



Shropshire Council
Legal and Democratic Services
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Date: Tuesday, 5 January 2016

**Committee:
Licensing Act Sub-Committee**

Date: Wednesday, 13 January 2016

Time: 10.00 am

Venue: Ludlow Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

You are requested to attend the above meeting.
The Agenda is attached

Claire Porter
Head of Legal and Democratic Services (Monitoring Officer)

Members of Licensing Act Sub-Committee

Peter Adams
Vivienne Parry
Michael Wood

Your Committee Officer is:

Shelley Davies Committee Officer

Tel: 01743 257718

Email: shelley.davies@shropshire.gov.uk

AGENDA

1 Election of Chairman

To elect a Chairman for the duration of the meeting.

2 Disclosable Pecuniary Interests

Members are reminded that they must not participate in the discussion or voting on any matter in which they have a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

3 Application for Sex Establishment Licence - Source Vodka Bar, Shrewsbury (Pages 1 - 30)

Report of the Public Protection Officer (Specialist) is attached, marked 3.
Contact Simon Ditton on 0345 6789026



<u>Committee and Date</u>	<u>Item</u>
Licensing Act Sub-Committee	3
13 th January 2016	Public

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

APPLICATION FOR A SEX ESTABLISHMENT LICENCE

Responsible Officer Simon Ditton, Public Protection Officer (Specialist)
e-mail: licensing@shropshire.gov.uk Tel: 0345 6789026

1. Summary

To consider an application for a Sex Establishment Licence for the Source Vodka Bar (First Floor) 8 Barker Street Shrewsbury SY11 1QJ, together with the representations received.

2. Recommendations

That the Sub-Committee determines the application having considered the information contained within this report, supporting documentation and having had due regard to the applicant and the parties/authorised bodies making relevant representations.

That the Sub-Committee determines the application in accordance with the options in paragraph 8.

That the Sub-Committee provides the reasons for its decision.

REPORT

3. Human Rights Act Appraisal

When making a decision consideration must be given to the applicant's rights under the European Convention on Human Rights. Article 1 of First Protocol (peaceful enjoyment of possessions) and Article 10 (freedom of expression) are rights which may be relevant. The Home Office guidance suggests that 'local authorities would be well advised to consider whether any interference with the applicant's rights under Article 10 or Article 1 Protocol 1 of the European Convention on Human Rights is necessary and proportionate for the prevention of crime and disorder, for the protection of health or morals or for the protection of the rights and freedoms of others or, in the case of Article 1, Protocol 1, can be justified in the general interest.' In addition, Article 6 will be relevant to the hearing of the case ie right to a fair hearing.

4. Financial Implications

There are no financial implications associated with this report, although there is a right of appeal on refusal on some grounds to the grant of a sexual entertainment venue licence.

5. Legal Requirements

- 5.1 On 22nd July 2010 the Council resolved that the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by Section 27 of the Policing and Crime Act 2009, be adopted and apply within the Shropshire Council area with effect from 1st September 2010.
- 5.2 “Sex Establishment” means a sex shop, a sex cinema or a sexual entertainment venue. It includes any premises, vehicle, vessel or stall used as a sex establishment but does not apply to the sale, supply or demonstration of articles which are manufactured for use primarily for the purposes of birth control or primarily relate to birth control.
- 5.3 “Sexual Entertainment Venue” means any premises at which 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 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).”
- 5.4 Paragraph 12 of Schedule 3 to the 1982 Act prescribes that a licence for a sexual entertainment venue shall not be granted:
- (a) to a person under the age of 18 years; or
 - (b) to a person who is for the time being disqualified due to the person having had a previous licence revoked in the area of the authority within the last 12 months; or
 - (c) to a person, other than a body corporate, who is not resident in an EEA State or was not so resident throughout the period of six months immediately preceding the date when the application was made; or
 - (d) to a body corporate which is not incorporated in an EEA State; or
 - (e) to a person who has within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel, or stall in respect of which the application is made, unless the refusal has been reversed on appeal.
- 5.5 Paragraph 12 of Schedule 3 also provides the authority may refuse an application on one or more of the grounds listed at (a) to (d):
- (a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;

(b) if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal, or transfer of such a licence if he made the application himself or,

(c) the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time of the application is determined is equal to or exceeds the number which the authority consider it appropriate for that locality

(d) 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 vicinity 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

5.6 Paragraph 8 of Schedule 3 provides that the Council is able to impose conditions and restrictions on a licence, in the form of conditions and may address such matters as:

- The hours of opening and closing
- Displays and advertisements on or in sex establishments
- The visibility of the interior of a sex establishment to passers-by
- Any change of use from one kind of sex establishment to another.

Conditions should not duplicate requirements or prohibitions imposed under the Regulatory Reform (Fire Safety) Order 2005. The Home Office Guidance (paragraph 3.42) advises that in cases where a sexual entertainment venue also holds a licence under the Licensing Act 2003, local authorities should avoid duplicating licence conditions and should ensure that conditions imposed on each licence are relevant to the activities authorised by that licence.

5.7 On 27th February 2014 the Council adopted a policy in relation to the licensing of sex establishments, effective from 1st April 2014 (the "Policy").

6. Background

6.1 An application for a Sex Establishment Licence was submitted by Mr Michael Page for the first floor of the Source Vodka Bar 8 Barker Street Shrewsbury SY11 1QJ, and was received by the Council on 23rd October 2015.

6.2 In accordance with paragraph 10(8) of Schedule 3 of the 1982 Act, a notice of the application was published in a local newspaper circulating in the Council's area within seven days of the date of the application. In addition, a site notice was displayed at the premises in accordance with paragraph 10(10).

6.3 The application is to provide 'relevant entertainment' to include lap dancing and pole dancing. The hours applied for are as follows:-

Thursday to Saturday 21:00 – 03:00

A site location plan is attached as Appendix A.

- 6.4 (1) During a site visit, the applicant has provided further details of the 'relevant entertainment' proposed. A copy of a plan of the premises is attached at Appendix B. By reference to that plan, it will be noted where the pole is proposed to be located. There will be a separate entrance to gain access to the first floor. This will not be through the normal main entrance door to Source Vodka Bar.
- (2) Door supervisors will be on duty during the times of the events, with specific details awaited, although at least 2 will be on duty at the ground floor entrance door/corridor.
- (3) 2 private booths will be available for 1 to 1 dances, with the dancer being permitted to remove her clothing. These performances will not be for public display and will take place behind a curtain.
- 6.5 A Premises Licence under the Licensing Act 2003 in relation to the premises was transferred to the applicant on 15th June 2013. A copy of the Premises Licence Summary and the conditions attached to that licence are attached at Appendix C.
- 6.6 A Sex Establishment Licence (15/02388/SEL) is currently in place for the ground floor of the premises, which licence's that part of the premises as a sexual entertainment venue on Thursdays from 21:00 until 03:00. A copy of that licence is attached at Appendix D.
- 6.6 In accordance with paragraph 10(14) of Schedule 3 to the 1982 Act, a copy of the application was sent to the Police.

7. Representations Received

- 7.1 The Council has received three representations in writing to the application during the twenty-eight day consultation period. All are deemed to be relevant, in line with paragraph 12 (3) (d) of Schedule 3 to the 1982 Act (referred to in paragraph 5.4 (d) (i) and (ii) herein).
- 7.2 Copies of the relevant representations have been provided to the applicant. The representations (one from the Police) refer to the nature of the locality in which the premises are situated and in particular the location of the Sixth Form College, Rowley's House (used by the University) and the Baptist and St Chad's Churches.
- 7.3 The Sub-Committee must always have regard to the point emphasised in the Home Office guidelines when it is stated that:- "Objections should not be based on moral grounds/values and local authorities should not consider objections that are not relevant to the grounds set out in paragraph 12 of Schedule 3 of the 1982 Act [paragraphs 5.3 and 5.4 above]."

8. Options for Consideration

8.1 The options available to the Licensing Act Sub-Committee having considered all the relevant information are as follows:

- To refuse to grant the licence
- To grant the licence with additional conditions
- To grant the licence without additional conditions

8.2 Conditions should only be imposed if considered appropriate and necessary. A set of conditions which may be considered appropriate and necessary is contained in the Policy. If other law already places certain statutory responsibilities on premises, it would not be appropriate to impose similar duties.

8.3 With the exception of a decision to refuse an application on a ground specified in paragraph 12(3) (c) or (d) of Schedule 3 to the 1982 Act (referred to in paragraph 5.4 (c) and (d) herein) the applicant may appeal against the decision made to the Magistrates' Court within 21 days of the date on which they were notified.

9. Standard of Decision Making

9.1 In accordance with paragraph 10(18) of Schedule 3 of the 1982 Act, in considering any application for the grant of a licence the Council is required to have regard to any relevant objections of which notice has been sent to it. In addition, the guidance issued by the Home Office and the Policy.

9.2 Members of the Sub-Committee should not allow themselves to predetermine the application or to be prejudiced in favour or opposed to the licence and shall only determine the application having had an opportunity to consider all relevant facts.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Application form and relevant representations.
Guidance issued by the Home Office.
Shropshire Council Sex Establishment Policy.

Cabinet Member (Portfolio Holder)

Local Member

Councillor Andrew Bannerman Member for Quarry and Coton Hill

Appendices

Appendix A – Location Plan
Appendix B – Proposed Plan of Premises
Appendix C – Premises Licence Summary and conditions
Appendix D – Sex Establishment Licence 15/02388/SEL

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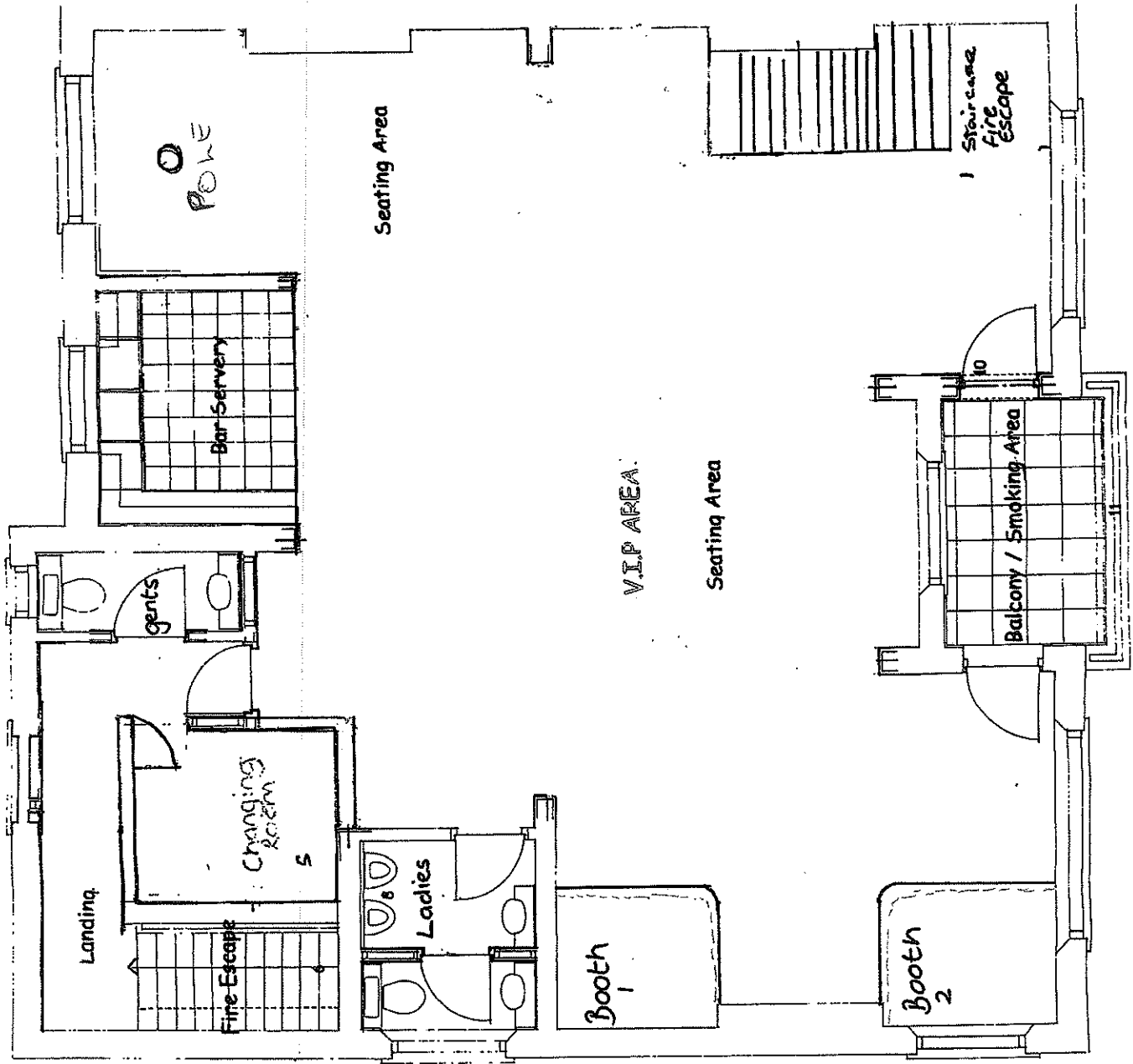


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Source Vodka Bar



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Proposed
 Pole dancing
 on first floor
 Approved 2-4/11/15

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Annexes

Annex 1 - Mandatory Conditions

For the supply of alcohol

No supply of alcohol may be made under the premises licence -

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or their personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Exhibition of films

For all premises licences and club premises certificate authorising the exhibition of films, access will be restricted only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification.

Admission of children to the exhibition of any film to be restricted in accordance with the recommendations given to films by a body designated under Section 4 of the Video Recordings Act 1984 - the British Board of Film Classification is the only body so designated.

Door Supervision

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.

Mandatory Drinks Code Conditions

1. The responsible person shall take all reasonable steps to ensure that staff do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. An irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
 - (i) the outcome of a race, competition or other event or process, or (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
4. (i) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
(ii) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
5. The responsible person shall ensure that:
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
- (i) beer or cider: ½ pint;
(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
(iii) still wine in a glass: 125 ml; and
(b) customers are made aware of the availability of these measures.

Annex 2 - Conditions consistent with the operating schedule

Prevention of Crime & Disorder

No person carrying open bottles would be admitted to the premises; There would be CCTV coverage of internal areas and areas to the front of the premises; CCTV recordings would be retained for 30 days and made available to the Police on request; Drinks would not be removed from the premises in open containers;

No alcoholic drinks would be sold in open containers for consumption off the premises; The CCTV recording system will be in operation 24 hours a day seven days a week.

Public Safety

The Licensee would comply with fire regulations and building control legislation; Door staff will be used when operating after 21:00 hours.

Prevention of Public Nuisance

Prominent, clear and legible notices would be displayed at all exits requesting customers respect local residents and leave the premises quietly; Noise and vibration would not emanate from the premises so as to cause a nuisance to nearby properties; The internal doors at the front of the premises would be kept closed at all times; The windows at the front of the premises would be kept closed at all times; There would be a last entry time onto the premises of one hour before closing.

Protection of Children From Harm

No films or videos would be shown so that they could be viewed by persons under the age of any applicable BBFC certification; The premises will operate a no under 18 policy.

Annex 3 - Conditions attached after a hearing by the Licensing Authority

Not applicable.

Annex 4 – Plans

Drawing Title: Proposed Ground Floor (Part & Rear)

Dated: June 2010

Drawing: First Floor - Licensing Plan Date: January 2012

Premises Licence WITH Alcohol Summary

Licensing Act 2003

PL/SC022395

This Licence is Issued by



Licensing Team
Shirehall
Abbey Foregate
Shrewsbury
Shropshire SY2 6ND

web: www.shropshire.gov.uk
Tel.: 0345 678 9000

Premises Details

Postal Address of Premises, or if none, Ordnance Survey Map Reference or Description

Source Vodka Bar
Barker Street, Shrewsbury, Shropshire SY1 1QJ

Where the licence is time limited, the dates - Not Applicable

Licensable activities authorised by the licence:

Films
Indoor Sporting Events
Live Music
Recorded Music
Performance of Dance
Facilities for Making Music
Facilities for Dancing
Late Night Refreshment
Supply of Alcohol

The Opening Hours of the Premises

Mon 09:00-02:30
Tue 09:00-02:30
Wed 09:00-03:30
Thu 09:00-03:30
Fri 09:00-03:30
Sat 09:00-03:30
Sun 12:00-02:30

Bank Holiday Sunday, Bank Holiday Monday, Christmas Eve and Boxing Day until 03:00am. On the occasion the clocks move forward to British Summertime then the terminal hour will move forward

accordingly.

New Years Eve: 10:00am New Years Eve until the end of normal hours on New Years Day.

The times the licence authorises the carrying out of licensable activities

Films Indoors	Mon 09:00-02:00 Tue 09:00-02:00 Wed 09:00-03:00 Thu 09:00-03:00 Fri 09:00-03:00 Sat 09:00-03:00 Sun 12:00-02:00 Bank Holiday Sunday, Bank Holiday Monday, Christmas Eve and Boxing Day until 03:00am. On the occasion the clocks move forward to British Summertime then the terminal hour will move forward accordingly. New Years Eve: 10:00am New Years Eve until the end of normal hours on New Years Day.
Indoor Sporting Events	Mon 09:00-02:00 Tue 09:00-02:00 Wed 09:00-03:00 Thu 09:00-03:00 Fri 09:00-03:00 Sat 09:00-03:00 Sun 12:00-02:00 Bank Holiday Sunday, Bank Holiday Monday, Christmas Eve and Boxing Day until 03:00am. On the occasion the clocks move forward to British Summertime then the terminal hour will move forward accordingly. New Years Eve: 10:00am New Years Eve until the end of normal hours on New Years Day.
Live Music Indoors	Mon 09:00-02:00 Tue 09:00-02:00 Wed 09:00-03:00 Thu 09:00-03:00 Fri 09:00-03:00 Sat 09:00-03:00 Sun 12:00-02:00 Bank Holiday Sunday, Bank Holiday Monday, Christmas Eve and Boxing Day until 03:00am. On

	<p>the occasion the clocks move forward to British Summertime then the terminal hour will move forward accordingly.</p> <p>New Years Eve: 10:00am New Years Eve until the end of normal hours on New Years Day.</p>
<p>Recorded Music</p> <p>Indoors</p>	<p>Mon 09:00-02:00 Tue 09:00-02:00 Wed 09:00-03:00 Thu 09:00-03:00 Fri 09:00-03:00 Sat 09:00-03:00 Sun 12:00-02:00</p> <p>Bank Holiday Sunday, Bank Holiday Monday, Christmas Eve and Boxing Day until 03:00am. On the occasion the clocks move forward to British Summertime then the terminal hour will move forward accordingly.</p> <p>New Years Eve: 10:00am New Years Eve until the end of normal hours on New Years Day.</p>
<p>Performance of Dance</p> <p>Indoors</p>	<p>Mon 09:00-02:00 Tue 09:00-02:00 Wed 09:00-03:00 Thu 09:00-03:00 Fri 09:00-03:00 Sat 09:00-03:00 Sun 12:00-02:00</p> <p>Bank Holiday Sunday, Bank Holiday Monday, Christmas Eve and Boxing Day until 03:00am. On the occasion the clocks move forward to British Summertime then the terminal hour will move forward accordingly.</p> <p>New Years Eve: 10:00am New Years Eve until the end of normal hours on New Years Day.</p>
<p>Facilities for Making Music</p> <p>Indoors</p>	<p>Mon 09:00-02:00 Tue 09:00-02:00 Wed 09:00-03:00 Thu 09:00-03:00 Fri 09:00-03:00 Sat 09:00-03:00 Sun 12:00-02:00</p> <p>Bank Holiday Sunday, Bank Holiday Monday,</p>

	<p>Christmas Eve and Boxing Day until 03:00am. On the occasion the clocks move forward to British Summertime then the terminal hour will move forward accordingly.</p> <p>New Years Eve: 10:00am New Years Eve until the end of normal hours on New Years Day.</p>
<p>Facilities for Dancing</p> <p>Indoors</p>	<p>Mon 09:00-02:00 Tue 09:00-02:00 Wed 09:00-03:00 Thu 09:00-03:00 Fri 09:00-03:00 Sat 09:00-03:00 Sun 12:00-02:00</p> <p>Bank Holiday Sunday, Bank Holiday Monday, Christmas Eve and Boxing Day until 03:00am. On the occasion the clocks move forward to British Summertime then the terminal hour will move forward accordingly.</p> <p>New Years Eve: 10:00am New Years Eve until the end of normal hours on New Years Day.</p>
<p>Late Night Refreshment</p> <p>Indoors</p>	<p>Mon 23:00-02:00 Tue 23:00-02:00 Wed 23:00-03:00 Thu 23:00-03:00 Fri 23:00-03:00 Sat 23:00-03:00 Sun 23:00-02:00</p> <p>Bank Holiday Sunday, Bank Holiday Monday, Christmas Eve and Boxing Day until 03:00am. On the occasion the clocks move forward to British Summertime then the terminal hour will move forward accordingly.</p> <p>New Years Eve: 10:00 am New Years Eve until the end of normal hours on New Years Day.</p>
<p>Supply of Alcohol</p>	<p>Mon 09:00-02:00 Tue 09:00-02:00 Wed 09:00-03:00 Thu 09:00-03:00 Fri 09:00-03:00 Sat 09:00-03:00 Sun 12:00-02:00</p>

Bank Holiday Sunday, Bank Holiday Monday, Christmas Eve and Boxing Day until 03:00am. On the occasion the clocks move forward to British Summertime then the terminal hour will move forward accordingly.

New Years Eve: 10:00am New Years Eve until the end of normal hours on New Years Day.

Where the Licence Authorises Supplies of Alcohol whether these are on and/or off Supplies

On and Off Premises

Name, (Registered) Address of Holder of Premises Licences

Mr Michael Page
11 Portway, Madeley, Telford TF7 4NP

Registered Number of Holder, For Example Company Number, Charity Number (Where Applicable)

Name of Designated Premises Supervisor Where the Premises Licence Authorises the Supply of Alcohol

Mr Michael Page

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Sex Establishment

Local Government (Miscellaneous Provisions) Act 1982

15/02388/SEL

This Licence is Issued by



Licensing Team
Shirehall
Abbey Foregate
Shrewsbury
Shropshire SY2 6ND

web: www.shropshire.gov.uk
Tel.: 0345 678 9000

Name & Address of Licence Holder

Mr Michael Page
11 Portway, Madeley, Telford, TF7 4ND

Premises Details

Source Vodka Bar, Barker Street, Shrewsbury, Shropshire, SY1 1QJ

The Opening Hours of the Premises

For relevant entertainment pursuant to the provisions of Schedule 3 Local Government (Miscellaneous Provisions) Act 1982

Thursday 21:00 to 03:00 (on Friday)

Type of Licence

Sexual Entertainment Venue (in accordance with attached plan)

Duration of Licence

Commences : 04/06/2015

Expires : 03/06/2016

Notes

1. This licence is subject to the provisions of the Local Government (Miscellaneous Provisions) Act 1982, the conditions attached to this licence and any other relevant Acts.
2. This licence is non-transferable without the consent of the Council

Signed on Behalf of the Issuing Licensing Authority

A handwritten signature in black ink, appearing to read 'K. Collier'.

Service Manager - Healthier People & Communities

KML

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Conditions

1. Access to premises

- 1.1 Access must be afforded to all parts of the premises at all reasonable times to authorised officers of the Council, the police, the fire service and any other authorised agencies.

2. Windows, fascia board advertisement and displays

- 2.1 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.

- 2.2 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) a notice in accordance with paragraph 4.3 of these conditions
- e) 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.

- 2.3 The lettering used in respect of such permitted items shall be of such colour and style as may be approved by the Council.

- 2.4 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.

3. Licensed name

- 3.1 At the time of granting the licence in respect of the premises the Council will appoint 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, save as provided for by the paragraph below.
- 3.2 To change the licensed name, a minor variation application shall be made to the Council not less than 28 days prior to the proposed change and the Council shall have an absolute and unfettered discretion to allow or refuse such change.

4. Exhibition of licence and other information

- 4.1 A copy of the Licence and these conditions as issued by the Council shall be retained in a clean and legible condition and exhibited in a position that can easily be seen by all persons using the premises.
- 4.2 A copy of the conditions of the Licence and these conditions (so far as they relate to the performances) shall be given to all performers at the premises and a copy shall be exhibited in the performers changing rooms at all times the premises are open.
- 4.3 There shall be displayed above the entrance or main entrance to the premises hereby licensed a notice in permanent form in letters not less than 2" high nor more than 3" high stating the name of the licensee of the said premises and that the said premises are licensed under Section 2 and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as a Sexual Entertainment Venue
- 4.4 On an appropriate internal door there shall be displayed a notice following the example laid down in the Indecent Displays (Control) Act 1981 namely the following or similar words:

"WARNING

Persons passing beyond this notice will find material on display (activities being undertaken) which they may consider indecent. No admittance to persons under 18 years of age"

5. Responsibilities of the licensee

- 5.1 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.
- 5.2 The premises shall not be used for regulated entertainment as defined by the Licensing Act 2003, exhibition or display of any kind unless the Council's consent has first been obtained and any necessary licence granted.
- 5.3 The licensee, or any person purporting to act upon their behalf, shall be responsible for ensuring compliance with these and any special conditions of the licence and will be held responsible for any breach thereof.
- 5.4 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.
- 5.5 The written nomination referred to in condition 13 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.
- 5.6 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.
- 5.7 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.
- 5.8 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.
- 5.9 The licensee shall operate a Challenge 25 Policy and persons who appear to be under the age of 25 shall be required to show valid photographic proof of identification.

6. Management and staffing of the licensed premises

- 6.1 The licensee shall at all times 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 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.

- 6.2 The term contracted 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 business.
- 6.3 The licensee shall ensure that all persons employed or contracted 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.
- 6.4 The licensee or a responsible person purporting to act upon their behalf shall at all times provide the Council with written notification as to 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.
- 6.5 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 by way of a minor variation application to the Council within 14 days of such change.

7. Change of location and maintenance/repairs

- 7.1 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. NB 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.
- 7.2 Alterations or additions, either internal or external and whether permanent or temporary, to the structures, lighting or layout of the premises, including any change in the permitted signs on display ("minor variations") shall not be made except with the prior approval of the Council.
- 7.3 The applicant for a minor variation to the premises shall send to the Council a completed form accompanied by a revised plan where applicable of the proposed changes together with the minor variation fee and display a notice on white paper for a period of 14 clear days starting with the day on which notice is served on the Council, on or near the premises.
- 7.4 A copy of the minor variation application and any revised plan comments as above shall also be submitted to the chief officer of the police for the police area in which the

premises are situated and the Environmental Health Service within 7 days of making the application to the Council.

8. Club rules

- 8.1 Any club rules imposed on the performers shall be displayed in a prominent position within the premises for all employees to have easy access whilst at work.
- 8.2 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.

9. Fees

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

10. Performances

- 10.1 No person under the age of 18 shall be on the licensed premises. 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.
- 10.2 Each area where relevant entertainment is conducted shall be supervised and contain a panic alarm for the safety of performers.
- 10.3 All areas within the premises shall display signs advising clients of the club rules and conditions of the licence regarding improper performances.
- 10.4 Performers shall be aged not less than 18 years.
- 10.5 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.
- 10.6 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.

- 10.7 No performances shall include any sex act with any other performers, patrons, employees, contractors, or with the use of any objects.
- 10.8 A price list shall be displayed in a prominent position giving the price and the time allowed for any of the performances.
- 10.9 Any person connected with or employed by the business that 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.
- 10.10 No fastening or lock of any description shall be fitted upon any booth or cubicle or other area within the premises except within the toilets or within the performers dressing rooms and staff areas.
- 10.11 At all times during a performance, performers shall have unrestricted access to a dressing room.
- 10.12 Patrons or members of the audience shall not take photographs or record digital images of performers within the premises via a camera, mobile phone or any other recording device.

11. Door supervisors

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

11.2 An adequate number of licensed door supervisors, based on a risk assessment

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undertaken by the licensee, shall be on duty on the premises whilst relevant entertainment takes place.

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

12. CCTV

- 12.1 CCTV shall be installed in each room within the premises where the public has access save for the toilet and staff areas. 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 twenty eight days.
- 12.2 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.
- 12.3 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.

13. Touting for business away from the premises

- 13.1 The licensee shall not allow the use of vehicles including limousines for the promotion of the relevant entertainment.
- 13.2 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.
- 13.3 The licensee or its agents, servants, employees, contractors or performers shall not tout for business and or customers outside of or away from the licensed premises by any means unless authorised by the Council in writing.
- 13.4 The licensee shall ensure that any marketing communications associated with the SEV or relevant entertainment shall comply with all legal requirements and with the code of practice as issued by the Advertising Standards Authority.

14. Opening Hours

- 14.1 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 Sub-Committee.

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KEY

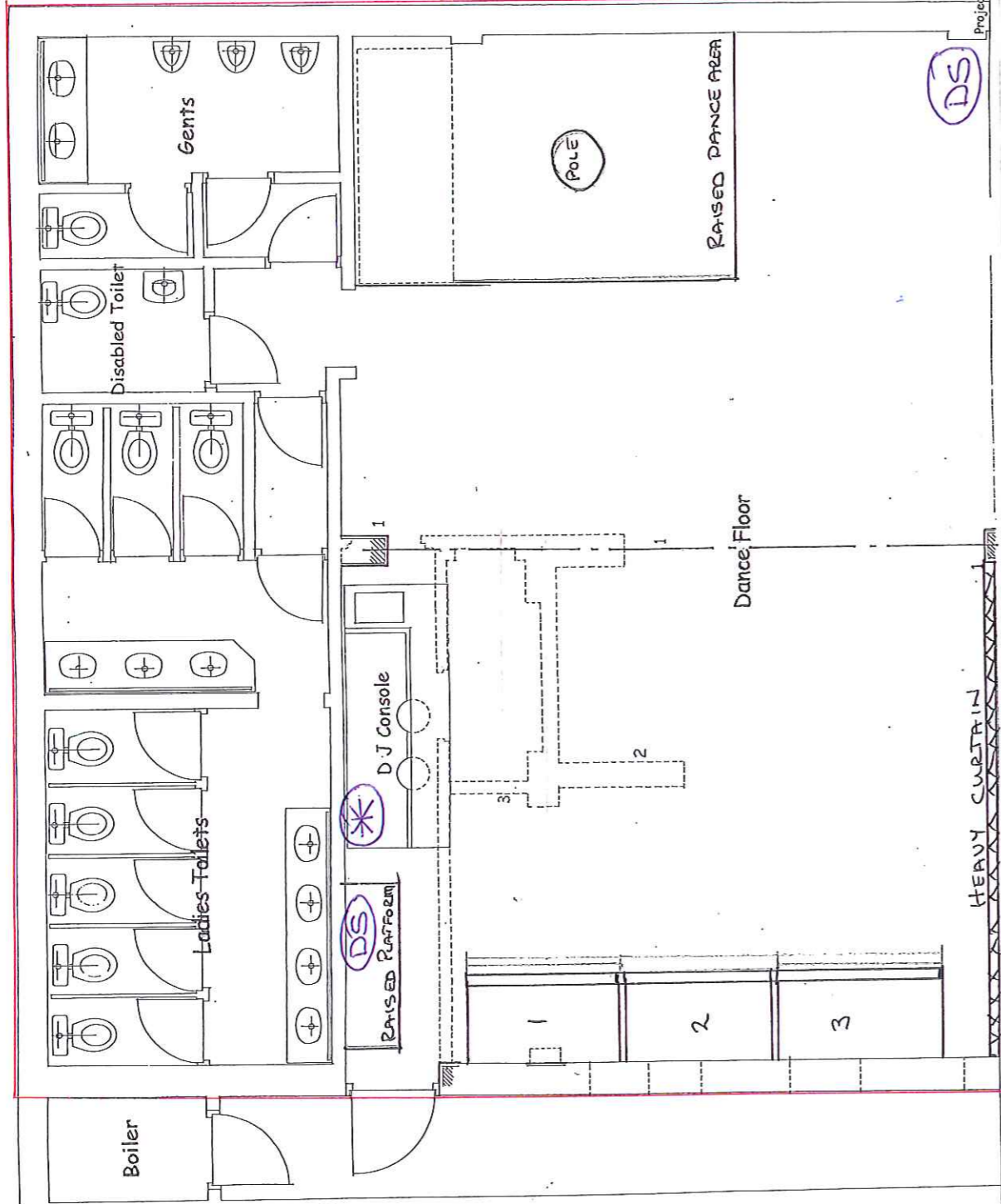
- (*) LOCATION OF APPLICANT
- (DS) BOOE SUPERVISOR
- (R) RECEPTION

EXISTING LIC ACT 2003 RESPONSIBLE AREA

Private BOOTHS x

where 1x1 performances will take place, behind curtains.

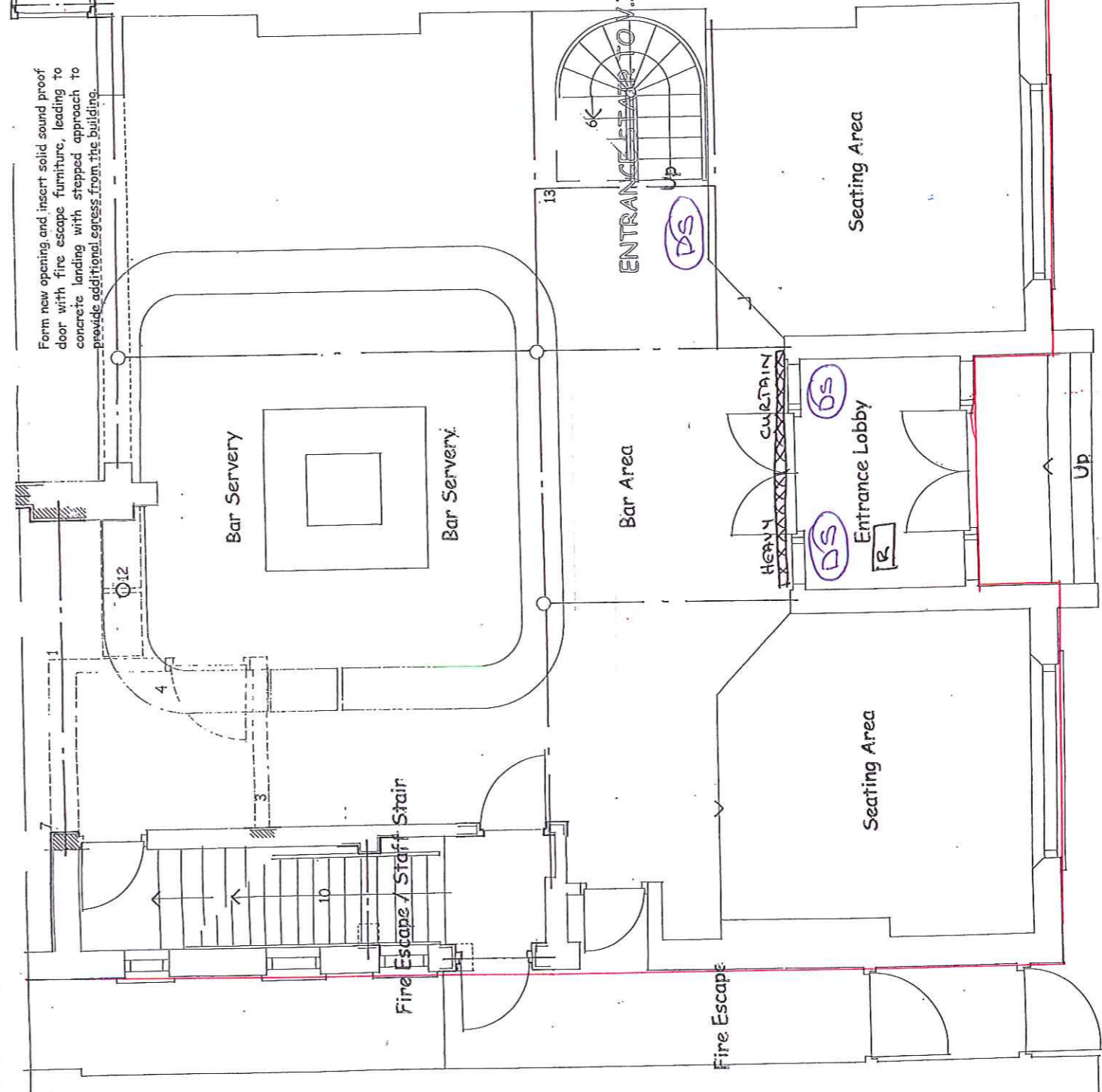
1. Needle and prop the existing walls and carefully remove walls and insert new steel beams to structural engineering and calculations.
2. The existing structural integrity of the building undertaken by a structural engineer to ensure that existing steel beams and joists are of sufficient size to additional loadings.
3. Carefully remove the existing non-loadbearing partition doors.
4. New bar area and service counter to later details and design.
5. Electrical layout including the emergency lighting and the detection system to later detail drawings to be agreed with the fire officer and building control department.
6. Form new opening and insert timber trimming joists, cone new purpose built stair comprising equal risers of 170mm equal treads of 275mm. Staircase to later details and design by clients and designer.
7. Needle and prop the existing walls and carefully remove walls and insert new steel beams to structural engineering and calculations.
8. The existing structural integrity of the building undertaken by a structural engineer to ensure that existing steel beams and joists are of sufficient size to additional loadings.
9. Carefully remove the existing non-loadbearing partition doors.
10. Re-organise the existing staircase to act as a fire escape staff stair only, this will require the upgrading of staircase enclosure and its doors to a 1hr standard.
11. New bar area and service counter to later details and design.
12. Supply and fit new RSC to be sited on end bolted to existing wall.
13. Supply and fit new steel beams sited on new column and end / or welded to new and existing adjoining beams.



Project: DS

Change of Use of First Floor to V.I.P. The Source Bar

1. Needle and prop the existing walls and carefully remove walls and insert new steel beams to structural engineering and calculations.
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Proposed Ground Floor (Part)

Client: The Source Bar
 Drawing: Banker Street
 Scale: Shrewsbury
 1:50
 Date: June 2010

Change of Use of First Floor
 The Source Bar
 Banker Street
 Shrewsbury
 The Source Bar
 Proposed Ground Floor (Part)
 June 2010

Duane Morris Architectural & Planning Co

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