

## Sexual Entertainment Venue (“SEV”) Licence Guidance Notes

Before submitting your application for a Sexual Entertainment Venue Licence, please ensure you have read and understood the following guidance together with the [SEV Policy Statement](#)

### **Who should apply**

From 1st April 2024. A licence to be known as a sexual entertainment licence shall be required for the use of premises which provide sexual entertainment before a live audience.

The definition of 'sexual entertainment' is any live performance or any live display of nudity which is of such a nature, ignoring financial gain, which is provided solely or principally for the purpose of sexually stimulating any member of the audience.

The number of venues to operate within Edinburgh has been set at 3

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

These are:

- sex shops within the meaning under the 1982 Act
- premises at which sexual entertainment is provided on a particular occasion if:
  - sexual entertainment has not been provided on more than three occasions which fall wholly or partly within the period of 12 months ending with the start of the particular occasion
  - each continuous period during which sexual entertainment is provided on the premises is to be treated as a separate occasion
  - 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
- other premises exempted by an order of the Scottish Ministers

### **How do I apply?**

You can apply by fully completing the Sexual Entertainment Venue Licence application form which must be submitted together with the appropriate fee and the following supporting documentation:

- A layout plan of the premises
- Pictures of the exterior design of the building
- A copy of the 'house rules' for performers
- A copy of the code of conduct for patrons

Within seven days of the application being lodged with the Council, you must also publish an advertisement of the application in a local newspaper within Edinburgh. A suggested form of advertisement is available from the Licensing Service. A copy of the newspaper in which the advertisement appears must be lodged with the Licensing Service within 3 days of the publication

### **How much is a SEV licence?**

The 1982 Act allows the Council to issue a licence for a maximum period of one year. A licence can also be issued for a shorter period if it is deemed appropriate

The current application fees are:

- New licence - £1752
- Renewal of licence - £1752

Note - application fees are non-refundable. To view the Council's policy on refunds, click [here](#)

### **How do I make payment?**

You must use our online submission form to upload your completed application form, all required supporting documents and make payment. Your application will not be accepted for processing unless the application form, supporting documents and payment are submitted together using the online form.

### **How will the application be processed**

Provided your completed application for is submitted with the correct fee, all required supporting documentation, it will be sent to the following consultees:

- Police Scotland
- Scottish Fire and Rescue Service
- Planning & Building Standards
- Environmental Health
- Local Councillor for the area concerned

The undernoted list organisations will also receive a copy of the application:

- Edinburgh Rape Crisis Centre
- Edinburgh Women's Aid
- Equally Safe (Edinburgh) Committee
- Rape Crisis Scotland
- Scottish Women's Aid
- Zero Tolerance
- Any community council within or neighbouring the locality in which the premises is situated

You must also display a site notice for a period of 21 days from when the date the application is lodged, at or near the premises, in a place where the public can reasonably read the notice, after the expiry of the 21 days you must submit to a Certificate of Compliance stating that you have complied with the requirement to display the notice for 21 days

### **Objections**

You should be aware that It is possible for an objection to be lodged against the grant or renewal of an application for a SEV licence. Objections must be made in writing (emails are accepted) and sent to the Licensing Service ([licensing@edinburgh.gov.uk](mailto:licensing@edinburgh.gov.uk)) within 28 days of the application being advertised.

To be considered as competent, objections should include the following information:

- The name and address of the person or organisation making the objection
- The premises to which the objection relates
- The objection must be signed by the objector, or on their behalf

Objections to a SEV application will be considered by the Licensing Sub- Committee when determining the application. A copy of the general terms of the objection will be sent to you as an applicant, however certain contact details such as telephone numbers, email addresses and signatures will be removed. The name and address of any objector will not be provided to you without the objector's consent

### **Consideration of Late Objections**

If an objection is lodged out with this period, it must explain why it has been lodged late. It would then be a matter for the Licensing Sub-Committee to consider if it is satisfied that there is sufficient reason why it was not made in the time required.

### **Determination of an SEV application**

Every application for the grant of a SEV licence will be considered and determined by the by the Licensing Sub Committee. Valid objections will be considered with applicants and objectors given an equal opportunity to be heard and state their case. Late objectors will be invited to attend the sub committee and their objection may be brought into proceedings if the sub 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

### **What If the application is refused?**

If your application is refused, you have a right to appeal the decision of the Licensing Sub Committee, only if you make use of all procedures for stating your case which are made available to you..

An appeal against the decision of the Licensing Sub Committee must be made to the Sheriff Court within 28 days of the decision being made. The Council cannot provide guidance on making an appeal; if guidance is required you should consult a solicitor, or, alternatively, you can contact the Sheriff Clerk at Edinburgh Sheriff Court, 27 Chambers Street Edinburgh EH1 1LB

### **Will conditions be attached to an SEV licence?**

Yes [standard conditions](#), applicable to all SEV licences will be attached to a licence when granted. Additional conditions may also be placed on the licence which are specific to the applicant or premises.