

EXPLANATORY NOTE TO ITEM 4(a)

MILTON KEYNES COUNCIL

9 FEBRUARY 2010

REGULATION OF LAP DANCING AND OTHER SEXUAL ENTERTAINMENT VENUES

1.0 Section 27 of the Policing and Crime Act 2009 (the Act) is entitled 'Regulation of lap dancing and other sexual entertainment venues etc'

1.1 Taken from Section 27 of the Act, the meaning of a sexual entertainments venue is:

'...any premises at which "relevant entertainment" (being any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)) is provided before a live audience [NB a live audience can consist of one] for the financial gain of the organiser or the entertainer.'

1.2 The venues to be included under the licensing regime are where displays of nudity are for the sexual stimulation of the audience e.g.

- Lap dancing venues
- Table dancing venues
- Pole dancing venues
- Striptease venues

1.2.1 Venues are licensable where relevant entertainment has been provided more than eleven times in the preceding twelve months.

1.3 Sex shops and sex cinemas, where there are no live displays of nudity, are not sexual entertainment venues for the purposes of the Act.

1.4 The following are **NOT** sexual entertainment venues:

Any premises that at the time in question:

- (i) has not provided relevant entertainment on more than 11 occasions within the previous 12 months;
- (ii) no such occasion has begun within a period of one month beginning with the end of any previous occasion; and
- (iii) no such occasion has lasted for more than 24 hours.

- 1.5 Theatre productions involving theatrical displays of nudity are not included under the licensing regime, unless the production can reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience, and the entertainment has been provided more than eleven occasions within twelve months, as per 1.4 above.

References:

Policing and Crime Act 2009, Section 27.