☐ **Female** ☐

Now please return the questionnaire to us [in the reply paid envelope provided] by xxx 2010.