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Sex Establishment Premises Licence Covering Letter.doc

19 May 2011

Dear Sir/Madam,

Sex Establishment Premises Licence under schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by section 27 of the Policing and Crime Act 2009)

On 13th April 2011 Greenwich Council adopted the above legislation which now provides that anyone wishing to operate a 'sexual entertainment venue' in the borough within the meaning of the Act, must apply for a sex establishment licence from the Council. The adoption of the legislation consolidates the Councils existing powers to licence sex shops and sex cinemas and along with the sexual entertainment venues. These types of premises will be generically known as sex establishments.

There is a transitional period of twelve months commencing with the '1st appointed day', 13th April 2011, when the Council resolved to adopt the legislation. Six months following the 1st appointed day will be known as the '2nd appointed day' which will be 13th October 2011. The day on which the transitional period ends will be known as the '3rd appointed day', 13th April 2012.

Premises that currently hold a premises licence under the Licensing Act 2003 for the performance of dance that includes, for example, adult entertainment by way of striptease or lap dancing are affected by the adoption of this legislation. If they wish to continue providing this form of entertainment on a regular basis from 13th April 2011 they are required to

apply for a sex establishment licence under the 1982 Act as amended to operate lawfully.

To allow time to comply with the new regime, existing operators, who, immediately operate before the 1st appointed day, 13th April 2011, will be allowed to continue to provide relevant entertainment until the 3rd appointed day of 13th April 2013, or until any application they have submitted before that time is determined (including any appeal against the refusal to grant a licence), whichever is the later.

Existing operators will be able to submit their application for a sexual entertainment venue from the 13th April 2011 onwards. All applications made on or after this date and before the 2nd appointed date of 13th October 2011 shall be considered together after 13th October 2011. This will ensure that applicants are given sufficient time to submit their application. All applications received within this period will be considered on their individual merits and not on a first come first serve basis. If an existing operator is granted a licence, it will not take effect until the 3rd appointed date 13th April 2012, up to which point they will be allowed to continue to operate under their existing premises licence or club premises certificate.

If you decide not to apply for a sex establishment licence you must cease to provide striptease lap dancing or any similar dancing after the 13th April 2012. The only exemption to this is if you provide this type of entertainment on a limited basis:-

- Not more than eleven occasions within a rolling 12 month period;
- On no occasion for more than 24 hours; and
- On no occasion that begins within one month after the end of any previous occasion.

Please find enclosed an application form and guidance notes on how to apply for sex establishment licence.

Yours sincerely

Jane Dyer
Licensing Team Manager