



Home Office

Alan Campbell MP
PARLIAMENTARY UNDER SECRETARY OF STATE

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I am writing to make you aware that from the 6th April 2010 local authorities in England will be able to adopt additional powers to regulate lap dancing clubs and similar venues. The powers will be commenced in Wales in due course on a date to be decided by the Welsh Ministers.

Section 27 of the Policing and Crime Act 2009 amends Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 to introduce a new category of sex establishment called 'sexual entertainment venue', which, if adopted by a local authority, will require premises in that area who provide 'relevant entertainment', such as lap dancing, to obtain a sex establishment licence. There is an exemption for premises that provide relevant entertainment on an infrequent basis.

On 12th February, following a 12-week consultation on the transitional provisions, the Government confirmed that where the provisions are adopted all lap dancing clubs, including existing venues operating lawfully under the Licensing Act 2003, will be required to apply for a sex establishment licence. Under these arrangements existing operators will be able to continue to operate for 12-months after the new provisions come into force in their area or the determination of any application which they submit for a licence during that period, whichever is the later.

The purpose of the new legislation is to empower local communities. We know that many local communities feel that the existing legislation does not adequately address their concerns with regards to lap dancing clubs opening in their neighbourhoods. Under the new regime, local people will be able to oppose applications for lap dancing clubs on wider grounds than is currently allowed, such as that it would be inappropriate given the character of an area or the use to which other premises in the vicinity are put. Local authorities will also be able to set a limit on the number of lap dancing clubs they consider appropriate for a particular locality.

The legislation is not mandatory for local authorities. We are aware that not all local authorities have lap dancing clubs in their area. Therefore, local authorities will have the flexibility to decide whether and, if so, when the new provisions should come into force in their area. However, we would expect

local authorities to consider the views of local people and, indeed, local authorities which have not adopted the new regime by 6th April 2011 must consult local people about whether they should do so as soon as is reasonably practicable after that date.

I would encourage all local authorities to engage with existing operators at the earliest opportunity to ensure they are aware of what these changes mean for them and what action they will need to take in order to comply with the new regime.

The necessary orders that will bring these provisions into force will be published shortly. The Home Office will also be publishing guidance which will be available on the Home Office website.

A handwritten signature in black ink that reads "Alan Campbell". The signature is written in a cursive, flowing style.

ALAN CAMPBELL