

To: Councillor Skeats (Chairman);
Councillors Beard, Chowdhary, Duveen,
Edwards, Gittings, Goodall, T Harris,
Hussain, Jones, Livingston, Lockett, Page
and Tickner.

Our Ref: Ics.c/agenda
Your Ref:

Direct: ☎ 0118 937 2332
e-mail: richard.woodford@reading.gov.uk

19 October 2010

Your contact is: **Richard Woodford - Committee Services**

NOTICE OF MEETING - LICENSING APPLICATIONS COMMITTEE - 27 OCTOBER 2010

A meeting of the Licensing Applications Committee will be held on **Wednesday 27 October 2010 at 6.30 pm** in the Council Chamber, Civic Offices, Reading. The agenda for the meeting is set out below.

AGENDA

WARDS AFFECTED PAGE NO

1. DECLARATIONS OF INTEREST

Councillors to declare any personal and prejudicial interests they may have in relation to the items for consideration.

2. MINUTES OF THE MEETINGS OF THE LICENSING APPLICATIONS COMMITTEE HELD ON 23 MARCH 2010 AND 25 MAY 2010

1

To confirm the Minutes of the Licensing Applications Committee meetings held on 23 March 2010 and 25 May 2010 as a correct record.

3. QUESTIONS

-

To receive any questions from Councillors and members of the public.

4. REGULATION OF SEXUAL ENTERTAINMENT VENUES BOROUGHWIDE

6

A report asking the Committee to review and approve the final policy, terms, fees and conditions regarding the licensing of Sexual Entertainment Venues.

CIVIC CENTRE EMERGENCY EVACUATION: Please familiarise yourself with the emergency evacuation procedures, which are displayed inside the Council's meeting rooms. If an alarm sounds, leave by the nearest fire exit quickly and calmly and assemble at the Hexagon sign, at the start of Queen's Walk. You will be advised when it is safe to re-enter the building.

LICENSING APPLICATIONS COMMITTEE MINUTES - 23 MARCH 2010

Present: Councillor Skeats (Chair);
Councillors Beard, Chowdhary, Edwards, Goodall and P Jones.

Apologies: Councillors Byrne and Tickner.

RESOLVED ITEMS

5. MINUTES

The Minutes of the meeting held on 29 September 2009 were confirmed as a correct record and signed by the Chair.

6. EVENING ECONOMY DEVELOPMENT THROUGH ADOPTION OF A CUMULATIVE IMPACT POLICY

Further to Minute 3 of the meeting held on 29 September 2009, the Director of Environment, Culture and Sport submitted a report to set out the outcome of a consultation exercise on the possible adoption of a Cumulative Impact Policy (CIP) in Reading town centre, to propose formal wording for a town centre CIP and a revised CIP boundary, to report further updated and detailed evidence to support the revised CIP proposals, and to propose a further consultation period to allow residents, businesses and other interested parties opportunity to comment on the specific policy wording and revised proposals.

The following appendices had been attached to the report:

| | |
|-----------------------|---|
| Appendix I | Consultation letter dated 23 October 2009; |
| Appendices II to VIII | Consultation responses; |
| Appendix IX | Proposed CIP wording and associated plans and evidence. |

The report explained that Cumulative Impact was the potential of a significant number of licensed premises concentrated in one area to impact on the promotion of the licensing objectives, which were the prevention of crime and disorder, public safety, the prevention of public nuisance and protection of children from harm. A CIP was considered appropriate in areas where the number, type and density of premises selling alcohol for consumption on the premises was unusual, and serious problems of nuisance and disorder might arise outside or some distance from licensed premises. For example, a concentration of young drinkers could result in queues at fast food outlets and for public transport, possibly leading to conflict, disorder and anti-social behaviour. A CIP would create a rebuttal presumption that applications for new premises licences or club premises certificates or material variations, which were likely to add to the existing cumulative impact, would normally be refused, where relevant representations had been received.

The report noted that on 29 September 2009 the Committee had resolved to instruct officers to undertake a consultation exercise regarding the possible adoption of a CIP for the town centre, and report back the outcome (Minute 3 refers). In October 2009 a letter, attached to the report at Appendix I, had been sent to over 200 individuals and businesses, and the consultation had been published on the Council's

LICENSING APPLICATIONS COMMITTEE MINUTES - 23 MARCH 2010

website. Officers had attended meetings of the Town Centre Neighbourhood Action Group, Pubwatch and the Business Improvement District Committee to discuss the proposals. Seven written responses to the consultation had been received, and were attached to the report at Appendices II to VIII. This preliminary consultation had demonstrated support from businesses, residents and statutory authorities for a town centre CIP, with relatively little opposition.

Attached to the report at Appendix IX was a proposed wording for the town centre CIP, with appendices showing the proposed boundary of the CIP and crime and disorder statistics for the whole Borough and the proposed CIP area. It was proposed to carry out a further consultation on the wording and boundary, to seek the views of interested parties listed in Section 5(3) of the Licensing Act 2003: the chief officer of police for the area, the Fire and Rescue Authority for the area, persons/bodies representative of local holders of premises licences, persons/bodies representative of local holders of club premises certificates, persons/bodies representative of local holders of personal licences and persons/bodies representative of businesses and residents in the area.

William Donne, Silver Fox Licensing Consultants, was present at the meeting and addressed the Committee regarding his concerns about the adoption of a CIP, including the possible effect on inward investment from smaller operators and the ability of the licensing authority to defend the refusal of applications under the policy against legal action from large organisations. He also noted the large size of the proposed boundary, and the possible displacement effect on areas outside it such as Oxford Road and Wokingham Road.

Sergeant Wheeler, Thames Valley Police, attended the meeting and addressed the Committee on the difficulties that the volume of late night drinking venues in the town centre presented for policing.

The Committee discussed the report and a number of points were raised including the following:

- A long-term benefit of the policy could be to broaden the range of licensed premises available in the town centre, and encourage more people of different ages to visit the town centre in the evening;
- The draft wording of the CIP set out a different approach for different types of venue, and specified the types of establishment that would be covered by the policy;
- Any issues with displacement of crime to areas outside the proposed CIP could be addressed as and when they occurred;
- Government guidance was for a CIP to be reviewed regularly to see whether it was still required, and if so whether it needed to be expanded. As part of the Council's Licensing Policy Statement the CIP would also be formally reviewed every three years.

LICENSING APPLICATIONS COMMITTEE MINUTES - 23 MARCH 2010

Resolved -

- (1) That the results of the consultation on a town centre Cumulative Impact Policy (CIP) be noted;
- (2) That available evidence detailing crime and disorder in the town centre, associated with late night alcohol consumption showing that, although falling, crime and disorder remained at unacceptably high levels, be noted;
- (3) That the proposed wording and boundary of a town centre CIP, as set out in Appendix IX to the report, be noted;
- (4) That licensing officers consult with the people/bodies specified in section 5(3) of the Licensing Act 2003 on the proposed wording and boundary of the CIP, and a report be submitted to a future meeting of the Committee.

(The meeting started at 1.04pm and closed at 1.43pm.)

LICENSING APPLICATIONS COMMITTEE - 25 MAY 2010

Present: Councillor Skeats (Chairman);
Councillors Beard, Duveen, Edwards, Gittings, Goodall, T
Harris, Hussain, Jones, Livingston, Lockett, Page and Tickner

Apologies: Councillor Chowdhary

RESOLVED ITEM

1. ESTABLISHMENT, MEMBERSHIP AND TERMS OF REFERENCE OF SUB-COMMITTEES

Resolved -

- (1) That, under the provisions of Section 9 of the Licensing Act 2003, two Licensing Applications Sub-Committees (Sub-Committees 1 and 2), each consisting of three members, be established for the Municipal Year 2010/11 to deal with applications for licences under Section 7 of the Act;
- (2) That the members of Sub-Committees 1 and 2 be drawn from the membership of the Licensing Applications Committee;
- (3) That, under the provisions of Sections 101 and 102 of the Local Government Act 1972, an additional Licensing Applications Sub-Committee be established for the Municipal Year 2010/11, to deal with other licensing matters, as follows:

Licensing Applications Sub-Committee 3 (2:1:2)

| <u>Conservative Councillors</u> | <u>Liberal Councillors</u> | <u>Democrat</u> | <u>Labour Councillors</u> |
|---------------------------------|----------------------------|-----------------|---------------------------|
| T Harris Skeats | Goodall | | Edwards Jones |

Substitutes (2:1:2)

| <u>Conservative Councillors</u> | <u>Liberal Councillors</u> | <u>Democrat</u> | <u>Labour Councillors</u> |
|---------------------------------|----------------------------|-----------------|---------------------------|
| Chowdhary Rynn | Duveen | | Maskell Ruhemann |

- (4) That the following Councillors be appointed as Chair/Vice-Chair of Licensing Applications Sub-Committee 3 for the Municipal Year 2010/11:

LICENSING APPLICATIONS COMMITTEE - 25 MAY 2010

Chair

Vice-Chair

Councillor Skeats

Councillor Goodall

- (5) That the terms of reference of the Sub-Committees be as set out in Appendix A to the Monitoring Officer's report to the Council on the Powers and Duties of the Council and Committees etc.

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT, CULTURE AND SPORT

| | | | |
|------------------|---|--------------|------------------------------|
| TO: | LICENSING APPLICATIONS COMMITTEE | | |
| DATE: | 27 OCTOBER 2010 | AGENDA ITEM: | 4 |
| TITLE: | REGULATION OF SEXUAL ENTERTAINMENT VENUES | | |
| LEAD COUNCILLOR: | COUNCILLOR SWAINE | PORTFOLIO | ENVIRONMENT & SUSTAINABILITY |
| SERVICE: | ENVIRONMENT AND CONSUMER SERVICES | WARDS: | BOROUGHWIDE |
| LEAD OFFICER: | J S CHAMPEAU | TEL: | 0118 937 2329 |
| JOB TITLE: | SENIOR LICENSING AND ENFORCEMENT OFFICER | E-MAIL: | Jean.champeau@reading.gov.uk |

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To review and approve the final policy, terms, fees and conditions regarding the licensing of Sexual Entertainment Venues.

2. RECOMMENDATION

- 2.1 That the proposed policy, terms, fees and conditions be adopted as detailed in the report.
- 2.2 That the power to determine applications for Sexual Entertainment Licences be delegated to the Head of Environmental Services for renewal applications when no objections have been received.

3. POLICY CONTEXT

- 3.1 Reading Borough Council adopted Schedule 3 to Local Government (Miscellaneous Provisions) Act 1982, which came into effect on the 1 April 1983. This permitted the Council to regulate the number, location, operating terms and conditions for sex establishments (sex shops & sex Cinemas).
- 3.2 At present there are three licensed Sex Shops in Reading, two located on the Oxford Road and one located on Southampton Street.

3.3 Reading Borough Council has adopted the amendment to Schedule 3 to Local Government (Miscellaneous Provisions) Act 1982, which came into force on the 1 September 2010. This permitted the Council to regulate the number, location, operating terms and conditions for Sexual Entertainment Venues

4. BACKGROUND

4.1 Section 27 of the Policing and Crime Act 2009, amends Schedule 3 to the Local Government (Miscellaneous Provisions) 1982, to allow the Licensing Authority to licence "Sexual Entertainment Venues" where "relevant entertainment" is provided before a live audience, for the financial gain of the organiser or the entertainer. "Relevant entertainment" means, "any live performance or any live display of nudity", provided solely or principally for the purpose of stimulating any member of the audience.

4.2 Currently, the only control over sex encounter premises is the requirement to obtain a Premises Licence under the Licensing Act 2003, in the same way that a pub or nightclub must be licensed to sell alcohol and provide entertainment. No special provisions are made in the 2003 Act for Sexual Entertainment Venues. If an application is submitted to the licensing authority for a Premises Licence, the authority must grant the licence, subject to certain mandatory conditions.

4.3 If relevant representations are made by interested parties, e.g. residents or local businesses or a responsible authority, e.g. the Police or Fire Service of the area, then the authority can, following a hearing, impose other conditions or reject the application. Even then, under the current regime, it will only be able to do so where such a step is necessary to promote one of the four licensing objective set out in the Act as outlined below.

Licensing Objectives:

- Prevention of public nuisance;
- Prevention of crime and disorder;
- Public safety;
- Protection of children from harm.

4.4 The Licensing Act 2003 has already empowered local residents in general terms, but it is hard to make an effective objection against an adult entertainment venue, unless its operation can be shown to be undermining one of the four licensing objectives.

4.5 The new legislative controls available to the Licensing Authority will strengthen the role that local communities can play in deciding whether a Sexual Entertainment Venue is inappropriate for the locality.

4.6 The aim is to bring the licensing of sex encounter venues inline with other "Sex Establishments" such as "Sex Shops" and "Sex Cinemas" and to recognise that local people have legitimate concerns about where such premises are located.

5. THE PROPOSAL

5.1 Current Position

There is only one premises that currently operates as a full time lap-dancing club (Sugar Lounge), located in St Mary Butts. A number of other premises have also indicated on their original premises licence applications, that on occasions they would have some performance of nudity during some events.

5.2 The amendments to the Policing and Crime Act 2009, will permit licensed premises to hold some events without being licensed. Sub -paragraph (3) specifies that the following are not sexual entertainment venues for the purpose of the schedule.

- I) Sex shops and Sex cinemas.
- II) Any premises that at the time in question
 - (a) has not provided relevant entertainment on more than 11 occasions within the previous 12 months;
 - (b) no such occasion has begun within the period of one month beginning with the end of any previous occasion; and
 - (c) no such occasion has lasted for more than 24 hours.

5.3 Consultations have been carried out regarding the proposed policy, terms and conditions, a copy of which are attached at **Appendix I** to this report. A total of three responses were received regarding the proposals as outlined below:

- I) Royal Berkshire Fire and Rescue. Has commented on "**Schedule A, Regulations for Sex Establishments**". The fire service are concerned that each premises owner, complies with the Regulatory reform (Fire Safety) Order 2005 (RRO). Schedule A, paragraph 20 has be amended accordingly. A copy is attached at **Appendix II** to this report
- II) Councillor Tickner has commented on "**The Sex Establishment Policy**", requesting that two extra objectives be added paragraph 8.2. Public Safety and Prevention of Public Nuisance. Paragraph 8.2 has been amended incorporating these objectives. A copy of the representation is attached at **Appendix III** to this report.
- III) The Jazz Club (Abattoir Rd), has commented on:
 - (a) "**The Sex Establishment Policy**", requesting that the policy should permit licences to be longer than one year. However, the Local Government (Miscellaneous Provisions) Act 1982 does not permit a licence to extend beyond one year.

- (b) "Schedule A, Regulations for Sex Establishments" requesting:
Within paragraph 2, that premises should be permitted to open until 6am on Fridays and Saturdays. Schedule A paragraph 2, has been amend incorporating the amended hours.
- (c) "Schedule A, Regulations for Sex Establishments" Within paragraph 3, that premises should be able to be used for other purposes when they are not being used as a Sexual Entertainment Venues. Schedule A, paragraph 3 has been amended accordingly.
- (d) "Schedule A, Regulations for Sex Establishments" Within paragraph 7, that DVD's be permitted for entertainment as long as they do not show any form of nudity. Schedule A, paragraph 7 has been amended permitting the showing of recordings or broadcasts as long as no nudity or sexual acts are depicted.
- (e) "Schedule A, Regulations for Sex Establishments" Within paragraph 10, that the name of the licence holder not be available on a notice at the front door for customers to view. Schedule A, paragraph 10 has been amended removing this requirement.
- (f) "Schedule A, Regulations for Sex Establishments" Within paragraph 14, that the entrance or lobby, not form part of the restricted area. Schedule A paragraph 14 has been amended

The full details of the Jazz Club representation are attached at **Appendix IV** to this report.

5.4 The proposed fees are, £2,500 for an application for a grant or variation of a Sexual Entertainment Licence, and £2,000 for an application to renew a Sexual Entertainment licence. These fees have been calculated to recover the cost of implementing, licensing and enforcing the changes to the amendment to Schedule 3 to Local Government (Miscellaneous Provisions) Act 1982.

5.5 Options Proposed

- i) That the Licensing Committee approve the policy, terms and conditions for Sexual Entertainment Venues.
- ii) That the Licensing Committee delegate to the Head of Environmental services power to renewal applications for Sexual Entertainment Venues when no objections have be received.
- iii) That the Licensing Committee approve the proposed fees for Sexual Entertainment Venues. £2,500 for an application to grant or vary and £2,000 for the an application to renew an existing licence

6. CONTRIBUTION TO STRATEGIC AIMS

6.1. Community Safety Implications

6.1.1 The Local Government (Miscellaneous provisions) Act 1982 permits the Authority to control the location, terms, and conditions, of premises that require a Sex Establishment Licence and when considering applications, the Authority can take into consideration matters such as:

- (i) The suitability of the applicant;
- (ii) The location of the proposed premises;
- (iii) The number and character of premises in a locality;
- (iv) The layout of the proposed premises;

6.2 Sustainability

6.2.1 Persons may apply for Sex Establishment Venue Licences as such premises do serve a section of the community. However, it is vital that mechanisms are available to allow control of such venues, in order to protect people and businesses, which are located in the vicinity.

7. COMMUNITY ENGAGEMENT AND INFORMATION

7.1 Community engagement in respect of licensing matters occurs on an ongoing basis through the NAGs, Pubwatch and Antisocial Behaviour Action Groups.

8. LEGAL IMPLICATIONS

8.1 Local Authorities have the ability to control the licensing of Sex Establishments by adopting Schedule 3 to Local Government (Miscellaneous Provisions) Act 1982. Reading Borough Council has adopted Schedule 3 and has been licensing Sex Shops for some considerable time.

8.2 Paragraph 8, of Schedule 3 to the Act, provides that a Local Authority may grant or renew a licence for a Sex Establishment, on such terms and conditions and subject to such restrictions as may be specified.

8.2.1 Paragraph 9, of Schedule 3 to the Act, provides that a Local Authority may grant a licence for a period of one year or such shorter periods as it considers appropriate.

8.2.2 Paragraph 10, of Schedule 3 to the Act, provides that a Local Authority require an applicant to publish the fact of an application for a Sex Encounter Venue, in a local newspaper, not less than seven days after the day of application and notice of the application shall also be displayed for 21 days, beginning with the date of application, on or near the premises.

8.3 Paragraph 12 (3) of Schedule 3 to the Act, allows a Local Authority to refuse to renew or grant an application for a licence, on any one or more of the grounds (a) to (d) below.

- (a) That the applicant is unsuitable to hold the licence, by reason of having been convicted of an offence or for any other reason;
- (b) That if the licence were to be granted, renewed or transferred, the business to which it refers would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he had made the application himself;
- (c) That the number of Sex Establishments in the relevant locality at the time the application is made is equal to or exceeds the number, which the authority considers appropriate for that locality;
- (d) That the grant or renewal of the licence would be inappropriate having regard;
 - i) to the character of the relevant locality
 - ii) to the use to which any premises in the locality are put or
 - iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

8.4 Paragraph 12 (4) of Schedule 3 to the Act, allows a Local Authority to determine that it might be inappropriate to have any Sex Establishments at all in a given relevant locality.

8.5 Paragraph 13 of Schedule 3 to the Act, enables a Local Authority to attach standard conditions to a licence for sex establishments.

8.6 The power to licence Sex Shops and Sex Establishments under Section 2 and schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, is a function which cannot be the responsibility of an Authority's Executive, under the Local Authorities (Functions and responsibilities) Regulations (England) Regulations 2000. As set out in Part 3(2), of the Council's constitution, the Council has delegated this function to the Licensing Applications Committee to exercise, and that Committee in turn, has delegated it to the Head of Environment and Consumer Services.

9. FINANCIAL IMPLICATIONS

9.1 The costs associated with proposed amendment will be covered by the application fee and renewal fee.

10. BACKGROUND PAPERS

Appendix I A copy of the proposed Sex Establishment Policy, Regulations and Conditions relating to Sexual Entertainment Venues.

Appendix II Letter from the Royal Berkshire Fire and Rescue.

Appendix III E-Mail from Councillor Tickner.

Appendix IV E-Mail from Mr J Ratip (The Jazz Club).

SEX ESTABLISHMENT POLICY FOR SEXUAL ENTERTAINMENT VENUES

READING BOROUGH COUNCIL

1. INTRODUCTION

- 1.1 Reading is the County Town of Berkshire. It is currently the third most diverse and one of the most cosmopolitan and dynamic communities in the South East. It lies at the heart of the Thames Valley, and is widely regarded as the 'Silicon Valley' of the UK. Over the last 10 years, Reading has also benefited from being one of the fastest growing and sustained economies in the country. Whilst the recent economic downturn had an impact, the effect was to a lesser degree than in some areas of the country. It is still home to 13 of the world's top 30 global brands, with the likes of Prudential, Microsoft and Oracle all based locally.
- 1.2 Whilst the borough of Reading covers some 4030 hectares and is also home to around 145,000 residents, the wider urban area has a population of around 275,000 with an even broader retail 'catchment area' of over 1.2m. This is a significant aspect of the Reading of today: a sub-regional capital attracting large numbers of workers, shoppers and visitors from a wide area, adding to its vitality and success. Over 13% of the population is made up from minority ethnic communities.
- 1.3 Reading has two Universities, which during term time, further increase the residential population by around 25,000 and who again contribute to Reading's economy.
- 1.4 The ongoing regeneration of the town centre and the arrival of The Oracle shopping centre, originally lifted Reading into the top ten retail destinations in the UK, and it has maintained this position until very recently. However, it is currently rated at 16 on most recent research.
- 1.5 One of the reasons that town centres like Reading are attractive to the public, is that they are areas offering an attractive, safe and vehicle-free environment with a wide variety of retail, food leisure and services on offer. The public are drawn to such areas because they know that they will have a pleasant and satisfying social experience that goes beyond just commercial activity. This is borne out by the quality and quantity of the businesses that pay significant amounts of non-domestic rates and a Business Improvement District levy to maintain and where possible improve that standard.
- 1.6 The Oracle is a large privately owned shopping complex to the south of the area. Because it is private, the quality of the pedestrian and leisure experience can be said to be the most appealing in the town centre. When it originally opened, there were a number of large

nightclub venues. However, recent years has seen a shift in the type of venue available, with a greater influence towards family entertainment, restaurants and specialised markets.

- 1.7 Whilst Reading is the largest and the County town in Berkshire, there are many other towns of substantial size, including from the east to west, Slough, Windsor, Maidenhead, Bracknell, Wokingham and Newbury, many residents of which regularly visit Reading for retail and social activities.
- 1.8 Reading's vision for the shaping of its future has been carefully considered by seeking views from its residents, local businesses and all its partners, in order to ensure a thriving and balanced environment with a sustainable economy. Social premises should be varied so as to provide diversity and choice. They should be attractive and accessible to all.
- 1.9 The intention of the local authority is to create a well-balanced mix of alcohol and entertainment venues, thereby catering for the widest possible cultural and ethnic diversity.

2 THE PRESENT

- 2.1 The Local Government (Miscellaneous Provisions Act 1982 ("the Act")) introduced a licensing scheme to control sex establishments, that is to say, sex shops, sex cinemas, Section 27 of the Policing and Crime Act 2009, amends Schedule 3 to the Local Government (Miscellaneous Provisions) 1982, to allow the Licensing Authority to licence "Sexual Entertainment Venues" where "relevant entertainment" is provided before a live audience, for the financial gain of the organiser or the entertainer. "Relevant entertainment" means, "any live performance or any live display of nudity", provided solely or principally for the purpose of stimulating any member of the audience
- 2.2 Reading Borough Council has adopted the Act, and at present there are three sex shops in the borough. One is located on Southampton Street, and two are located on Oxford Road. At present there are no licensed Sexual Entertainment Venues, however there is one premises that operates as a lap dancing club located in the town centre on St Mary Butts. This premises will require a Sex Establishment Licence under the change made to the Local Government (Miscellaneous Provisions) Act 1982 in 2010.
- 2.3 Some Establishments that hold events which involved full or partial nudity less frequently than once a month may not require a Sex Establishment licence or may be except from the requirements to obtain a Sex Establishment Licence, applicants are advised to contact the Authority for details.
- 2.4 The Act imposes a duty on a local authority to refuse a licence by reference to, amongst other things, the criminal convictions of applicants. It also empowers a local authority to refuse to grant or

renew a licence by reference to the number of Sex Establishments which the local authority considers appropriate for the locality of the premises the subject of the application and the character of the locality.

- 2.5. This document outlines a policy, which will guide the Council when considering applications for licences, bearing in mind the spirit and intent of the Act and case law decided since it was passed. The Council shall not follow this policy inflexibly but shall take all relevant factors into consideration in determining an application. Each case shall be decided on its merits.

3. APPLICANTS

Individuals, limited companies and firms may apply for licences.

4. DURATION OF LICENCES

Licences are generally issued on an annual basis but can be issued for a shorter term if deemed appropriate.

5. CRIME AND DISORDER

Under the Crime and Disorder Act 1998, local authorities must have regard to the likely effect of the exercise of their functions on, and do all that they can to prevent, crime and disorder in their area. This policy will have regard to the likely impact of such licences on related crime and disorder in the borough.

6. HUMAN RIGHTS

The Human Rights Act 1998, incorporates the European Convention on Human Rights, and makes it unlawful for a local authority to act in a way which is incompatible with a Convention right. The Council will have particular regard to the following relevant provisions of the European Convention on Human Rights: -

- (i) Article 6, in relation to the determination of civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time, by an independent and impartial tribunal established by law;
- (ii) Article 8, in that everyone has the right to respect for his home and private life, including, for example, the right to a "good night sleep";
- (iii) Article 1 of the first protocol, that every person is entitled to the peaceful enjoyment of his or her possessions. It should be noted that the Courts have held that a licence is a person's possession.

7. DISABILITY DISCRIMINATION

7.1 The Disability Discrimination Act 1995, introduced measures to tackle discrimination encountered by disabled people in the areas of employment, access to goods, facilities and services and the management, buying or renting of land or property. For service providers, such as licensees: -

- (i) with effect from December 1996, it has been unlawful to treat disabled people less favourably than other people for a reason related to their disability;
- (ii) with effect from October 1999, they have had to make reasonable adjustments for disabled people, such as providing extra help to make changes to the way they provide their services;
- (iii) with effect from 2004, they have had to make reasonable adjustments to the physical features of the premises to overcome physical barriers to access.

7.2 This policy will have regard to the likely impact of licensing of sex establishment on disability discrimination particularly when considering the operation and management of the premises.

8. IMPACT

8.1 In considering applications for the grant of new licences or variation of conditions, the Council will assess the likelihood of the proposal causing adverse impacts, particularly on local residents. The Council will take the following general matters into account: -

- (i) type of activity;
- (ii) duration of proposed licence;
- (iii) proposed hours of operation;
- (iv) layout and condition of the premises;
- (v) the use to which premises in the vicinity are put;
- (vi) the character of the locality in which the premises are situated.

8.2 In considering all applications for the grant of new licences or applications for variation of conditions the Council will take into account the potential impacts of the licensed activity on:-

- (i) crime and disorder;
- (ii) cumulative impact of licensed premises in the area, including hours of operation;
- (iii) the character of the locality in which the premises is situated;
- (iv) public safety;
- (v) prevention of public nuisance.

8.3 Where an application is made to renew a licence for the same activity, hours of operation and conditions as previously licensed the Council shall give due weight to the fact that the licence was granted in the previous year and for a number of years before that as appropriate. However, the Council will take into account: -

- (i) levels of recorded crime and disorder in area;
- (ii) evidence of past demonstrable adverse impacts from the activity on the safety and amenity of local residents;
- (iii) whether appropriate measures have been agreed and put into effect by the applicant to mitigate any adverse impacts.

9. LOCATION

9.1 Licences will only be granted in predominately commercial areas and the Council is mindful of its power to determine that no sex establishment should be located in a particular locality. In accordance with case law, the Council shall decide a locality as a matter of fact to be determined by the particular circumstances of each case and not by drawing boundaries on a map. The table below is not exhaustive and we would consider representations from applicants as to why our view should be changed about a particular locality.

| locality | Number of Sex Entertainment Venues (SEV) | Reason |
|--|--|--|
| Reading Town Centre (Appendix I) | One | Varied Nighttime economy, Entertainment area, SEV would be appropriate in this area. |
| Caversham (North of the river Thames) | None | The whole area is mainly residential, with limited commercial or retail areas |
| Portman Road industrial Estate | One | Very Limited residential properties mainly small industrial units. |
| Wensley Road, Southcote Road | None | These areas are residential, with limited commercial or retail areas |
| Whitley Wood residential areas | None | The whole area is residential, with limited commercial or retail areas |
| Craddock Road and Acre Road Industrial areas | One | Very Limited residential properties mainly mixed industrial. |
| South East Reading (e.g. Orts Road, Kendrick Road and Palmer Park area) | None | The whole area is residential, with limited commercial or retail areas |
| Tilehurst Area (e.g. Tilehurst road, Oxford Road, Norcut Road School road) | None | The whole area is residential, with limited commercial or retail areas |

10. FITNESS OF APPLICANT POLICIES

An applicant must be a fit and proper person to hold a licence. In determining suitability for a new licence or a transfer the Council will in most cases take into account:-

- (i) previous knowledge and experience of the applicant;
- (ii) any evidence of the operation of any existing or previous licence held by the applicant, including any licence held in any other borough;
- (iii) and any report about the applicant and management of the premises received from statutory objectors.

11. SUITABILITY POLICY

All licensees are required to ensure that the premises: -

- (i) comply with all health and safety law;
- (ii) are not a source of nuisance to residents in the vicinity.

12. PROPOSED OPERATION AND MANAGEMENT POLICIES

12.1 The Council requires all licensees to ensure that they and their employees comply with all relevant licence conditions and health and safety regulations.

12.2 In terms of management of licensed premises, the Council strongly encourages where possible and appropriate, will require that licensees: -

- (i) work with statutory agencies such as the Police, and the Council in order to create and maintain a safe environment; both within licensed premises and in the environs around them;
- (ii) particularly those whose premises are located in areas with the highest levels of recorded crime, develop crime prevention strategies in consultation with the Police and the Council.

12.3 In terms of the management of licensed premises, the Council strongly encourages and where possible and appropriate will require all licensees to develop strategies and procedures to increase access for disabled people to the premises.

12.4 In terms of the employment of staff in licensed premises, the Council requires that all relevant staff be appropriately trained in areas such as health and safety, first aid, and fire precautions.

13. PUBLIC CONSULTATION

The Council will normally consult local residents in relations to applications for grant, renewal or variation of the terms or conditions

of a licence. The nature and extent of consultation will depend on the history of a particular premises and the perceived likelihood of problems occurring and objections being received.

14. LEGAL CONSULTATIONS

Applicants are required to give public notice of the application by publishing an advertisement in a local newspaper circulating in the area where the premises are situated and to display a similar notice on or near the premises for 21 days beginning with the date of the application.

15. CONSULTATION WITH STATUTORY AGENCIES AND OTHER ORGANISATION

In most cases the Council will consult with all relevant services within the Council and the Fire Authority to ensure that all relevant information is available when considering an application.
(Planning see item 1)

16. CONSULTATION WITH WARD COUNCILLORS

Relevant Ward Councillors will be notified in writing of all applications for grant, renewals and transfer of licences and the variation of conditions within their Ward, and also those on or near the Ward boundary.

- 16.1 In considering any application for the grant, renewal or transfer of a licence the Council is also obliged to have regard to any observations submitted by the Chief Constable of police and any objections received from members of the public in response to public advertisement of the application.

17. OTHER POLICIES

The Council may identify and apply other requirements from time to time, subject to consultation and proper notice.

Item 1.

Planning.

Sexual Entertainment Venues are classed as uses in the general use class, applicants are advised to speak to the planning department to ensure that the correct planning permissions are in place before the premises are open to the public.

SCHEDULE A

READING BOROUGH COUNCIL

REGULATIONS FOR SEX ESTABLISHMENTS "SEXUAL ENTERTAINMENT VENUES ONLY "

Reading Borough Council, in exercise of the powers conferred upon them by Paragraph 13 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act, 1982 and of all other powers enabling them in that behalf, make the following Regulations:-

1. (i) In these Regulations the following expressions, that is to say:
"Sexual Entertainment Venue" shall have the meanings respectively assigned to them by Schedule 3 of the Act;
 - (ii) In these Regulations the following expressions shall have the meanings hereby respectively assigned to them, namely:-

| | |
|-----------------------------|---|
| "The Act" | means the Local Government (Miscellaneous Provisions) Act 1982 as amended |
| "The Council" | means Reading Borough Council |
| "Licensed premises" | means any premises, vehicle, vessel or stall licenced under the Act |
| "Licence holder" | means a person who is the holder of a sex establishment licence |
| "Permitted hours" | means the hours during which the licensed premises are permitted under Regulations 2 to be open to the public |
| "Sex Establishment Licence" | means a licence granted pursuant to Schedule 3 of the Act |
| "General provision" | means the council has the right to amend or delete conditions if deemed appropriate |
2. The permitted hours of opening, unless varied by special conditions, shall be as follows:-

| | |
|-----------|-----------------------|
| Monday | 0900hrs until 0400hrs |
| Tuesday | 0900hrs until 0400hrs |
| Wednesday | 0900hrs until 0400hrs |
| Thursday | 0900hrs until 0400hrs |
| Friday | 0900hrs until 0600hrs |
| Saturday | 0900hrs until 0600hrs |
| Sunday | 0900hrs until 0400hrs |

3. The licensed premises shall not be used for any purpose other than the business of a Sexual Entertainment Venue. Should an operator wish to operated the premises under the Licensing Act 2003 or for other purposes, Written permission shall be required from the council seven days prior to the proposed change.
4. The licensed premises shall not be open for the purposes for which the sex establishment licence is granted on any occasion when the Council may signify in writing to the licence holder, occupier, or other person having at the time the care and management of the premises, that the same should not be open.
5. No person who is under the age of 18 or is known by the licence holder or any servant or agent of his presence on the licensed premises to be under that age shall be admitted to or shall be permitted to remain on the licensed premises.
6. The licence holder:-
 - (i) shall display a copy of the sex establishment licence and of these conditions, together with any special conditions imposed by the Council on the licensed premises in a conspicuous position at the entrance to the premises;
 - (ii) shall exhibit on the premises, such notices in such form and in such position as may be prescribed;
 - (iii) shall comply with any prescribed restrictions with respect to the exhibiting of other written matter or of signs of any description on the licensed premises.
7. No facilities shall be provided in a Sexual Entertainment Venue to view recordings or broadcasts which contain nudity and sexual Acts.
8. All forms of regulated entertainment and the sale of alcohol shall be carried out under the authorisation of a premises licence issued by the Local Authority under Licensing Act 2003.
9. The licence holder shall exhibit on the exterior of the licensed premises, in a position visible to persons outside the premises, a notice, in not more than one place, in characters not exceeding three inches in height and consisting only of the words "Sexual Entertainment Venue licensed by Reading Borough Council" and such indication, if any, as he thinks fit to give, of the times at which the licensed premises are open. No other notices, unless pursuant to these Regulations, may be exhibited.
10. The name of the licence holder or persons responsible for the premises during opening times shall be kept in a register detailing the periods of time he or she is responsible.

11. The licence holder shall exhibit in a prominent and in an approved manner and in some conspicuous place inside the licensed premises and at all points of access to the licensed premises, a notice stating that persons under the age of 18 years are not admitted thereto. Should the premises operate a proof of age scheme with an older age, That age shall be in the notice
12. The licence holder shall not display any matter which does not comply with the Indecent Displays (Control) Act 1981.
13. The licence holder shall not permit any person other than persons employed by him, his servant or agent, statutory undertakers or, if applicable, his landlord to enter upon any part of the premises which are not available to the general public
14. The licence holder shall not display any advertisement, which is visible to persons outside the premises, except as permitted by these Regulations or under the Act.
15. The licence holder shall ensure, that the interior of the Sexual Entertainment Venue shall not be visible to persons outside the premises.
16. The Council shall approve the design and materials used for both the exterior and interior of the licensed premises, which shall be kept in good repair and condition.
17. No illuminated signs or exterior lights shall be affixed to the licensed premises unless approved by the Council.
18.
 - (i) The licence holder shall not knowingly allow the licensed premises to be the habitual resort of a reputed prostitute or the habitual resort or meeting place of reputed prostitutes whether the objective of their so resorting or meeting is or is not prostitution;
 - (ii) The licence holder shall not knowingly permit drunken or disorderly persons to assemble or remain on the licensed premises;
 - (iii) The licence holder shall not tout or permit touting for business.
19. If the Council notifies the licence holder or occupier or other person having at the time, the care and management of the premises, in writing by delivering notice at the licensed premises that any poster, advertisement or matter shall not be displayed, then the licence holder, occupier or other person having at the time the care and management of the premises shall forthwith cease to display, the said item.
20. The licence holder shall comply with the regulatory reform (Fire Safety) order 2005 (RRO). Under the "Order", the responsible person is required to ensure a Fire Risk Assessment is undertaken by a competent person and the findings of the Fire Risk Assessment are acted upon.
21. The number, size and position of all doors or openings provided for the purpose of egress of the public, shall be to the satisfaction of the Council and shall comply with the following requirements:-

- (i) All such doors or openings approved by the Council shall be clearly indicated on the inside by the word "Exit";
 - (ii) Doors and openings, other than exits, 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";
 - (iii) No access shall be permitted through the premises to any other premises adjoining or adjacent;
 - (iv) The external doors of the licensed premises shall be fitted with self-closing mechanisms and such mechanisms shall be maintained in good order. No external door shall be fixed in the open position at any time during the permitted hours.
22. Applicants for the grant, renewal or transfer of a Sexual Entertainment Venue licence shall make their application on the form approved from time to time by the Council, returnable to the Head of Environmental and Consumer Services, together with the approved fee (where a sex establishment licence is required). A copy of the application in all cases shall be sent to the Chief Constable of Thames Valley Constabulary, not later than seven days after the date of the application to the Council.
23. Applicants for the grant, renewal or transfer of a Sexual Entertainment Venue licence shall, advertise by notice their application in the form approved by the Council and by publishing the advertisement in a local newspaper circulating in the Borough of Reading, not later than seven days after the date of the application that they have made to the council. A copy of the advertisement as published and a certificate as to the date of publication shall be lodged with the Council forthwith.
24. Applicants for the grant, renewal, or transfer of a Sexual Entertainment Venue licence shall display a notice in the form approved by the Council. The notice shall be displayed at the premises to be licensed for twenty-one days beginning with the date of the application to the Council and in a place where the notice can be inspected and conveniently read by the public from outside the premises.
25. A constable or an authorised officer of the Council may at any reasonable time enter and inspect any premises in respect of which a sex establishment licence is for the time being in force.
26. (i) The licence holder or some responsible person, nominated by him in writing shall be in attendance at the licensed premises at all such times as the premises are open to the public. Any person nominated in writing shall produced to any constable or authorised officer of the Council a copy of the authorisation.
- (ii) All employees or persons having care and management of the licensed premises at any time shall be readily identifiable as such. The licensee shall maintain a register in which he shall record each day the name and address of the person responsible for managing the premises from time to time and the names and addresses of those employed in the business. The register is to be completed each day

and is to be open for inspection by any constable or authorised officer of the Council.

READING BOROUGH COUNCIL

CONDITIONS OF LICENCE RELATING TO THE PROVISION OF LAP DANCING, TABLE SIDE DANCING AND ANY RELEVANT ENTERTAINMENT INVOLVING STRIPTease AND/OR NUDITY AT A SEXUAL ENTERTAINMENT VENUE.

1. Total nudity (the exposing of genitals) shall only be permitted in a designated area and at no other place in the premises.
2. No sex act shall take place.
3. The area proposed for striptease (involving complete nudity) shall:-
 - (i) Be in a position where the performance cannot be seen from the street.
 - (ii) Be in a designated area of the premises with segregation from the audience.
 - (iii) Be in a position where the performers will have direct access to the dressing room without passing through or in close proximity to the audience.
4. Performers shall be aged not less than 18 years.
5. No dancer shall perform if they are intoxicated.
6. There shall be no physical contact between persons appearing on stage and the audience. The entertainment shall be given only by performers/entertainers and the audience shall not be permitted to participate.
7. No performance shall involve the use of sex articles (as defined in the Local Government (Miscellaneous Provisions) Act 1982).
8. The area proposed for lap dancing, tableside dancing (involving partial nudity), shall be in a position where the performance cannot be seen from the street.
9. Entertainers providing topless dancing to customers seated at tables shall at all times wear a G-string or similar piece of clothing that covers the appropriate part of the body and at no time will reveal any part of their genitalia or anus.
10. Lap dancers/table side dancers must immediately dress at the conclusion of each performance.
11. Whilst the dancers are performing there shall be a minimum distance of 50 centimetres between the dancer and the seated customers. Notices to this effect shall clearly be displayed at each table and at the entrance to the premises.

12. The licensee, performer and any person concerned in the organisation or management of the entertainment shall not encourage, or permit encouragement of the audience to throw money at or otherwise give gratuities to the performers.
13. There shall be no physical contact between customers and the dancers except for the placing of money or tokens into the hands of the dancer at the beginning or conclusion of the performance.
14. Should a customer attempt to touch a dancer, the dancer must withdraw and report the matter to her/his manager/supervisor.
15. The Licensee shall record details and deal with any report of contact, misconduct or provocation by a customer or dancer. A record of the actions taken shall be kept in an incident book
16. No telephone number, address or information leading to any further meeting shall be passed from customer to dancer or vice versa.
17. No member of the public shall be admitted or allowed to remain in the dance area if they appear to be intoxicated.
18. All members of the public shall remain seated in the dance area other than when they arrive, depart, visit the toilet or go to the bar.
19. The premises must 'risk assess' the need for door staff, all door staff working on the premises shall be registered with the Security Industry Authority (SIA).
20.
 - (i) Digital CCTV shall be installed to cover all areas where dancing will take place. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 28 days with time and date stamping.
 - (ii) Recordings shall be made available to an authorised officer of the Council or a Police Officer
 - (iii) Facilities for viewing recording shall be available on site to an authorised officer of the council or police.
 - (iv) No person shall take any recordings or photographs of the authorised entertainment. Notices to this effect shall be clearly displayed at each table.
21. Whilst the agreed activities are taking place, no person under the age of 18 shall be allowed on to that part of the premises.
22. A national recognised proof of age scheme shall be in force at all times the

premises are open to the public. A clear notice shall be displayed at each entrance to the premises in a prominent position so that it can be easily read by persons entering the premises on the following terms:-

“No person under 18 years will be admitted” .

Should the premises operate a proof of age scheme with an older age, That age shall be in the notice)

4602/docs/conditions-lapdancing

**ROYAL BERKSHIRE
FIRE AND RESCUE SERVICE**



My reference: MB/LW/RBC 158423
Your reference: SEV 2010

When dialling ask for: Mr M Baker
Direct telephone line: (0118) 932-2788
Email address: bakerm@rbfrs.co.uk

**Royal Berkshire
Fire and Rescue Service**
Reading Fire Safety Office
103 Dee Road
Tilehurst
Reading
Berkshire
RG30 4FS

Telephone: 0118 945 2888
Facsimile: 0118 959 0510

Web www.rbfrs.co.uk

Brigade Manager
Iain Cox QFSM MA BSc(Hons) MCIPD

Thursday, 19 August 2010

Dear Sir,

Thank you for your letter dated 11th August 2010 regarding the consultation process for Reading Borough Council's forthcoming Sex Encounter Venue Policy.

Having read your proposed policy, it would appear that premises of this nature would be subject to current Fire Safety Legislation.

Prospective owners, occupiers and employers at such establishments should have a clear understanding of their responsibilities and obligations under the:

Regulatory Reform (Fire Safety) Order 2005. (RRO)

Under the "Order", the responsible person is required to ensure a Fire Risk Assessment is undertaken by a competent person and that the findings of the Fire Risk Assessment are acted upon.

I feel it only prudent that person/persons applying for a Sex Establishment Licence are advised of their obligations under the current legislation and this is included in your policy.

I further feel that premises applying for Licence should have demonstrated a satisfactory level of compliance to the Licensing Authority, with regard to the Order, before the Licence is granted.

Appendix III**Champeau, Jean**

From: XTickner, Bet
 Sent: 08 September 2010 15:21
 To: French, Richard; Champeau, Jean; Page, Tony (Councillor)
 Subject: RE: Consultation for adoption of Sex Encounter Venue Policy

Dear Richard, Jean

I've read the Sex Encounter Venue Policy. Seems fine, but I did wonder whether in para 8.2 (i) you might include in considerations

*Public safety

*prevention of Public Buisance as well as Crime and Disorder

My thinking is that when we considering the application for an inaprtly named "Gentleman's Club" on Castle st, several of the women who worked at a nearby real estate company said they would not want to walk past an establishment like these late at night if men were congregating outside, and I can understand why.

*Cllr Bet Tickner
 Labour Cllr Abbey Ward*

Subject: Consultation for adoption of Sex Encounter Venue Policy
 Date: Thu, 12 Aug 2010 09:47:13 +0100
 From: Richard.French@reading.gov.uk
 To: Mohammed.Ayub@reading.gov.uk; Isobel.Ballsdon@reading.gov.uk; Kirsten.Bayes@reading.gov.uk; Peter.Beard@reading.gov.uk; Daisy.Benson@reading.gov.uk; Terry.Byrne@reading.gov.uk; Jamie.Chowdhary@reading.gov.uk; Andrew.Cumpsty@reading.gov.uk; Ricky.Duveen@reading.gov.uk; Rachel.Eden@reading.gov.uk; Deborah.Edwards@reading.gov.uk; John.Ennis@reading.gov.uk; Gareth.Epps@reading.gov.uk; Paul.Gittings@reading.gov.uk; Glenn.Goodall@reading.gov.uk; Sarah.Hacker@reading.gov.uk; Jim.Hanley@reading.gov.uk; Chris.Harris@reading.gov.uk; Tim.Harris@reading.gov.uk; Jon.Hartley@reading.gov.uk; Graeme.Hoskin@reading.gov.uk; Wazir.Hussain@reading.gov.uk; Azam.Janjua@reading.gov.uk; Peter.Jones@reading.gov.uk; Gul.Khan@reading.gov.uk; Marian.Livingstone@reading.gov.uk; Jo.Lovelock@reading.gov.uk; David.Luckett@reading.gov.uk; Chris.Maskell@reading.gov.uk; Mike.Orton@reading.gov.uk; Tony.Page@reading.gov.uk; fred.pugh@reading.gov.uk; Mark.Ralph@reading.gov.uk; Pete.Ruhemann@reading.gov.uk; Jenny.Rynn@reading.gov.uk; Mary.Singleton-White@reading.gov.uk; Jeanette.Skeats@reading.gov.uk; Tom.Stanway@reading.gov.uk; Tom.Steele@reading.gov.uk; David.Stevens@reading.gov.uk; Warren.Swaine@reading.gov.uk; Bet.Tickner@reading.gov.uk; Mike.Townend@reading.gov.uk; Emma.Warman@reading.gov.uk; Deborah.Watson@reading.gov.uk; Rob.White@reading.gov.uk; Richard.Willis@reading.gov.uk
 CC: Jean.Champeau@reading.gov.uk

Dear All

Please find attached a letter in respect of a **consultation exercise** for the adoption of Sex Encounter Venue policy, terms and conditions. There are links to more information on the RBC website and details of where to send any views/comments.

Can I draw to your attention that the closing date for this is: **26th September 2010.**

<<consultation letter august 2010.doc>>

Kind Regards
 Richard French
 Licensing

Appendix IV

Champeau, Jean

From: The Jazz Club [mailto:thejazzclub.co.uk]
Sent: 10 September 2010 14:52
To: Champeau, Jean
Subject: Regulation of Sexual Entertainment Venues Feed Back

Dear Mr Champeau

With regards to the following documents I would like to highlight the following.

Conditions of licence relating to the provision of lap dancing, table side dancing etc

Point 11 This clause goes a bit far by putting the notice on each table, I agree a sign on the way in is appropriate to be displayed on nights that there is table side dancing, and if the club has a policy of stating this rule to all patrons on entry. One on each table is probably overkill ?

Sex Establishment Policy

Clause 4 Duration of licences

These should be longer with a yearly review, if an operator has some perceived long term longevity if he trades without any issues, he is more likely to reinvest in the business which gives the clients a better place to visit.

Schedule A Regulations for sex establishments

2. On a Friday and Saturday if demand exists establishments should be able to open until 06.00 am on a Friday and Saturday as we intend to start serving breakfast at 5am.

3 The licensed premises shall not be used for any purpose other than the business of a sexual entertainment venue.

This clause should be revised so if a venue is closed on particular night's days or times it is available for hire as a normal venue, if there is no nudity taking place.

This scenario could exist if a venue is regularly closed on a Sunday or Monday for example and wants to hire it out for a private party.

Or if it wants to rent it out during the day for pole dancing classes, lessons for dancers or hen parties.

Or if it pitches itself as a cabaret club like us and has a variety of events including on some nights no partial or full nudity.

7 This should be revised so DVD music videos can be played that has no form of nudity as well as ofcom approved broadcasters.

9 The notice in particular the name of the licence holder should not be mandatory to protect the person's right to hold the licence without being hassled by any third party ..The sign stating Licensed Sexual Establishment should be displayed.

10 This clause should only be in force when the business is operating as a sex establishment venue, and not be in force if it is holding a private function when it would not be regularly open.

14 This should be revised so it does not include an entrance or lobby into the establishment.

These are just my views where I think the above papers fall down in respect to this type of establishment.

We are pitching ourselves as a cabaret club aimed at professional people, with a very smart dress code hosting a variety of entertainments and events, so there should be some flexibility in the above.

I hope this information and other feedback you receive helps in finalising the above policies.

Regards

Jan Ratip