

Coventry City Council.

Standard conditions for Sexual Entertainment Venues (SEV) as amended by the Licensing & Regulatory Committee on 17th April 2012.

Heat, 7 City Arcade, Coventry. CV1 3HX.

These regulations are made under paragraph 13(1) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (the "1982 Act") as amended by the Policing and Crime Act 2009 (the "2009 Act"). In these Regulations, except when the context otherwise requires, the following expressions shall have the following meanings:

(i) "The Council" shall mean the Coventry City Council and all enquiries concerning these Regulations and its conditions shall be directed to the Licensing Team, Broadgate House, Broadgate, Coventry, CV1 1NH. Tel 024 7683 1888. E-mail licensing@coventry.gov.uk

(ii) These conditions apply to all premises licensed as a "sexual entertainment venue" as defined by the said 1982 Act that is to say terms, conditions and restrictions on or subject to which licences under Schedule 3 of the 1982 Act are in general to be granted, renewed, varied or transferred.

(iii) "Sexual Entertainment Venue" ('SEV') means any premises at which relevant entertainment is provided before a live audience, directly or indirectly for the financial gain of the organiser or the entertainer.

(iv) "Premises" includes any vessel, vehicle or stall but does not include any private dwelling to which the public is not admitted.

(v) 'Relevant Entertainment' means any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).

(vi) The Council may at any time waive, modify or vary these conditions or impose additional special conditions in any particular case.

(vii) If the Licensee wishes any of the terms of the licence to be varied an application must be made to the Council.

(viii) In the event of a conflict between the prescribed conditions and special conditions contained in a SEV licence the special conditions shall prevail.

Opening Hours.

1. The licensed premises shall not be open nor used for the purposes for which the licence is granted except between the hours prescribed within the licence or those hours of operation determined by the Licensing and Regulatory Committee.

Window, Fascia Board Advertisement & Displays.

2. Save for the entrance lobby the interior of the premises shall not be visible to passers-by and to that intent the licensee shall ensure the area of the premises in which relevant entertainment is offered shall not be capable of being seen from outside the premises.

3. The windows, doors, fascia board, walls and all external parts of the premises including the roof shall not contain any form of writing, sign or display save for:

- (a) The address of the premises.
- (b) The licensed name of the premises.

- (c) A notice stating the opening hours of the establishment.
 - (d) In the case of a licence granted to a body corporate:
 - (i) If the premises name is not the same as the full name of the body corporate then such corporate name and.
 - (ii) If the premises are also the body's registered office for the purposes of the Companies Acts then an indication in a form acceptable to the company that such is the case.
- The lettering used in respect of such permitted items shall be of such colour, size and style as may be approved by the Council.

4. No display, advertisement, word, letter, model, sign, light, placard, board, notice, device, representation, drawing, writing or any matter or thing (where illuminated or not) shall be exhibited so as to be visible from outside the premises without approval by the Council.

5. The licensee shall not permit the display outside of the premises of photographs or other images, which indicate or suggest that relevant entertainment takes place in the premises.

Licensed Name.

6. At the time of granting the licence in respect of the premises the Council will authorise a name referred to as "The Licensed Name" by which it is intended that the premises shall be known, and the licensee shall ensure that the premises are known solely by that name and by no other.

Exhibition of Licence.

7. a) A copy of the licence shall be suitably framed and exhibited in a position that can easily be read by all persons entering the premises.

b) The conditions of the licence shall be retained in a clean and legible condition and immediately available for inspection by anyone who so requests.

8. The licensee shall retain a copy of a form signed by each employee and performer confirming that they have read the licence and conditions and if applicable, confirming that they have received annual refresher training on the licence and its conditions. The copy shall be retained for a period of six months after they cease to be employed or last performed at the premises. A copy of the licence shall be given to each performer upon request. A copy of the licence and conditions shall be placed up where they can be easily read by all performers in the performer changing room.

Responsibility of the Licensee.

9. The licensee shall take all reasonable precautions for the safety of the public and employees on its premises and, except with the consent of the Council, shall retain control over all parts of the premises. Any request to sublet the premises following the grant of a licence will be determined through an application to vary the licence granted.

10. The premises shall not be used for regulated entertainment as defined by the Licensing Act 2003, or exhibition or display of any kind unless the Council's consent has first been obtained and any necessary licence granted.

11. The licensee or a responsible person over 18 years of age nominated by them in writing for the purpose of managing the SEV in their absence shall be in charge of and upon the premises during the whole time they are open to the public.

12. The written nomination referred to in condition 11 above shall be maintained in a daily register, kept on the premises and made continuously available for inspection by an officer authorised by the Council or police officer.

13. The person in charge shall not be engaged in any duties which will prevent them from exercising general supervision and they shall be assisted as necessary by suitable adult persons to ensure adequate supervision.

14. A notice showing the name of the person responsible for the management of the SEV shall be prominently displayed within the SEV throughout the period during which they are responsible for its conduct.

15. The licensee must ensure that there is a current insurance policy in force to cover the performers whilst the premises are open and that a copy is displayed in areas where all staff have access.

Employees & Management Staff.

16. The licensee shall keep and maintain at the licensed premises a written record of the names, addresses, and copies of photographic proof of age documents of all persons employed or performers contracted/permitted to operate within the licensed premises whether upon a full or part time basis and shall, upon request by an authorised officer of the Council or police officer, make such records available for inspection to them. Such records shall be retained for a period of 6 months after the person ceased employment or last performed at the premises.

17. Condition 16 does not relate to persons engaged to carry out repairs or provide services from external companies to the premises, however, these such persons must be aged 18 years and over if the premises are open for the purpose of providing sexual entertainment, dance rehearsals or performance auditions are taking place.

18. The licensee shall ensure that all persons employed or contracted/permitted to work within the licensed premises hold the appropriate rights to work and shall keep copies of any documentation used to verify the details of these rights where necessary.

19. The licensee shall maintain a register of the names, addresses and dates of birth of such person or persons (whether employees or otherwise connected with the business) who have authority to manage the premises in the licensee's absence and shall in addition notify the Council of any changes of personnel authorised to manage the premises as soon as is reasonably possible.

20. 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 is to be notified to the Council within 14 days of such change.

Change of Location & Alterations to Premises.

21. Where licensed premises are a vessel or stall, the licensee shall not move the licensed vessel or stall from the location specified in the licence unless a variation application is submitted for the Council's determination giving not less than 28 days' notice. N.B. this requirement shall not apply to a vessel or stall which habitually operates from a fixed location, but which is regularly moved (whether under its own propulsion or otherwise) from another place such location as is specified in the licence.

22. Alterations or additions, either internal or external and whether permanent or temporary, to the structures, lighting or layout of the premises as shown on the plan shall not be made unless a variation has been granted.

Club Rules.

23. Any club rules imposed on the performers shall be displayed in a prominent position within the premises for all performers and employees to have easy access whilst at work.

24. A copy of the club rules shall be provided to performers engaged by the premises by means of a written contract signed by the recipient. Copies of the same must be retained on the premises and produced to an authorised officer of the Council or police officer on request.

Fees.

25. Receipts or records of payments received should be provided to performers where "house fees" are charged or when any fines are issued.

Performances.

26. No person under the age of 18 shall be on the licensed premises (except for persons under the age of 18 engaged to repair/service the premises provided this is at times when relevant entertainment, auditions or rehearsals are not taking place). A notice shall be clearly displayed at the entrance to the premises in a prominent position stating that "No person under 18 will be admitted" so that it can be easily read by persons entering the premises.

27. All members of the staff at the premises shall seek credible photographic proof of age evidence from any person who appears to be under the age of 25 years and who is seeking access to the premises. Such credible evidence, which shall include a photograph of the customer, will either be a passport, photographic driving licence, or proof of age card carrying a "PASS" logo.

28. Each area where relevant entertainment is conducted shall be supervised and contain a panic alarm for the safety of performers.

29. All areas within the premises shall display signs advising clients of the club rules and conditions of the licence regarding improper performances.

30. Performers shall be aged not less than 18 years and there should be routine checking of the age of any performer before they are allowed to perform, to ensure that they are over 18.

31. Full nudity is only permitted in the approved designated areas, as stipulated or shown on the approved plan attached to the licence. With the exception of the designated areas, in all other areas within the premises the performers and employees must at all times wear at least a G string (female) and or pouch (male) covering the genitalia as well as one other over layer of clothing except during the performance of semi-nude dance.

32. (a) During any performance (including performances usually termed 'private dances') there must not be any deliberate contact, by the performer, with any patron or person within the viewing audience except:

a). Leading a patron hand in hand to and from a chair or private room or designated dance area.

b). Simple handshake greeting at the beginning and/or end of the performance.

c). A customary ("peck on the face") kiss at the end of the performance.

d). The placing of monetary notes or dance vouchers into the hand or garter worn by the performer.

(b) Notwithstanding paragraph (a) above, a performance which does not involve striptease or nudity may involve a patron seated on a chair on the stage whilst dancers perform on the stage around the patron and may include touching the patron's head and shoulders solely with the performer's hands.

33. No performances shall include any sex act with any other performers, patrons, employees, contractors, or with the use of any objects.

34. A price list shall be displayed in a prominent position giving the price and the time allowed for any of the performances.

35. Any person connected with or employed by the business who can be observed from outside the premises must be dressed. Scantily clad individuals must not exhibit in the entrance way or in the area surrounding the premises. (Scantily clad shall mean that nudity or underwear is visible).

36. No fastening or lock of any description shall be fitted upon any booth or cubicle or other area within the premises except as shown on the plan and within the performers dressing rooms and staff areas.

37. At all times during a performance, performers shall have unrestricted access to secure and private changing facilities.

38. Patrons or members of the audience shall not take photographs or record digital images of performers within the premises via a camera or mobile phones.

39. Customers who act inappropriately will be removed from the premises and a register will be kept so no person will be readmitted if they have been offensive, violent, or aggressive towards a performer,

The Protection of Performers & the Prevention of Crime on the Premises.

40. The Police are to be informed of any assaults that take place on staff, whether or not the victim wishes to press charges.

41. There shall be separate and private sanitary facilities for performers.

42. Free drinking water or other non-alcoholic refreshments should be available to performers

43. There should be routine monitoring to ensure that drugs are not being used by performers

44. The monitoring referred to in condition 43 above shall be recorded in a weekly register, kept on the premises and made continuously available for inspection by an officer authorised by the Council or police officer.

45. All entrances to private areas to which members of the public are not permitted shall have clear signage stating that access is restricted.

46. Any exterior smoking area for use by performers shall be separate to any public smoking area or be supervised.

47. The licence holder shall include in the club rules a written policy to ensure the safety of performers when leaving the premises following any period of work.

48. Booths must not be fully enclosed. There must be a clear sightline from outside the booth so that any performance of sexual entertainment can be directly monitored.

49. All escape routes and emergency exits shall be clearly signed and shall be kept clear. Emergency exits must remain unlocked at all times any person is on the premises. Emergency lighting must be provided to the satisfaction of West Midlands Fire Service.

Door Supervisors.

50. The licensee shall ensure all door supervisors employed or contracted to work on the premises are suitably licensed by The Security Industry Authority or appropriate agency.

51. An adequate number of licensed door supervisors, based on a risk assessment undertaken by the licensee and agreed by the Police shall be on duty on the premises whilst relevant entertainment takes place.

52. At least one door supervisor shall be on duty at the premises at all times when the relevant entertainment takes place.

CCTV.

53. CCTV shall be installed and maintained to the standards agreed in writing from time to time with the West Midlands Police in each room within the premises where the public has access, including private booths. All cameras shall continuously record whilst the premises are open to the public and video or digital recordings shall be kept available for a minimum of thirty one days.

54. A member of staff who is fully trained in the use of the CCTV system shall be on duty at all times when the premises are open until the premises are clear of customers, cleared of staff and closed.

55. The premises will provide any footage of any recordings upon request by a police officer or an authorised officer of the Council within 24 hours of the request.

Touting for Business away from the Premises.

56. The licensee shall not allow the use of vehicles including limousines for the promotion of the relevant entertainment.

57. The collection of patrons and or potential clients is not permitted unless the vehicle is licensed in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1976.

58. The licensee shall not permit any person whilst on a public thoroughfare to encourage any other person to visit the SEV premises without the prior approval of the council in writing.

59. The licensee shall endeavour that any marketing communications associated with the SEV or relevant entertainment shall comply with the code of practice as issued by the Advertising Standards Authority.

Admission of Authorised Officers.

60. Officers of the Council, Police, and other authorised agencies who are furnished with authorities which they will produce on request shall be admitted immediately at all

reasonable times and at any time the premises are open for business to all parts of the premises.

Condition attached at L&R Hearing (17/04/12).

The opening time of the premises will be delayed on the designated late night shopping evenings in the defined period prior to Christmas to coincide with the end of late-night shopping.