

# **Councillors ban sex shops from opening in East Lothian**

**Sex shops will be banned from opening in East Lothian after councillors set the number they will allow to set up at zero.**

Licensing chiefs had recommended elected members bring sex shops under licensing control to ensure any future venues could be regulated.

The move meant any shop which was deemed to sell a 'significant number' of sex aids and similar items would need to apply for a licence and required them to set the number they were willing to approve in the county.

It comes nearly three years after councillors agreed similar legislation for sex entertainment venues which also had a zero limit placed on them, effectively banning them from operating.

A meeting of the local authority's licensing sub committee this week heard from its legal advisers Ian Forrest that while, as far as he was aware, there were no sex shops operating in East Lothian and he was not expecting a 'sudden influx' of them, leaving them unlicensed meant they were able to open anywhere.

He told the committee: "As things stand if one was to open up we would have no control over them as it is not currently a licensed activity.

"This would in effect close a loophole and give us control should a sex shop want to open up in the future."

The committee was asked to pass a resolution making sex shops a licensable activity which would then require them to decide how many shops they would allow.

Mr Forrest said a public consultation was held in August through the council's consultation hub but only received one response which came from Councillor Cher Cassini.

Councillor Cassini, who sits on the committee, did not take part in the debate or decision after making her views clear in her response.

She told the consultation: "I would never grant a licence for any sex shop as these places detract from any area they are sited. They pose a particular risk to women and children. They bring down the tone of their surroundings.

" As I have already committed to the specific protection of women and girls, I feel any outlet which sells material that demeans the value of women in particular is completely against equality and decency East Lothian Council has pledged to uphold."

During the meeting committee member Councillor Jeremy Findlay questioned what would happen if someone set up a lingerie shop, referencing Ann Summers stores, which sells a small amount of sex items.

He asked: "Is that a sex shop, to what degree is a significant number of items, is it 20%, 50%?"

However the legal adviser said there was no specification in the legislation about it adding it would be down to 'common sense'.

He said: "If it happened to be a lingerie shop with a shelf which sold 'other items' shall we say that might not be considered a sex shop."

Councillor John McMillan moved the committee agree the

resolution to licence sex shops, which could be in place by December.

He said: "I think Councillor Cassini's response is a fairly widely held view. I am mindful other people have different views on this, there is a view that regulating it is a benefit if someone wants to apply.

"I think this is something beneficial, it allows the licensing regime to come in and hear an application and allows us to enforce, it is a preventative measure and I will support it."

The committee unanimously agreed to the resolution before unanimously agreeing the accepted number of shops to be licensed will be zero.

By Marie Sharp Local Democracy Reporter