

Notice of meeting of

Licensing & Regulatory Committee

To: Councillors Firth, Gillies (Chair), Horton, Looker and Moore (Vice-Chair)

Date: Friday, 5 November 2010

Time: 2.00 pm

Venue: Guildhall

AGENDA

1. Declarations of Interest

At this point, Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. Minutes (Pages 1 - 6)

To approve and sign the minutes of the meetings held on 4th August 2010.

3. Public Participation

At this point in the meeting, members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Committee's remit can do so. The deadline for registering is **5:00 pm on Thursday 4th November 2010.**

4. Licensing of Sex Establishments. (Pages 7 - 22)

This report seeks Members approval of standard conditions to apply to licences for sex establishments in the city and policy guidance with respect to the issue of new licences.

5. Any other business which the Chair decides is urgent under the Local Government Act 1972.

Democracy Officer:

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For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting Laura Bootland Democracy Officer

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

City of York Council

Committee Minutes

MEETING	LICENSING & REGULATORY COMMITTEE
DATE	4 AUGUST 2010
PRESENT	COUNCILLORS FIRTH, GILLIES (CHAIR), HORTON, LOOKER AND MOORE (VICE-CHAIR)

7. DECLARATIONS OF INTEREST

At this point in the meeting, Members were asked to declare any personal or prejudicial interests they may have in the business on the agenda. None were declared.

8. MINUTES

RESOLVED: That the minutes of the last meeting of the Licensing and Regulatory Committee held on 2 July 2010, be approved and signed by the Chair as a correct record.

9. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the Press and Public be excluded during the consideration of agenda item 5 (Application to renew a Hackney Carriage Vehicle Licence) on the grounds that it contains information relating to the financial or business affairs of a particular person. This information is classed as exempt under Paragraph 3 of schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

10. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

11. PROPRIETORSHIP OF HACKNEY CARRIAGE VEHICLE LICENCE.

Members were asked to determine the renewal of a Hackney Carriage Vehicle Licence where there was a dispute between two parties as to whose name should be entered on the Licence. One party has applied for a renewal of the licence and the other party for the grant of a licence.

Representations were heard from both Applicants by the Committee. In coming to their decision the Committee took into consideration all of the evidence and submissions that were presented to them and determined their relevance to the applications relating the Hackney Carriage Vehicle Licence.

On the basis of the evidence produced, the Committee decided that the current licence holder was not the rightful proprietor of the vehicle and revoked his licence and granted the licence to the other party as the rightful proprietor of the vehicle.

The Committee advised that the existing suspension of the said vehicle licence would continue to have effect until such time as the licence is revoked. The licence is revoked once the current owners time for appealing against the Committee's decision has expired or if an appeal is lodged, the appeal is withdrawn or disposed of or fails for want of prosecution.

The Committee instructed Licensing Officers to investigate the issues raised during this meeting and take appropriate action if necessary.

RESOLVED: That the Hackney Carriage Vehicle Licence be granted to the applicant for grant of the licence, as the rightful proprietor of the vehicle, and that its issue should be delegated to Officer's once all appeal opportunities have been exhausted.

REASON: To comply with the Council's legal obligation to determine the applications for Hackney Carriage Vehicle Licence renewal.

12. ANY OTHER BUSINESS WHICH THE CHAIR DECIDES IS URGENT UNDER THE LOCAL GOVERNMENT ACT 1972.

The Chair advised the Committee that he felt a Scrutiny Topic regarding Taxi Licensing would be appropriate.

RESOLVED: That the Chair will register a Scrutiny Topic.

REASON: To enable further consideration on the current Taxi Licensing policy.

Councillor Gillies, Chair
[The meeting started at 10.20 am and finished at 11.55 am].

MEETING	LICENSING & REGULATORY COMMITTEE
DATE	4 AUGUST 2010
PRESENT	COUNCILLORS FIRTH, GILLIES (CHAIR), HORTON, LOOKER AND MOORE (VICE-CHAIR)

13. DECLARATIONS OF INTEREST

At this point in the meeting, Members were asked to declare any personal or prejudicial interests they may have in the business on the agenda. None were declared.

14. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme

15. EXCLUSION OF PRESS AND PUBLIC

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REASON: To comply with the Council's legal obligation to determine the applications for Hackney Carriage Vehicle Licence renewal.

Councillor Gillies, Chair

[The meeting started at 1.00 pm and finished at 2.00 pm].

MEETING	LICENSING & REGULATORY COMMITTEE
DATE	4 AUGUST 2010
PRESENT	COUNCILLORS FIRTH, GILLIES (CHAIR), HORTON, MOORE (VICE-CHAIR) AND B WATSON (SUBSTITUTE)
APOLOGIES	COUNCILLORS LOOKER

17. DECLARATIONS OF INTEREST

At this point in the meeting, Members were asked to declare any personal or prejudicial interests they may have in the business on the agenda. None were declared.

18. PUBLIC PARTICIPATION

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RESOLVED: That the Hackney Carriage Vehicle Licence be granted to the applicant for grant of the licence, as the rightful proprietor of the vehicle, and that its issue should be delegated to Officer's once all appeal opportunities have been exhausted.

REASON: To comply with the Council's legal obligation to determine the applications for Hackney Carriage Vehicle Licence renewal.

Councillor Gillies, Chair

[The meeting started at 3.00 pm and finished at 4.00 pm].



Licensing and Regulatory Committee

5 November 2010

Report of the Director of Communities and Neighbourhoods

LICENSING OF SEX ESTABLISHMENTS

Summary

1. The introduction of section 27 of the Policing and Crime Act 2009 provided adoptive provisions to allow local authorities to regulate lap dancing clubs and similar venues under the same regime as sex shops and sex cinemas. This report seeks members approval of standard conditions to apply to licences for sex establishments in the city, and policy guidance with respect to the issue of new licences.

Background

2. On the 6 April 2010 section 27 of the Policing and Crime Act 2009 became operative. This legislation reclassified lap dancing clubs and other similar venues as “sexual entertainment venues”, a sex establishment under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.
3. Sexual entertainment venues are defined as “any premises at which relevant entertainment is provided for a live audience for the financial gain of the organiser or performer” The meaning of relevant entertainment is “any live performance or live display of nudity which is of such a nature that, it must be reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of an audience (whether by verbal or other means)”.
4. In summary Schedule 3 to the 1982 Act :
 - Allows local authorities to adopt the legislation.
 - Allows local people to oppose an application for a sex establishment licence if they have legitimate concerns that a lap dancing club would be inappropriate given the character of an area because, for example, the area was primary a residential area. (There is an exemption for premises that provide such entertainment on an infrequent basis).
 - Requires licences to be renewed at least yearly, at which point local people will have the opportunity to raise objections with the local authority.

- Allows a local authority to reject a licence application if they believe that to grant a licence for a lap dancing club would be inappropriate given the character of a particular area.
 - Allows a local authority to set a limit on the number of sexual entertainment venues that they think appropriate for a particular area.
 - Allows a local authority to impose a wider range of conditions on the licences of lap dancing clubs than they are currently able to under the Licensing Act 2003.
5. At the meeting of this committee on 2 July 2010 members resolved to adopt this provision for the licensing of sexual entertainment venues to be applied from 1 December 2010 subject to approval of full council. Full council approved this resolution on the 7 October 2010.
 6. In order to operate this legislation best practice dictates that the council adopt a policy for issue and maintenance of sex establishments and approve a set of standard conditions to be applied to each licence.
 7. A proposed policy is attached at Annex 1 and proposed standard conditions at Annex 2. Members should be aware that additional specific conditions can be attached to an individual licence if required.

Consultation

8. No consultation has been undertaken.

Options

9. Option 1: To adopt the policy as set out in Annex 1 for the operation of the licensing of sex establishments.
10. Option 2: To adopt the standard conditions set out in Annex 2 to be attached to sex establishment licences.
11. Option 3: To make amendments to the policy and/or standard conditions as set out in Annexes 1 & 2.

Analysis

12. York has three established licensed sex shops and two premises that would require licensing as sexual entertainment venues (both in Micklegate). All premises have operated without problems since opening.
13. Standard conditions already exist for the licensed sex shops and the council has procedures for the granting of licences. The proposed policy and conditions as set out in Annexes 1 and 2 reflect the existing arrangements but are

extended to include sexual entertainment venues. The lack of problems from the existing licensed premises indicating that these provide sufficient safeguards.

Corporate Strategy

14. The effective exercise of the licensing legislation and guidance notes ensures the licensing function will impact on the council's priority to reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York.

Implications

15. **Financial:** The cost of administering the licensing scheme can be recovered through licence fees. There would be no additional cost to the council.
16. **Human Resources (HR):** None.
17. **Equalities:** None.
18. **Legal:** In carrying out its licensing functions, the Licensing Authority must have regard to all legislation.
19. **Crime and Disorder:** The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authorities responsibility to co-operate in the reduction of crime and disorder in the city.
20. **Information Technology (IT):** None.
21. **Property:** None.
22. **Other:** None.

Risk Management

23. In compliance with the Council's risk management strategy any decisions made which are unreasonable or unlawful could be open to legal challenge resulting in loss of image, reputation and potential financial penalty.

Recommendation

24. That members approve the policy statement and standard conditions in relation to the licensing of sex establishments in the City as set out in Annexes 1 & 2.
25. Reason: To provide appropriate controls for the licensing of lap dancing clubs and other sex establishments in respect to existing and any potential new establishments.

Contact Details

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Chief Officer Responsible for the report:

Steve Waddington
Assistant Director
Housing & Public Protection

Report Approved

Date

20 Oct 2010

Specialist Implication Officer: Martin Blythe

Tel: 01904 551044

Wards Affected:

All

For further information please contact the author of the report

Background Papers

Policing and Crime Act 2009

Local Government (Miscellaneous Provisions) Act 1982

Annexes

Annex 1 Proposed statement of policy on the issue of sex establishment licences.

Annex 2 Proposed standard conditions for the licensing of sex establishments.



Policy for the Determination of Applications for Sexual Entertainment Venues

In determining applications for sexual entertainment venue licenses the Licensing and Regulatory Committee shall treat each application on an individual basis, on its own merits, in accordance with the Local Government (Miscellaneous Provisions) Act 1982 (as amended).

A decision to refuse the licence may not be made solely on moral grounds or that the establishment may cause offence.

Grounds for Granting or Refusing the Application

A licence must be refused on any of the grounds listed in paragraph 12(1) of Schedule 3 of the Local Government (Miscellaneous provisions) Act 1982, that is to say:-

- to a person under the age of 18;
- to a person who is for the time being disqualified as being a licence holder whose licence has been revoked within the previous 12 months;
- to a person, other than a body corporate, who is not resident in the United Kingdom or who was not so resident throughout the period of six months immediately preceding the date when the application was made; or
- to a body corporate that was not incorporated in the United Kingdom; or
- to a person who has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

A licence may be refused where any of the following matters mentioned in paragraph 12(2) and (3) of the Act applies:

- (a) The applicant is unsuitable to hold a licence by reason of having been convicted of any offence or for any other reason:
- Officers will make diligent enquiries with the applicant to establish:-
 - That the operator is honest.
 - That the operator is qualified by experience to run the type of sex establishment in question.
 - That the operator understands the general conditions.
 - That the operator is proposing a management structure which delivers compliance with the operating conditions, e.g. through managerial competence, presence, a credible management structure, enforcement of rules internally, a viable business plan and policies for welfare of performers.
 - That the operator can be relied upon to act in the best interests of performers, eg in how they are remunerated, the facilities they enjoy, how they are protected and how and by whom their physical and psychological welfare is monitored.

- That the operator can be relied upon to protect the public, eg transparent charging, freedom from solicitation.
 - That the operator can show a track record of management of compliant premises, or that s/he will employ individuals who have such a track record.
- (b) That if the licence were to be granted, renewed, varied or transferred the business to which it relates would be managed by or carried on for the benefit of a person other than the applicant, who would be refused the grant, renewal, variation or transfer of such a licence if he made the application himself:
- Officers will establish that there would be no third party beneficiary by asking appropriate questions in the application form and by interviewing the applicant.
- (c) That the number of sexual entertainment venues in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality:
- The number can be nil, but this decision needs to be rationally underpinned. The Council has not determined any appropriate number of sexual entertainment venues.
- (d) That the grant or renewal of the licence would be inappropriate, having regard to the:
- (i) character of the relevant locality; or
 - (ii) use to which any premises in the vicinity are put; or
 - (iii) layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.
- (i) The character of the relevant locality. Relevant locality is defined in relation to premises as “the locality where they are situated”. The locality cannot include for example the whole of the administrative area or an entire town. The relevant locality might cover the area of a ward, specific estates, shopping areas or areas bounded by rivers and major roads. The relevant locality will be determined on a case by case basis dependent on the situation of the proposed licensed premises.
- (ii) The use to which any premises in the vicinity are put. Vicinity is not defined but is clearly an area smaller than relevant locality. It maybe considered in the same context as with the Licensing Act 2003. Regard should not only be had to the juxtaposition of uses within the vicinity but also to the times of operation or occupation of those uses. Sensitive uses will include places of worship, schools, youth clubs, community centres, women’s refuges, parks and leisure facilities. A concentration of residential property particularly included sheltered accommodation for vulnerable groups may also cause concern.
- (iii) The layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made. The premises should meet or can be made to meet the layout and structural requirements set out in the “standard conditions applicable to licences issued to sex establishments”.



LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

**STANDARD CONDITIONS APPLICABLE TO LICENCES ISSUED TO
SEX ESTABLISHMENTS**

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1.0 DEFINITIONS

1.1 In these conditions save when the context otherwise requires the following expressions shall have the following meanings:

- a) "Sex Establishments", "Sexual Entertainment Venues", "Sex Cinema", "Sex Shop" and "Sex Article" shall have the meanings ascribed to them in the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982.
- b) "Premises" means a building or part of a building and any forecourt yard or place of storage used in connection with a building or part of a building which is the subject of licence for a sex establishment granted under the said Third Schedule.
- c) "Approval of the Council" or "Consent of the Council" means the approval or consent of the Council in writing.
- d) "The Council" means the City of York Council.
- e) "Film" shall have the meaning ascribed to it in the Films Act 1960-1980.

2.0 GENERAL

2.1 In the event of a conflict between these conditions and any special conditions contained in a licence relating to a sex establishment the special conditions shall prevail.

2.2 The grant of a licence for a sex establishment shall not be deemed to convey any approval or consent which may be required under any enactment by law order or regulation other than the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982.

3.0 TIMES OF OPENING

3.1 Except with the written consent of the council, the premises shall not remain open to the public outside the hours licensed.

4.0 CONDUCT AND MANAGEMENT OF SEX ESTABLISHMENTS

4.1 Where a Licensee is a body corporate or an un-incorporated body any change of Director, Company Secretary or other person responsible for the management of the body is to be notified in writing to the Council within 14 days of such change. Such written details as the Council may require in respect of any new Director, Secretary or Manager are to be furnished within 14 days or a request in writing from the Council.

4.2 The Licensee or a responsible person nominated by him in writing for the purpose of managing the sex establishment in his absence and of whom details (including 2 photographs) have been supplied to and approved in writing by the Council shall be in charge of and upon the premises during the whole time they are open to the public. This condition shall be read in conjunction with condition 4.3 below.

- 4.3 The Licensee shall maintain a daily register in which he shall record the name and address of any person who is to be responsible for managing the sex establishments in his unavoidable absence, and the names and addresses of those employed in the sex establishment. The register is to be completed each day within 30 minutes of the sex establishments opening for business and is to be available for inspection by the Police and by authorised officers of the Council.
- 4.4 The name of the person responsible for the management of a sex establishment be he/she the Licensee or a Manager approved by the Council shall be prominently displayed within the sex establishment throughout the period during which he/she is responsible for its conduct.
- 4.5 The Licensee shall retain control over all portions of the premises and shall not let, licence or part with possession of any part of the premises.
- 4.6 The Licensee shall maintain good order in the premises.
- 4.7 No person under the age of 18 shall be admitted to the premises and no person under the age of 18 shall be employed in the business of a sex establishment.
- 4.8 A notice stating that persons under the age of 18 may not enter the premises shall be prominently displayed at the entrance.
- 4.8 The Licensee shall ensure that the public are not admitted to any part or parts of the premises other than those which have been approved by the Council.
- 4.9 No part of the premises shall be used by prostitutes (male or female) for the purposes of solicitation or of otherwise exercising their calling.
- 4.10 Neither the Licensee nor any employee or other person shall seek to obtain custom for the sex establishment by means of personal solicitation outside or in the vicinity of the premises.
- 4.11 The Licensee shall comply with all statutory provisions and any regulations made thereunder.
- 4.12 The Licensee shall ensure that during the hours the sex establishment is open for business every employee wears a badge of a type approved by the Council indicating his name and that he is an employee. In the case of Sexual Entertainment Venues other approved forms of identification maybe accepted.
- 4.13 A copy of the licence and of these conditions shall be exhibited in a prominent place within the premises where the public may see and read them. These displays shall be reproductions to the same scale as those issued by the Council. The copy of the licence required to be displayed as aforesaid shall be suitably framed and the copy of these conditions shall be retained in a clean and legible condition.

5.0 USES

- 5.1 No change of use of any portion of the premises from that approved by the Council shall be made until the consent of the Council has been obtained thereto.
- 5.2 No change between the uses of a sex shop, sex cinema or sexual entertainment venue shall be effected without the consent of the Council.
- 5.3 Neither sex articles nor other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity shall be displayed, sold, hired, exchanged, loaned or demonstrated in a sex cinema.
- 5.4 A sex shop shall be conducted primarily for the purpose of the sale or hire of goods by retail.

6.0 GOODS AVAILABLE IN SEX ESTABLISHMENTS

- 6.1 All sex articles and other things displayed for sale, hire, exchange or loan within a sex shop shall be clearly marked to show to persons who are inside the shop the respective prices being charged.
- 6.2 All printed matter offered for sale, hire, exchange or loan shall be available for inspection prior to purchase and a notice to this effect is to be prominently displayed within the sex establishment.
- 6.3 The Licensee shall, without charge, display and make available in the Licensed Sex Establishment, such free literature on infections, safer sex, local services and other related sexual health issues as may be published by York Teaching Hospital NHS Foundation Trust or any other providers as maybe. Such literature is to be displayed in a prominent position approved by the Council adjacent to all cash points in the Licensed Sex Establishment.

7.0 APPERANCE, CONDITION AND LAYOUT OF THE PREMISES

- 7.1 The Licence Holder shall comply with requirements relating to external appearance of the licensed premises as the Council may consider reasonably necessary. The Licensee shall give prior notice to the Council of any proposed change to the external appearance of the premises and shall support the prior notice by the submission of detailed drawings to show the proposed changes.
- 7.2 Without prejudice to the generality of condition 7.1 above, no display, advertisement, word, letter, model, sign, placard, board, notice, device, representation, drawing, writing, or any matter or thing (whether illuminated or not) shall be exhibited so as to be visible from outside the premises unless the prior approval of the Council has been received in writing.
- 7.3 The entrance doors to the premises shall be of a material or covered with a material which will render the interior of the premises invisible to passers by.
- 7.4 Windows and openings to the premises other than the entrances shall be obscured in a manner and with such material as may be approved by the Council. Plans and

drawings showing the proposed scheme shall be submitted to the Council for prior approval. This condition shall not be construed as lessening the obligation of the Licensee under condition 7.3 hereof.

- 7.5 Lighting in all parts of the premises as approved by the Council shall be in operation continuously during the whole of time that the sex establishment is open to the public.
- 7.6 The number, size and position of all doors or openings provided for the purposes of the ingress and egress of the public shall be approved by the Council and shall comply with the following requirements:
- a) Access to the premises may only be through 2 or more doors placed consecutively, so arranged that when a person enters or leaves the premises the interior of the premises is not recognisable to persons outside the premises.
 - b) All such doors or openings approved by the Council shall be clearly indicated on the inside by the word "Exit".
 - c) Doors and openings which lead to parts of the premises to which the public are not permitted to have access shall have notices placed over them marked "Private".
 - d) Save in the case of emergency no access shall be permitted through the premises to any unlicensed premises adjoining or adjacent.
- 7.7 The external doors to the sex establishment shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.
- 7.8 No fastening of any description shall be fitted upon any booth or cubicle within the sex establishment nor shall more than 1 person (including employee be present in any such booth or cubicle at any time).
- 7.9 Alterations or additions either internal or external and whether permanent or temporary to the structure, lighting or layout of the premises shall not be made except with the prior approval of the Council.
- 7.10 All parts of the premises shall be kept in a clean and wholesome conditions to the satisfaction of the Council.

8.0 ADDITIONAL CONDITIONS FOR SEXUAL ENTERTAINMENT VENUES

- 8.1 The premise will be conducted in a decent, sober and orderly manner at all times. Steps will be taken to ensure that none of the following takes place:
- a. indecent behaviour including sexual intercourse
 - b. the offer of any sexual or other indecent service for reward
 - c. unlawful possession and/or supply of drugs controlled by the Misuse of Drugs Act 1971.
 - d. any acts of violence against persons or property and/or the attempt or threat of such act likely to cause a breach of the peace.

- 8.2 No one under the age of 18 shall be permitted to enter the premises (or remain on the premises) whilst entertainment of an adult nature is being provided.
- 8.3 All performers shall be over 18 years of age.
- 8.3 Notices to be displayed within the premises and at the entrance informing customers of the "House Rules" that affect them and a warning that "adult entertainment" is provided within the premises.
- 8.4 Written information shall be given to the dancers/entertainers advising them of the house rules for performers and customers and possible consequences of failure to comply.
- 8.5 Adult entertainment shall not take place in a location that could be viewed from outside the premises.
- 8.6 Advertising of adult entertainment either on the premises or otherwise shall not include any photographs or images which indicate that entertainment involving nudity or sexual performance takes place on the premises.
- 8.7 CCTV for both monitoring and recording shall be installed, maintained and operated in accordance with Data Protection guidelines and will cover all areas where dancing takes place. All cameras shall continually record whilst the premises are open to the public and recordings shall be kept for a period of 28 days with times and dates indicated. These recordings shall be kept secure and shall be made available to an authorised officer of the Local Authority or a Police Officer on request.
- 8.8 Performers shall be provided with separate dressing/changing rooms which shall be located so as to be separate and set apart from the public facilities. No person other than performers and authorised staff will be allowed in or near the dressing/changing room. Safe and controlled access to the dressing/changing room will be maintained at all times.
- 8.9 There shall be at least one female member of staff authorised to be responsible for the safety and welfare of the performers.
- 8.10 Door Supervisors shall be positioned at all entrances to the premises throughout the performance and shall be present in the room/area in which the performance takes place.
- 8.11 Dance entertainment shall be given only by performers/entertainers who are engaged exclusively for that purpose. Audience participation shall not be permitted.
- 8.12 Dance entertainment shall only be performed in the areas of the club as marked on the plans deposited with the Licensing Authority and with the Authority's approval. These areas can only be changed with the approval of the Licensing Authority.

- 8.13 If performers are invited to have a drink with a customer, the performer will remain fully clothed during this period. Performers will not be paid commission on the sale of beverages.
- 8.14 On leaving the premise performers will be escorted to their transport by a door supervisor.
- 8.15 Adult entertainment shall not take place before 9.00 pm.
- 8.16 The premises licence holder shall ensure that the house rules for both customers and performers are strictly adhered to.

ANNEX 1

House Rules (Customers)

1. Dancers may only dance to seated customers.
2. Customers must remain clothed at all times.
3. Dancers must not be touched by the customer while they are dancing except for the placing of gratuities into the hand or garter of the dancer at the beginning or conclusion of the performance.
4. No person shall take any video recordings or photographs by any means of the authorised adult entertainment.
5. No persons other than performers and authorised staff shall be permitted in the dressing/changing rooms.
6. Dancers shall re-dress at the conclusion of the performance.
7. Customers who fail to comply with these rules shall be removed from the premise by the management or security staff
8. No customers shall be admitted to the premises or allowed to remain on the premises if they appear to be intoxicated or unruly.
9. The duty manager and security staff will ensure that all customers and performers adhere to the house rules.

ANNEX 2

House Rules (Performers)

1. All performers shall be over 18 years of age. Prior to engagement all performers will provide documentation that they are aged 18 years or over. Checks will be made to make sure the necessary legal work permits to work in the United Kingdom are in place. Should performers be employed from an agencies the same checks will be carried out. Management shall keep written record of these checks which shall be available to authorised officers of the council and the Police.
2. No performer shall be allowed to work, if under the judgement of the management, they appear to be intoxicated or under the influence of illegal substances.
3. No performance shall involve the use of sex articles (as defined in the Local Government (Miscellaneous Provisions) Act 1982).
4. Performers shall not use any props or clothing in the act which portrays them as a minor.
5. Garters worn for the collection of gratuities shall be situated no higher than mid thigh.
6. Dancers shall re-dress at the conclusion of the performance and are to remain clothed (minimum bikini top and bottoms) at all times except when giving a performance.
7. Performances of adult nature must be restricted to the designated areas.
8. All staff and performers are forbidden to give personal details including real name and address or other contact details of any other performer or staff member to a customer. Performers are strongly advised not to pass their own personal details to customers.
9. The duty manager and security staff will ensure that all customers and performers comply with the house rules.

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