
REPORT TO:	ENVIRONMENTAL & DEVELOPMENT SERVICES	AGENDA ITEM: 9
DATE OF MEETING:	29 th January 2004	CATEGORY: DELEGATED
REPORT FROM:	ENVIRONMENTAL HEALTH MANAGER	OPEN PARAGRAPH NO:
MEMBERS' CONTACT POINT:	Carl Jacobs 595717	DOC:
SUBJECT:	Approval of conditions for Adult Performances	REF: c:\myfiles\com\ES\ Lapdancing
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: ES13

1.0 Recommendations

- 1.1 That the Committee approves this report and the alteration of the present Entertainment Licence Standing Conditions, which will be amended so that all applications for Adult Performances are prohibited unless, separate application is made.
- 1.2 That new conditions for adult performances as outlined in the appendix 1 are adopted.
- 1.3 That approval of non-contentious application is delegated to officers so that if all the conditions are met and no objections are received then the application should be approved or the Committee may prefer to hear all applications for such types of entertainment.
- 1.4 Where objections are received then the matter should be referred to the Appeals and Licensing Committee.

2.0 Purpose of Report

- 2.1 We have recently received requests for Adult performances to be undertaken at premises within the South Derbyshire area and have found one premise already showing striptease on an infrequent basis. At present we have no specific conditions that relate to this type of entertainment and therefore we technically can not refuse or apply conditions. There are potential risks from crime and disorder and harm to children unless such types of entertainment's have suitable conditions applied to them.
- 2.2 The report places conditions on such Entertainment's safe guarding the Public from these types of Entertainment in places that would be inappropriate.

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- 2.3 Performers are protected by ensuring that safe access is maintained to and from the performance area ensuring that the audience and performers do not come in close proximity as far as possible.
- 2.4 Children are protected by not allowing such activities to take place within close proximity to Schools or that no persons under the age of 18 are allowed into the performance.
- 2.5 The Derbyshire Constabulary will be fully informed and their recommendations in regard to Crime and Disorder adhered to. Their recommendations in regard to door supervisors will also be sought.

3.0 Detail

- 3.1 The LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 allows Local Authorities to make conditions on places where Public Entertainment's take place. The legislation is not designed to deal with any type of entertainment on a moralistic standpoint.
- 3.2 Other Local Authorities have banned such types of Entertainment under this legislation but legal Services and the Environmental Health Section are of the opinion that such action could result in a judicial revue and each application should be judged on its merits.
- 3.3 Any premises that intends to undertake such adult performances must apply separately to the Council and fulfil all the licensing conditions where objections are submitted then the matter will be presented to the Appeals and Licensing Committee with any representations made by residents etc the Police, The Fire Authority and or Environmental Health Section.

4.0 Financial Implications

- 4.1 None

5.0 Corporate Implications

- 5.1 None

6.0 Community Implications

- 6.1 At present there are no conditions that can be applied to such premises / activities and the approval of this report will allow conditions to be applied to such premises.

7.0 Conclusions

- 7.1 This report is concerning the provision of suitable licensing conditions for the control of Adult performances in South Derbyshire Area. Adult Entertainment is defined as Table dancing, lap dancing, striptease or any similar type of entertainment.

8.0 Background Papers

- 8.1 Application for Consent to Hold Entertainment Prohibited by Standing Conditions
- 8.2 Application for Consent Guidance Notes for applicants
- 8.3 Premise News paper Notice
- 8.4 Policy for Adult Entertainment

