

Guidance on Applying for Sexual Entertainment Venue (“SEV”) Licence

Before lodging your application for a Sexual Entertainment Venue Licence please ensure that you have read the following guidance together with the SEV Policy Statement.



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1. Who should apply?

In Glasgow, from 24 September 2022 anyone who operates a Sexual Entertainment Venue (“SEV”), as defined under the Civic Government (Scotland) Act 1982 requires a SEV Licence.

There are certain venues that are not regarded as a SEV under the 1982 Act. These are:

- a) A sex shop within the meaning under the 1982 Act;
- b) Premises at which sexual entertainment is provided on a particular occasion if:
 - i. Sexual entertainment has not been provided on more than 3 occasions which fall wholly or partly within the period of 12 months ending with the start of the particular occasion;
 - ii. Each continuous period during which sexual entertainment is provide on the premises is to be treated as a separate occasion; and
 - iii. Where the period during which sexual entertainment is provided on the premises exceeds 24 hours, each period of 24 hours (and any part of a period of 24 hours) is to be treated as a separate occasion.
- c) Other premises exempted by an order of the Scottish Ministers. (It should be noted that no premises have currently been exempted by such an order).

It is strongly recommended that you take your own independent legal advice on whether or not you may be operating a SEV within the legal definition and require to apply for a SEV Licence.

Please ensure you have read the Licensing & Regulatory Committee’s Sexual Entertainment Venue Policy Statement before applying. This Policy can be found via the following link

2. How do I apply for a SEV Licence?

For all applications detailed at section 4, you can apply online at <https://glasgow.gov.uk/SEV>

Please note your application will not be processed until all required documentation, detailed at section 5 below is submitted and the application fee has been paid. Payment is detailed at section 3 below.

3. How much is a SEV Licence?

The grant of a SEV Licence £ 1792

The renewal of a SEV Licence £ 1792

There is no fee for a variation of a SEV Licence.

You will be asked to make a BACS Transfer to the Licensing Section once your application has been submitted online. You will receive an email with the bank details once your application has been submitted. Please ensure you transfer funds immediately to ensure your application is processed.

4. Are there different types of applications?

Depending on your circumstances you can apply for one of three types of applications online. If you do not currently hold a licence with this Council you can apply for the following:

Grant If you do not currently hold a licence you can make a grant application. This type of licence lasts for one year or such other period as the Committee determine. You will **not be licensed** to operate a SEV until the licence is granted.

If you hold a SEV Licence granted by this Authority, then you can apply for the following:

Renewal **Your renewal application must be lodged no later than the expiry date of your current SEV Licence to ensure you are able to continue operating the SEV until your renewal application is determined. The Licensing Section will not remind you to submit a renewal application, this is the responsibility of the SEV Licence holder.**

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Please note that if you do not submit your renewal application before the expiry date of your current SEV Licence, you will not be able to continue to operate your SEV. In these circumstances, a grant application would be required and you would only be able to operate the SEV once the licence is granted.

The renewal application can be applied for via the following link <https://glasgow.gov.uk/SEV>

Variation At any time, the holder of a SEV Licence can apply to the Local Authority to vary the terms of its SEV Licence.

The variation application can be applied for via the following link <https://glasgow.gov.uk/SEV>

5. What needs to accompany the application?

Below is the information that should accompany an application for the grant and renewal of a SEV Licence:

1. Layout Plan of the venue in an electronic format at a scale of 1:100 and show the following:
 - a. The location of any entrances and exits to the premises for the public and performers/staff;
 - b. The location of emergency fire exits;
 - c. The layout of the premises for example, any stages, cloakrooms, toilets, dressing rooms, private booths, performance areas (public and VIP) and public areas;
 - d. Position of CCTV;
 - e. Extent of the boundary of the premises;
 - f. Any areas in common with other premises; and
 - g. Location of any steps, stairs, elevators or lifts.
2. Written Code of Conduct for Performers within the Venue;
3. Written Code of Conduct for Customers within the Venue;
4. Written Policies and Procedures covering matters such as minimising disturbance to nearby residents or people within close proximity of the premises, management of customers standing outside the premises, management procedures covering customers standing outside the premises, addressing crime and disorder within the premises, appropriate checks to ensure customers, staff and performers are above 18 years of age, zero drug tolerance.
5. **For those premises which were in existence as an SEV as at 24 March 2021** please also provide written evidence of this with your application.

6. How will the application be processed?

Providing your application is submitted with all the relevant supporting documentation and fee, it will then be sent to the following consultees:

- Elected Members for the area;
- Community Council for the area;
- Council's Building Standards;
- Council's Environmental Health;
- Health and Social Care Partnership;
- Glasgow Violence Against Women Partnership;
- Police Scotland (statutory consultee); and
- Scottish Fire and Rescue Service (statutory consultee).

The consultees will have 28 days from when the application is received in which to lodge a response.

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Objections and Representations to an SEV grant or renewal application

The 1982 Act also permits any member of the public to submit an objection or representation to a SEV licence application. Objections and representations must be in writing (email is acceptable), specify the grounds for objection/representation, the name and address of the person making the objection/representation and be provided to the Local Authority no later than 28 days from when the application is lodged.

Consideration of Late Objections and Representations

Although the Local Authority is under a duty to consider any objections or representations made within the timescale detailed above, it does have discretion to hear late objections/representations *provided* it is satisfied with the reasons for lateness. Where a late objection/representation has been received it will be passed to the applicant to enable them to consider the objection/representation in case the Committee determine to hear it.

Determination of an SEV Application

All applications for the grant of a SEV licence will be determined by the Committee at a hearing. Valid objections/representations will be considered by the Committee at the hearing to consider the application. Applicants and objectors/representors will be given an equal opportunity to be heard at Committee and state their case. Late objectors/representors provided the objection is not based on moral grounds, will be invited to attend any hearing of the Committee to determine the application and their objection may be brought into proceedings if the Committee is satisfied with the reasons for lateness. The 1982 Act provides mandatory and discretionary grounds for refusal of a SEV licence. Each application will be determined on its own merits.

If your application is refused

If your application is refused, you do have a right to appeal the decision of the Committee. An applicant wishing to appeal normally requires to first obtain a written Statement of Reasons for the decision. This can be obtained on written request to the Licensing Section within 21 days of the decision. The Council cannot provide guidance on making an appeal; if guidance is required you should consider taking your own independent legal advice or, alternatively, you can contact the Sheriff Clerk at Glasgow Sheriff Court, 1 Carlton Place, Glasgow, G5 9DA.

7. Once I lodge the SEV application, is there anything else I have to do? (Grants and Renewals)

Yes. You must advertise the application in a local Glasgow newspaper, no later than 7 days after the date of the application being lodged with the Local Authority. A copy of the advert must be submitted to the Local Authority. A style advert can be viewed <https://glasgow.gov.uk/SEV>

You must also, where the application is in respect of premises, display a notice for a period of 21 days from when the application has been lodged, on or near the premises in a place where the public can reasonably read the notice. You must also, after the 21 days submit to the Local Authority a certificate of compliance stating you have complied with the requirement to display the notice for 21 days. The certificate of compliance can be found <https://glasgow.gov.uk/SEV>

8. Are there any conditions attached to the SEV Licence?

Yes, the Committee will attach conditions to your SEV Licence.

Style conditions can be found within the Policy Statement which can be viewed via <https://glasgow.gov.uk/SEV>