SEX ESTABLISHMENT LICENCE UNDER SCHEDULE 3, LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 RECORD OF HEARING AND DECISION TAKEN BY THE LICENSING SUB-COMMITTEE					
DATE OF HEARING	Thursday 27 August 2015				
SUB-COMMITTEE MEMBERS PRESENT:	The Deputy Mayor, Councillor Gordon Jackson (Chairman) Councillor Nigel Kearse Councillor Dennis Paul				
OFFICERS PRESENT:	Mark Adams (Licensing Officer) Carrie Anderson (Committee Manager) (observing) Sophie Butcher (Committee Manager) Raj Devandran (Lawyer Litigation & Corporate)(observing) Bridget Peplow (Senior Lawyer Litigation)				
DISCLOSURES OF INTEREST BY MEMBERS PRESENT:	None				
PREMISES:	The Quadrant, Onslow Street, Guildford, GU1 4SG				
TYPE OF APPLICATION:	Sex Establishment Licence.				
DETAILS OF APPLICATION SOUGHT:	A licence to allow the use of the premises as a Sexual Entertainment Venue.				
APPLICANT:	In attendance on behalf of Star Oyster Ltd: Mr Ashley Bowes (Solicitor) Mr Michel Harper (Manager/Owner) Miss Nicole Harper (Manager)				
OTHER PERSONS:	Licensing Sub-Committee members and a Licensing Officer from Waverley Borough Council.				

DETAILS OF DECISION TAKEN:

The Chairman reminded all attendees that the hearing was being audio recorded and if making a representation at the hearing attendees were deemed to have consented to being recorded.

The Sub-Committee considered the application for a new sex establishment licence. The Sub-Committee also considered the relevant sections of the Council's Licensing of Sex Establishments Policy and the National Guidance on Sexual Entertainment Venues issued by the Home Office.

The Sub-Committee noted that all conditions on current licences issued under the Licensing Act 2003 relating to sexual entertainment will cease to apply on 17 November 2015 owing to the end of the transitional period, which started on 17 November 2014.

A new premises licence was sought for the provision of sexual entertainment to be held in a new building (not yet built) on a site currently occupied by a nightclub. The application was received on 15 May 2015 and no objections were received.

The Sub-Committee noted that in considering their decision they should refer to the list of discretionary grounds for refusal and satisfy themselves that the proposed layout of the building plans and conditions were appropriate. The Sub-Committee also noted that they must consider the suitability of the applicant and the suitability of the location of the proposed establishment having regard to the character of the locality and the use of other premises in the vicinity.

The Council had approved standard conditions, which would normally be attached to all licences granted, unless the Sub-Committee considered it appropriate to modify the conditions in any particular case.

To assist the Sub-Committee in their deliberations, the Chairman requested that the applicant provide further information in relation to the following points:

- Why the council's standard conditions should not apply and the alternative conditions submitted by the applicant should be attached instead.
- In consideration of the suitability of the location for this sexual entertainment venue, what measures would be taken to prevent any potential adverse impact upon other premises in close proximity such as the YMCA, ACM, churches and the Friary Shopping Centre.
- Given that the licence would only be granted for a year, and given the proposed size of the new building, and that it was unlikely to be built within a year, where in the building the proposed activities would take place and where advertisements would be sited.
- In consideration of the hours applied for from 12 noon to 5:30am, how the applicant would address the fact that the character of the area was very different at different times of the day.

The Chairman invited Mr Bowes, the applicant's Counsel to address the sub-committee. He made the following submissions:

- Guildford Borough Council has adopted a standard set of conditions for the management of sexual entertainment venues. However, the law permitted variations to those conditions if they were not considered appropriate on a case-by-case basis.
- The applicant appreciated that sexual entertainment venue licensing was a new concept for local authorities and with that in mind amendments to the standard conditions had been made to:
 - o make the conditions more enforceable;
 - o avoid duplication with functions such as those of the planning authority who were responsible for managing the external visual appearance of properties and;
 - o making the conditions workable within the industry.
- It was Star Oyster's desire to run a safe, carefully managed environment, the venue was appropriate for the locality, and the right tools should be in place so that the Licensing Authority could enforce the conditions if needed.
- It was accepted by the applicant that the legislation only permitted the licence to be granted for one year, and not five years as previously requested.

Mr Harper, on behalf of the applicant, also made the following submissions in support of the application:

- The applicant had held a licence for the provision of sexual entertainment in Guildford for the past 10-15 years. This application would be an exchange for the conditions that were already in operation;
- The terminology of 'sexual entertainment venue' was unfortunate. It was very much a family run business. The premises would be geared towards the provision of high quality hospitality, leisure and entertainment.
- The proposed new building would be designed with high quality materials enhancing Guildford and the surrounding area.
- The proposal was not for lap dancing per se. The applicant might want to put on burlesque shows or provide entertainment for hen parties and the application was to ensure that the premises did not fall foul of the law.
- The applicant has run the Player's Lounge for 5-6 years without any complaints from members of the public or the Licensing Authority.
- The applicant had proposed amended conditions that would serve the business and ensure its effective operation.

Mr Bowes, the applicant's Counsel suggested that to save time, the Licensing Officer could comment on the amended conditions, given that they had been sent to the licensing team two weeks prior to the hearing. The Chairman stated that, as the policy provided, the Sub-Committee would normally apply the standard conditions. It was therefore for the applicant to convince the sub-committee why the standard conditions should not apply. Mr Bowes commented that the legislation provided that where standard conditions had been adopted by an authority they would be put on new licences unless they had been expressly excluded or varied. Mr Bowes was concerned regarding the presumption that the standard conditions would apply and that he was having to disprove that presumption when there was no legal requirement to do so. The Chairman commented that he was just asking the applicant to explain why it was appropriate to vary the conditions to those put forward by the applicant. The applicant gave the following reasons why it was appropriate to depart from the standard conditions:

[Page 76/Agenda Item No 2/Appendix 19]

9. Dancers shall only perform on the stage area, or in booths/areas for VIPs, as identified on the plan attached to the licence.

Proposed condition:

Dancers shall only perform on the area identified on the plan attached to the licence.

Mr Bowes, the applicant's Counsel, in support of the above proposed condition, stated that the removal of booths/VIP areas gave the licensing authority greater control to define the areas where the entertainment could take place. In addition, there was a presumption that there would be booths or VIP area, which was not necessarily the case and therefore did not reflect how the premises would operate.

10. Relevant entertainment shall only be performed by the dancer. There must be no audience participation.

Proposed condition:

Striptease entertainment shall only be performed by the dancer.

The applicant's Counsel confirmed that the type of relevant entertainment had been defined, namely as 'striptease', as without a clear definition, the licensing authority would have great difficulty in controlling 'relevant entertainment' as it covered too broad a remit of different types of activity. The Chairman confirmed with the Council's lawyer that 'relevant entertainment' was defined as part of the legislation, and detailed in the standard conditions at Appendix 4 p.89. The applicant was advised that 'relevant entertainment' was wider than striptease and unless the applicant wished to limit the licence to striptease specifically, the reference to 'relevant entertainment' would need to remain.

11. There must be no physical contact between dancers.

Proposed condition:

There must be no intimate contact between dancers during a performance.

The applicant stated that intimate contact described the type of activity more accurately than the standard condition.

12. There must be no physical contact between the dancer and the customer at any time.

Proposed condition:

The applicant proposed to delete this as it was a repetitive condition. They would be happy to replace the term 'physical' with 'intimate'.

13. Any performance shall be restricted to dancing and the removal of clothes. There shall not be any other form of sexual activity or stimulation, which, for the avoidance of doubt, includes kissing.

The above condition was considered inappropriate and therefore deleted as the term 'performance' precluded any other type of performance that could be taking place such as magic shows or hosting pop groups. The Chairman clarified for the applicant that the licence applied for related only to sexual entertainment. The standard conditions therefore did not apply to magic shows or pop groups and did not restrict the applicant in this way.

The applicant's Counsel, Mr Bowes asked if it was possible to put a note on the licence, if granted, which stated that conditions only applied when 'relevant entertainment' was taking place. It would assist the applicant and operators to help them distinguish between the different types of operations that would be hosted. The Licensing Officer confirmed that he was content with adding a note, as it was a statement of the current legal position.

14. Sex toys must not be used and penetration of the genital area by any means must not take place.

Proposed condition:

Penetration of the genital area by any means shall not take place.

The above proposed condition was recommended, as it was felt by the applicant that it would prevent licensing officers having to decide what was and was not a sex toy.

The licensing officer confirmed that he was content with the proposed wording recommended by the applicant.

- 15. Wording of standard condition not changed.
- 16. Proposed condition referred to a Challenge 21 policy in place on the Challenge 25 policy referred to in the standard condition.
- 17. The external appearance of the premises must be approved by the council in writing.

The above condition had been deleted as it was the applicant's assertion that it was duplicating the jurisdiction of the planning authority. The external appearance of the premises should be regulated by the planning authority. The Chairman stated that the external appearance of the premises was important, particularly in terms of locality and the potential impact upon vulnerable or under age groups using public facilities close to the premises. The Sub-Committee would therefore need a lot of convincing to omit the standard condition. It was difficult to know to what extent the planning and licensing functions would overlap owing to the fact that the premises was not yet built.

18. Any change to the external appearance must be approved by the council. The operator must notify the Council in writing of any proposed change and shall provide a drawing of the existing and proposed street elevation. This must be approved by the council before any work is undertaken.

The above condition had been deleted for the same reasons given above in relation to condition 17.

20. Signage shall only be illuminated between 10pm and 6am, and moveable signs placed outside the premises shall be removed between 6am and 10pm.

The above condition had been deleted, as the applicant felt that signage should be agreed by the planning authority. The applicant also felt that 10 pm was too late and signage should be illuminated after dark.

21. Any unsolicited written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, shall not contain images or text of a sexually explicit, obscene or offensive nature and must be approved by the council in writing.

Proposed condition:

Any window display shall not be of a sexually explicit nature and shall not contain images or text of a sexually explicit nature.

This removed reference to the need for the council's approval for the above mentioned advertisements and it was the applicant's assertion that it removed the burden from the council.

22. Staff employed or subcontracted by the premises shall not verbally or otherwise promote, tout or advertise the premises, except by way of flyers.

The above condition had been deleted, as it was the applicant's view that they should be able to advertise their premises. The Licensing Officer also confirmed that it would be very difficult to enforce condition 22.

23. Leafleting/distribution of flyers shall only be permitted as long as it does not cause public offence. The licensee shall remove any leaflets from the highways within a 100 metre radius of the premises by 6am. The licensee shall operate a flyer distribution policy, which must be approved by the Council.

The above condition had been deleted as it was stated by the applicant that a significant and onerous obligation was being placed on the operator to remove the flyers. The applicant also queried what a flyer distribution policy was and where it could be found. The applicant

confirmed that the internet and social media was the most effective and modern way of advertising as opposed to using leaflets, which were a thing of the past.

Where the licensee is a body corporate, or an unincorporated body, any change of director, company secretary or other person responsible for the management of the body shall be notified in writing to the council within 14 days of such change. Such details as the council may require in respect of the change of personnel shall be furnished within 14 days of a request in writing from the council.

The applicant had deleted the above condition. The Chairman stated that this would enable the change of management to someone else without notifying the Council and that this was an untenable position.

29. Where the licensee, director, company secretary, or responsible person nominated for the purpose of managing the venue ("the manager"), is convicted of an offence, they must, as soon as practicable after the conviction, inform the council of the conviction giving details of the nature and date of the conviction, and any sentence imposed.

Proposed condition:

Where the licensee, responsible person nominated for the purpose of managing the venue ("the manager") is convicted of an offence, they must as soon as practicable after the conviction inform the council of the conviction giving details of the nature and date of the conviction and any sentence imposed.

The applicant had removed reference to 'director' and 'company secretary' as it was not reflective of the business structure.

33. The licensee shall operate a Challenge 25 age verification policy. People who appear to be under the age of 25 will be required to show proof of ID prior to admittance. A notice to this effect, in accordance with condition 18 shall be displayed on the premises.

Proposed condition:

The licensee shall operate a Challenge 21 age verification policy.

A Challenge 21 age verification policy was proposed, as this was currently used, as opposed to a Challenge 25 policy.

44. All booths and VIP areas used for private dances must be visible to supervisors and must not have closing doors, curtains or coverings of any description.

The above condition had been deleted, as it was assumed that the premises would have VIP areas. The supervisors would have visibility and CCTV cameras would be in place.

45. All booths and VIP areas used for private dances must be directly supervised by either a SIA registered door supervisor, or a member of staff who has direct contact with the SIA registered door supervisors working on the premises, at all times when the booths/areas are in use. Direct supervision does not include remote supervision by CCTV.

The above condition had been deleted, as it was not applicable to the premises, which would not operate with booths or VIP areas.

49. Panic alarms shall be fitted to all booths and VIP performance areas and shall be operational at all times.

The above condition had been deleted as panic alarms were not in the applicant's view used in the sexual entertainment industry.

50. Vehicles must not be used for personal solicitation, touting or advertising.

The above condition had been deleted, as it was the applicant's assertion that this was beyond the scope of the licensing authority to enforce. The Licensing Officer confirmed that the question of enforcement was a relevant one and enforcement would be difficult.

The Sub-Committee then received the following submissions from the applicant in support of the suitability of the proposed location for a sexual entertainment venue:

- A very similar premises has operated on this site for a long time. The licence under the Licensing Act 2003 was granted at appeal by the magistrate's court and therefore a refusal could not be justified on that basis.
- The proposed premises was located in a part of Guildford that was a well-established part of the night-time economy and identified in the draft local plan. The operating hours of the Academy of Contemporary Music (ACM) were unlikely to conflict with the hours of the sexual entertainment venue.

The Chairman asked on what basis the hours would not be in conflict when the licence was applied for from midday.

 The applicant's representative stated that it was a hospitality led industry and not just run at night, therefore he wanted as much freedom as possible. The sexual entertainment venue was age restricted. Appropriate controls were in place to prevent under aged minors from experiencing those services.

The Chairman also asked for clarification of the plans and for delineation of the areas, which would be used for sexual entertainment.

The Licensing Officer confirmed that the blue line marked on the plans shown for the 3rd, 4th and 5th floors was the area accessible to the public, which was the subject of the application. The Chairman commented that this would include areas such as the toilets and lifts, which should not be used for sexual entertainment. He commented that this had been dealt with in the Licensing Act applications by marking the areas to be

excluded on a plan. The Licensing Officer also confirmed that the stage area marked out in yellow on the 3rd, 4th and 5th floors was also part of the licensable area.

Having considered the application and the submissions from the applicant, the Sub-Committee

RESOLVED: That the application for a new sex establishment licence under Schedule 3, Local Government (Miscellaneous Provisions) Act 1982, be granted on the following terms and subject to the conditions set out in Appendix 1 and in accordance with the Plans at Appendix 2:

1. The licensable activities shall be as set out below:

Activities	Mon		Tues		Wed		Thurs		Fri		Sat		Sun	
Provision of Sexual Entertainment														
	12:00	1	12:00	1	12:00	_	12:00	_	12:00	1	12:00	_	12:00	_
	05:30		05:30		05:30		05:30		05:30		05:30		05:30	
Times premises are open to public														
	12:00	1	12:00	1	12:00	_	12:00	_	12:00	1	12:00	_	12:00	_
	05:30		05:30		05:30		05:30		05:30		05:30		05:30	

REASON FOR DECISION:

In reaching their decision to grant the application subject to the above conditions, the Sub-Committee considered the written and oral representations from the applicant. The Sub-Committee noted that no objections to the application had been received.

In granting the application, the Sub-Committee had carefully considered the appropriateness of the sexual entertainment venue in relation to its proximity to other types of premises. Whilst the venue was close to the Friary Shopping Centre, churches and family entertainment centres, the proposed venue would be located in an already well-established part of Guildford's night time economy. The Sub-Committee also noted that the premises currently on the site had been used by the applicant for the purposes of providing sexual entertainment in accordance with licences granted under the Licensing Act 2003 and there had been no concerns raised about the running of the premises or the suitability of the applicant to do so. The Sub-Committee was therefore satisfied that, subject to the imposition of appropriate conditions and the delineation of the plans to exclude areas which were inappropriate for sexual entertainment, the licence should be granted.

The Sub-Committee was mindful that the Council had determined the standard conditions to be applied to a licence for a sexual entertainment venue and was therefore very reluctant to change these. However, the Sub-Committee felt there was merit in some of the applicant's submissions about the wording of the conditions and they therefore agreed to make the following amendments to the standard conditions, to make them workable and enforceable (please see Appendix 1).

- Condition 20 the Sub-Committee agreed that 10pm was too late to turn on the illuminated signage to get maximum advertising benefit from it. A more appropriate time was 8pm given that daylight would have generally faded by that point and this time was more reflective of the night-time economy. The condition was therefore amended as follows:
- 20. Signage shall only be illuminated between 8pm and 6am, and moveable signs placed outside the premises shall be removed between 6am 8pm.
 - Condition 22 the Sub-Committee was not convinced that the whole condition should be deleted. They agreed that the reference to verbally or otherwise promoting the premises by staff was difficult to enforce. However, the reference to no touting and advertising of the premises was reasonable and therefore the condition was amended as follows:
- 22. Staff employed or subcontracted by the premises shall not tout or advertise the premises, except by way of flyers.
 - Condition 23 The Sub-Committee felt that a flyer distribution policy was reasonable given the nature of the premises. As the premise was not yet built, the Council and the Applicant could give further consideration to the approval of such policy and its contents. The Sub-Committee felt that it was not appropriate for flyers to be distributed during the daytime given the nature of the premises and amended the condition to provide that flyers could only be distributed after 8.00 pm. The condition was therefore amended as follows:

- 23. Leafleting/distribution of flyers shall only be permitted after 8pm as long as it does not cause public offence. The licensee shall remove any leaflets from the Highway within a 100 metre radius of the premises by 6am. The licensee shall operate a flyer distribution policy, which must be approved by the Council.
 - The Sub-Committee also amended condition 27 which incorrectly referred to condition 28 when it should read condition 26, as follows:
- 27. The licensee shall ensure that any person nominated by him/her in accordance with Condition 26:
 - a) Has been provided with a copy of the conditions relating to the premises and is fully conversant with them; and
 - b) Is in possession of the written nomination referred to above at all, times when they are in charge of and present on the premises.
 - In relation to the appearance of the building, questions 18 and 19 of the application form for the sexual entertainment venue licence had been left blank. Both questions would need to be addressed by the applicant and the proposals for exterior signage, advertising, window displays, flyers and business cards would need to be agreed with the Licensing Authority, prior to the premises operating. Accordingly, the conditions dealing with these matters would be included on the licence.

The Sub-Committee confirmed that they felt all the other standard conditions were appropriate to ensure that there would be no adverse impact from the premises and they would be included on the licence.

- The Sub-Committee confirmed that the licence was granted for 1 year.
- In relation to the plans and delineated areas, the sub-committee was concerned that there were toilets, entrance lobbies and a number of enclosed rooms on the fifth floor that needed to be marked out as areas where sexual entertainment could not take place. The licence was for public areas and therefore the Sub-Committee requested that Licensing Officers worked with the applicant in agreeing the delineated areas on the plans (please see Appendix 2).
- The Sub-Committee agreed that a note would be put on the licence stating that the conditions would only apply when 'relevant entertainment' is taking place.

Signature of Chairman:	
Dated:	

Sexual Entertainment Venues

General

- Unless stated otherwise, the licence hereby granted shall operate for one year from the date on the licence, after which it shall cease to be in effect, unless an application for renewal is submitted in the manner prescribed by the council.
- The licensee shall operate a code of practice for dancers and code of conduct for customers. These documents must be approved by the Council and Surrey Police and shall be made available to any police officer or authorised officer of the Council on request.
- 3. Price lists for both drinks and sexual entertainment and the code of conduct for customers shall be clearly displayed at each table and at each entrance to the premises.
- 4. Price lists and the code of conduct for customers must be printed in a manner which is clear and easy to read.
- 5. Suitable and sufficient training is to be provided to all staff including the responsible person as described in condition 28. A training record shall be kept for each member of staff and the training record shall be made available upon request to any police constable or authorised officer of the Council.
- 6. The name of the premises must be approved by the council in writing. Any change to the name of the premises must be approved by the council in writing.

Exhibition of the licence

7. The licence, or a clear copy, shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises, the police, and authorised officers of the council. A copy of the conditions attached to the licence shall be kept on the premises and be available for inspection by an authorised officer of the council, or a police officer.

Hours of opening (to be tailored to individual licences)

8. The premises shall only be open to the public during the following hours:

Monday	12:00PM - 5:30AM	Friday	12:00PM - 5:30AM
Tuesday	12:00PM - 5:30AM	Saturday	12:00PM - 5:30AM
Wednesday	12:00PM - 5:30AM	Sunday	12:00PM - 5:30PM
Thursday	12:00PM - 5:30AM		

Conduct on the premises

- 9. Dancers shall only perform on the stage area, or in booths/areas for VIPs, as identified on the plan attached to the licence.
- 10. Relevant entertainment shall only be performed by the dancer. There must be no audience participation.
- 11. There must be no physical contact between dancers.
- 12. There must be no physical contact between the dancer and the customer at any time.
- 13. Any performance shall be restricted to dancing and the removal of clothes. There shall not be any other form of sexual activity or stimulation which, for the avoidance of doubt, includes kissing.
- 14. Sex toys must not be used and penetration of the genital area by any means must not take place.
- 15. Customers shall not be permitted to throw money at the dancers.

External appearance

16. There shall be a notice displayed inside each entrance or doorway to the premises, which shall clearly be visible to any person entering the premises, which states the following:

Strictly No Admittance to Persons Under 18 Years of Age

This premises operates a Challenge 25 policy.

Persons who appear to be under the age of 25 will be required to show proof of age.

- 17. The external appearance of the premises must be approved by the council in writing.
- 18. Any change to the external appearance must be approved by the council. The operator must notify the Council in writing of any proposed change and shall provide a drawing of the existing and proposed street elevation. This must be approved by the council before any work is undertaken.
- 19. Access to the licensed area of the premises shall be through a lobby area which is constructed in such a way that the inside of the licensed premises where relevant entertainment takes place is not visible to passing members of the public when the doors of the premises are opened.

20. Signage shall only be illuminated between 8pm and 6am, and movable signs placed outside the premises shall be removed between 6am and 8pm.

Advertising

- 21. Any unsolicited written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, shall not contain images or text of a sexually explicit, obscene or offensive nature and must be approved by the council in writing.
- 22 Staff employed or subcontracted by the premises shall not tout or advertise the premises, except by way of flyers.
- 23. Leafleting/distribution of flyers shall only be permitted after 8pm as long as it does not cause public offence. The licensee shall remove any leaflets from the Highways within a 100 metre radius of the premises by 6am. The licensee shall operate a flyer distribution policy which must be approved by the Council.

Layout of premises

- 24. No access shall be permitted through the premises to any other adjoining or adjacent premises except in the case of an emergency.
- 25. No alterations (including temporary alterations) shall be made to the structure and installations on the premises, without the prior written consent of the council. This condition does not require notice to be given in respect of routine maintenance works. Where there is any doubt the licensee should seek advice from the council.

Management of the premises

- 26. The licensee, or a responsible person nominated by him/her in writing for the purpose of managing the venue ("the manager") shall have personal responsibility for and be present on the premises whilst relevant entertainment is being performed. Any such nomination shall be produced on demand to an authorised officer of the council or a police constable.
- 27. The licensee shall ensure that any person nominated by him/her in accordance with Condition 26:
 - a) has been provided with a copy of the conditions relating to the premises and is fully conversant with them; and
 - b) is in possession of the written nomination referred to above at all times when they are in charge of and present on the premises.
- Where the licensee is a body corporate, or an unincorporated body, any change of director, company secretary or other person responsible for the management of the body shall be notified in writing to the council within 14 days of such change. Such details as the council may require in respect of the change of personnel shall be furnished within 14 days of a request in writing from the council.

29. Where the licensee, director, company secretary, or responsible person nominated for the purpose of managing the venue ("the manager"), is convicted of an offence, they must, as soon as practicable after the conviction, inform the council of the conviction giving details of the nature and date of the conviction, and any sentence imposed.

- 30. The licensee shall retain control over all parts of the premises and shall not let, licence or part with possession of any part of the premises. The council must be notified immediately in the event that any part of the premises is affected by the termination of a lease or other event affecting the licensee's control of the premises.
- 31. The licensee shall ensure that the public is not admitted to any part or parts of the premises which have not been approved by the council for the purposes of public access.
- 32. No persons under the age of 18 shall be admitted to the premises.
- 33. The licensee shall operate a Challenge 25 age verification policy. People who appear to be under the age of 25 will be required to show proof of ID prior to admittance. A notice to this effect, in accordance with condition 18 shall be displayed on the premises.
- 34. The licence holder shall not employ any person under the age of 18 in any capacity.

Safety and security

- 35. A suitable Closed-Circuit Television (CCTV) system shall be operational at the premises at all times when licensable activities are being carried out and at any other times when members of the public are present on the premises. The CCTV system shall cover all areas of the premises to which the public are permitted to have access, including corridors and stairways (excluding WCs). The CCTV system shall cover the main entrances and exits and designated emergency exit routes from the premises. The CCTV system shall cover all external areas of the premises accessed by the public, including queuing areas, beer gardens, smoking areas and car parks. The location of the CCTV cameras shall be identified on the site plan of the premises. No amendments to the locations of the cameras shall be made without prior consultation with Surrey Police/British Transport Police and the Licensing Authority.
- 36. The CCTV system shall be of a sufficient resolution quality to enable the identification of persons and activities, and other details such as vehicle registration number plates. The CCTV system shall contain the correct time and date stamp information. The CCTV system shall have sufficient storage retention capacity for retention of a minimum of 31 days' continuous footage, which shall be of good quality. The CCTV footage shall be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record shall be kept of who has accessed the system, the reason why and the date and time of access.
- 37. The data controller, under the Data Protection Act 1998, who is responsible for any CCTV images captured on cameras on the premises shall, on the lawful request of an authorised officer or an officer of Surrey Police/British Transport Police, cause any required footage to be downloaded immediately, or where this is not possible, as soon as reasonably practicable, and supplied to the requesting officer. Where the CCTV images are not supplied at the time of the request being made, the data controller shall ensure that they are secured to prevent any overwriting.

- The CCTV system shall be adequately maintained and be capable of transporting recorded material onto a removable media. The CCTV system replay software must allow an authorised officer or an officer of Surrey Police/British Transport Police to search the picture footage effectively and see all the information contained in the picture footage for the purpose of detecting, investigating and preventing crime. It must be possible to replay exported files immediately e.g. no re-indexing of files or verification checks shall be required.
- 39. A minimum of two Security Industry Authority registered door staff shall be present on the premises during the performance of relevant entertainment. In addition, the licensee shall provide such additional SIA registered door staff as shall be reasonably required by Surrey Police or the Licensing Authority.

Staff welfare

- 40. Dancers shall be aged 18 years or over.
- 41. Before a dancer is permitted to work on the premises the licensee shall ensure that the dancer:
 - a) has not been convicted of theft, drug offences or prostitution
 - b) has the right to work in the UK

The licensee shall keep records of the checks made, including copies of any documentation such as a basic disclosure, passport, visa, driving licence or national insurance number provided by the dancer.

- 42. to the Licensee shall provide new dancers with a pack of information. This pack shall include:
 - a) A copy of the Sex Establishment Licence, including the conditions applied by the Licensing Committee.
 - b) Details of any other conditions applied by the management of the premises
 - c) Details of how to report crime to the relevant authority
 - d) Details of the premises public liability insurance
 - e) Information on how dancers can obtain personal liability insurance
 - Details of unions, trade organisations or other bodies that represent the interests of dancers
 - g) A copy of the code of conduct for dancers
 - h) A copy of the code of conduct for customers
 - i) Price lists for drinks and sexual entertainment
- 43. The information required in accordance with Condition 42 shall be provided in the dressing rooms or alternatively a sign shall be placed in the dressing rooms advising that the information pack is available on request.
- 44. All booths and VIP areas used for private dances must be visible to supervisors and must not have closing doors, curtains or coverings of any description.
- 45. All booths and VIP areas used for private dances must be directly supervised by either a SIA registered door supervisor, or a member of staff who has direct contact with the SIA registered door supervisors working on the premises, at all times when the booths/areas are in use. Direct supervision does not include remote supervision by CCTV.

- 46. Dancers shall only be present in the licensed area in a state of nudity when they are performing on stage or providing a private dance.
- 47. Any person on the premises who can be observed from outside the premises shall be properly and decently dressed.
- 48. The licensee shall ensure that dancers have secure dressing rooms, facilities to secure valuables and proper sanitation facilities available to them.
- 49. Panic alarms shall be fitted to all booths and VIP performance areas and shall be operational at all times.

Vessels, stalls and vehicles

50. Vehicles must not be used for personal solicitation, touting or advertising.





















