

<b>Report to</b>	Licensing committee 7 March 2019	<b>Item</b>
<b>Report of</b>	Head of citywide services Schedule 3 of Local Government (Miscellaneous Provisions) Act 1982:	<b>5</b>
<b>Subject</b>	Application for the Grant of a Sexual Entertainment Venue Licence – Lace, 75 Prince-of-Wales Road, Norwich, NR1 1DG	

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## **Purpose**

Members are asked, in accordance with the delegation of licensing functions contained in the Norwich City Council Sex Establishment Policy (Schedule 3 Local Government (Miscellaneous Provisions) Act 1982), to consider the application for the grant of a sexual entertainment venue licence in respect of Lace, 75 Prince-of-Wales Road, Norwich, NR1 1DG.

## **Recommendation**

That members determine the application for a sexual entertainment venue licence in respect of Lace, 75 Prince of Wales Road, Norwich, NR1 1DG including consideration of the relevant locality.

## **Corporate and service priorities**

The report helps to meet the corporate priority of a safe and clean city and the service plan priority of protecting the interests of the public through the administration of the licensing function.

**Financial implications:** None.

**Ward/s:** Thorpe Hamlet

**Cabinet member:** Councillor Maguire – Safe City Environment

**Contact Officer:** Tony Shearman, Environmental protection, licensing and markets manager - 01603 212278

## **Background documents**

None

## **Report**

### **The application**

1. The applicant is:-

Code Red Promotions Limited  
C/O Aston Shaw  
The Union Building  
51-59 Rose Lane  
Norwich  
NR1 1BY

2. The application seeks to allow the premises to operate as a sexual entertainment venue.
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—

- (a) any live performance; or
- (b) 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).

4. A copy of the application form and other application materials including a plan of the premises, is attached at Appendix A.
5. This premises previously benefitted from a licence to operate as a sexual entertainment venue, granted by the Licensing committee on the 8 September 2017. This licence expired on the 7 September 2018 there having been no application made to renew it. A copy of the previous licence is attached at Appendix B.

### **Licensing Act 2003**

6. This premises currently benefits from a premises licence, to authorise sales of alcohol and regulated entertainment, issued under the Licensing Act 2003, a copy of which is attached at Appendix C.

### **Relevant representations**

7. There are two relevant representations to this application, one from Norfolk Constabulary and another from the owner of a nearby business. Copies are attached at Appendix D.

## **Norwich City Council Sex Establishment Policy Statement**

8. Attached at Appendix E are the elements of the city council's policy, which are considered to have a bearing upon determining the application.
9. Appendix D of the policy details a list of standard conditions, restrictions and terms that would be applied to any licence granted, unless specifically varied.

### **Relevant Locality**

10. Paragraph 12(3)(c) and 12(3)(d) of Schedule 3 of the act allow appropriate authorities to refuse applications on grounds related to an assessment of the "relevant locality". A licence can be refused if either, at the time the application is determined the number of sex establishments, or sex establishments of a particular kind, in the relevant locality is equal to or exceeds the number that the authority considers appropriate for that locality; or that a sex establishment would be inappropriate having regard to the character of the relevant locality, the use to which any premises in the vicinity are put or the layout, character or condition of the premises. Nil may be the appropriate number.
11. Paragraph 11 of the NCC Sex Establishment Policy Statement, sets out the relevant matters with regard to relevant locality. In considering the characteristics of a locality the Licensing Authority shall particularly take account of the density and proximity of:
  - (1) schools, nurseries, crèches, youth hostels and other similar educational or recreational facilities attended by children,
  - (2) parks and children's play areas,
  - (3) residential and sheltered accommodation,
  - (4) religious and community buildings,
  - (5) alcohol or entertainment licensed premises,
  - (6) other retail units (and their uses).
12. At the Licensing committee meeting of the 8 September 2017, members agreed that the relevant locality for this premises was best represented by the area defined in planning policy as the Late Night Activity Zone, a map showing this area is shown at Appendix F. At that time there was no consideration of setting any limits on the numbers of sex establishments in any relevant localities.
13. At the Licensing committee meeting of the 18 December 2018 the committee resolved to undertake a public consultation on a draft revision of the Sex Establishment Policy.
14. At this meeting the committee also resolved to include in this draft policy, limits on the numbers of sex establishments in the relevant localities identified. The public consultation on this draft policy is still underway and therefore may not be relied upon as current policy, however it should be noted that if this application were approved, it would exceed the suggested limit for this locality by one. A copy of the relevant minute from this previous meeting and also the relevant section of the draft policy, is attached at Appendix G

### **Summary**

15. Before determining the application the committee must consider whether the number of sex establishments or sex establishments of a particular kind, in the relevant

locality at the time this application is made (determined) is equal to or exceeds the number which the authority consider is appropriate for that locality.

16. In determining the application the committee must give appropriate weight to:

- Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982;
- The council's own Sex Establishment Policy Statement, in particular the matters set out in s.9 – Determination of Applications.
- Any relevant representations

17. When determining a licence application, the committee must have regard to any rights the applicant may have under Article 10 (right to freedom of expression) and Article 1, Protocol 1 (protection of property) of the European Convention on Human Rights and that members must give due regard to the Public Sector Equality Duty as required under s.149 of the Equality Act 2010.

18. In determining the application the committee may take such of the following steps as it considers appropriate in accordance with the above matters:

- Grant the application as asked, along with the standard conditions, restrictions and terms;
- Modify the standard conditions, restrictions and terms of the licence by altering or omitting or adding to them;
- Reject the whole or part of the application

19. Finally, the committee is asked to note that it may not determine the application on moral grounds.



Fair Processing Statement – Norwich City Council is legally required to protect the public funds it administers. This means we may share information provided to us with other bodies responsible for auditing or administering public funds, or where undertaking a public function, in order to prevent and detect fraud. For further information please click here [www.norwich.gov.uk/nfi](http://www.norwich.gov.uk/nfi)

## Norwich City Council

### SCHEDULE 3 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

#### Application for a Licence to use any Premises, Vehicle, Vessel or Stall as a Sexual Entertainment Venue

**All questions must be answered, save where otherwise stated. If relevant questions are not answered, the application will be deemed incomplete and will be returned to the applicant.**

#### Section 1

##### Application details:

Is this licence for the: Grant X Renewal ☐ Transfer ☐

Is the application made by: an individual ☐ a partnership or other unincorporated body ☐  
a company or other corporate body X

#### Section 2

##### Answer only if Applicant is an individual

What is the full name of the individual? .....

Permanent Residential Address .....

Any former names .....

Date of Birth ..... Place of Birth .....

Date Became Resident in the UK ..... or E.U Member State .....

National Insurance Number or E.U Member State Equivalent. ....

Telephone Number (during normal office hours) .....

Email Address: .....

Name and address to which correspondence to be sent (if different from above) .....

Has the applicant a financial interest in the business which is the subject of this application?

Yes ☐ No ☐ If "yes" to what extent .....

Is the whole business owned by the applicant?

Yes ☐ No ☐

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- 3 JAN 2019

LICENSING OFFICE



**Section 3**

***Answer only if the Applicant is an unincorporated body or a partnership***

Full Name of Applicant

.....

What are the names of the applicant's partners? Please complete the table below:

Name (In full): Mr/Mrs/Miss/Other	Date of Birth	Address of permanent residence Throughout six months immediately preceding this application	Date became resident of United Kingdom or other E.U member state

Are there persons responsible for the management of the Applicant other than the partners? If so state their names.

.....

.....

.....

Please confirm if the whole of the business is owned by the applicant? Yes ☐ No ☐



Does the Applicant use any other trading names? If so, please state the trading name(s).

...N/A.....

What is the Applicant's trading address?: 75 Prince Of Wales Road, Norwich, NR1 1DG

.....

.....

Please confirm if the whole of the business is owned by the applicant? Yes ☒ No ☐

### **Section 5**

#### ***All Applicants***

Please give details of the person (if any) who is to be responsible for the management of the premises in the absence of the licence holder:

First Name.....Jack..... Surname.....Ward.....

Former Name (if any) .....

National Insurance Number or E.U Member State Equivalent.....

Permanent Address: .....

.....

Date of Birth: ..... Place of Birth: .....

Has any person named at any place in this application been associated in any way with any other application for a licence for a sex establishment? Yes ☒ No ☐

If "yes" give full details...

Both persons named in this application were named in the previous, successful application for an SEV for this premises.

.....



## **Section 6**

### **Premises details:**

Is this application in respect of: Premises X    Vehicle ☐    Vessel ☐    Stall ☐

Is the premises, vehicle, vessel or stall in use for sexual entertainment at the date of this application? Yes ☐ No ☐

If the answer is yes, state the name and address of the person or body currently operating the business.....  
.....

What is full address of the premises for which a licence is sought?

75 Prince Of Wales Road, Norwich, NR1 1DG

If the application is in respect of a vehicle, vessel or stall, please state where it is to be used as a sexual entertainment venue.....  
.....

Under what name is, or will the premises be known? .....Lace.....  
.....

Is the whole of the premises to be used under the licence? Yes ☐ No ☒

If no, please state:

a) which part of the premises is to be used for the purposes of the licence

..... 1<sup>st</sup> and 2<sup>nd</sup> Floor within red line as indicated on attached plan.....

b) the use to which the remainder of the premises are to be put

.....Entrance, Exit, Circulation, WC and back of house.....

c) the names of those responsible for the management of the remainder of the premises

.....Same as detailed in this SEV Application.....

If the Applicant's interest in the premises is a leasehold one, please state:

a)    Head-lease ☒ Sub-lease ☐

b)    the name and address of the landlord and of the superior landlord where applicable

.....Ibrahim Mehmet Peri.....  
.....

c)    the length of the unexpired term ...Rolling Tenancy.....

## Section 7.

### Proposed operation times and activities

Give the times it is proposed to operate the Premises for the purpose of this Licence;

<u>Day</u>	<u>Start</u>	<u>Finish</u>	<u>State any seasonal variations or non standard timings where you intend to use the Premises, which are different to those listed in the column on the left.</u>
Monday	08:00	05:00	
Tuesday	08:00	05:00	
Wednesday	08:00	05:00	
Thursday	08:00	05:00	
Friday	08:00	05:00	
Saturday	08:00	05:00	
Sunday	08:00	05:00	

Please give full details of the nature of the relevant entertainment e.g. lap-dancing, pole-dancing, stage strip show etc

.....

.....Lap dancing for customers.....

.....Stage strip show in view of persons seated around stage.....

.....Ad hoc dance performances (nude/semi nude) within licensed area of premises.....

.....

Please confirm if the relevant entertainment involves full nudity ☒ Yes ☐ No

## Section 8.

**If the application is for the Transfer of a Premises Licence**

Name of current Premises Licence Holder

.....

Please give the reason/s for the transfer application

.....

.....



**Section 9.**

Has the Applicant or any persons named in this form been convicted of a criminal offence whether in the UK or elsewhere? Yes ☐ No ☒

If so, please give details of unspent convictions below:

**Convictions:**

Forenames	Surname	Former Name (if any)	Court	Date	Offence	Penalty or Sentence

Has the Applicant or any persons named in this form been cautioned whether in the UK or elsewhere? Yes ☐ No ☒

If so, please give details below:

**Cautions:**

Forenames	Surname	Former Name (if any)	Offence	Date of Caution	Where caution administered

**Has any person or the corporate or unincorporated body referred to in this application: -**

<b>Been disqualified from holding a licence for a sex establishment?</b>	<b>NO</b>
<b>Been refused the grant / renewal / transfer of a licence for a sex establishment?</b>	<b>NO</b>
<b>Been the holder of a sex establishment licence when that licence has been revoked?</b>	<b>NO</b>
<b>Been associated in any way with any other application for a sex establishment licence?</b>	<b>YES</b>
<b>If 'Yes' to any of the above please provide details:</b>	
<p>As noted above, both persons named on this Application were named in the previous, successful, application for a SEV Licence for this premises.</p>	

**Is there any information in this application which you would not wish to be seen by members of the public?**

**Yes ☐ No ☒**

**If yes, state which information and the reasons why you would not wish it to be seen**

.....

.....

.....

**Is there any further information which the Applicant would wish the Council to take into account when considering this application?**

.....

.....

.....

(If necessary, please continue on a separate sheet)

**Please read the checklist below and tick to confirm you have enclosed all of the required information/documents;**

I have made or enclosed payment of the fee ☒

I have enclosed a plan showing the interior layout of the premises (which is clearly marked to indicate where relevant entertainment will take place) for consideration by the Licensing Authority ☒

I have enclosed a copy of the "club rules". Such club rules must contain the required conduct of performers which shall include for example, no sex acts, no giving or taking phone numbers (including exchange of business cards). ☒

I have enclosed a scheme showing the exterior design for consideration by the Licensing Authority ☒

I understand and agree that I must send a copy of my completed application to the Chief Officer of Police no later than seven days after the date of the application. I also understand that I must produce evidence of due service of the Notice of Application upon the Chief Officer of Police as required by paragraph 10(14) of the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982. ☒

I understand that I must now advertise my application on or near the Premises for 21 days starting with the date of the application. ☒

I understand that I must advertise the application in a local newspaper within seven days after the date of the application and that a copy of the notice of application which has been published must be given to the Licensing Authority in accordance with paragraph 10 (8) of the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982. ☒

**DECLARATION:** I declare that the details in this application are true to the best of my knowledge and belief and acknowledge that if there are any omissions or incorrect statements of a serious nature this may result in the application being refused. I further declare that I have read and agree to abide by the conditions of Licence for a Sexual Entertainment Venue made by Norwich City Council in accordance with Section 2 Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 should my application be granted.

APPLICANTS ARE INFORMED THAT ANY PERSON WHO, IN CONNECTION WITH AN APPLICATION FOR THE GRANT, RENEWAL OR TRANSFER OF A LICENCE, MAKES A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT OR WHICH HE DOES NOT BELIEVE TO BE TRUE, IS GUILTY OF AN OFFENCE AND LIABLE, ON SUMMARY CONVICTION, TO A FINE NOT EXCEEDING £20,000.

Signature .....  .....

Name of Signatory ..... Marcus Lavell.....

Designation of Signatory ... Employed Barrister.....

Date ..... 03 January 2019.....

**NOTE:**

1. It is proposed that applications received from premises which are providing sexual entertainment will all be considered by the council's Licensing committee in June 2017. In the case of an incomplete application form, the Licensing Section will contact you for additional information to enable the application to be processed. Please refer to the Council's policy for Sexual Entertainment Venues which is enclosed.
2. Tacit Consent will not apply as it is in the public interest that the authority must process your application before it can be granted. If you have not heard from the Council within a reasonable period of time, please contact us using the contact details below.
3. THE NOTICE OVERLEAF MUST BE PUBLISHED IN A LOCAL NEWSPAPER CIRCULATING WITHIN NORWICH, NO LATER THAN 7 DAYS AFTER THE DATE OF YOUR APPLICATION.
4. THE NOTICE OVERLEAF, OR ONE IN A SIMILAR FORM, MUST BE DISPLAYED CONTINUOUSLY, ON THE PREMISES TO BE LICENSED, FOR A PERIOD OF 21 DAYS BEGINNING WITH THE DATE OF YOUR APPLICATION ON OR NEAR THE PREMISES AND IN A PLACE WHERE THE NOTICE MAY CONVENIENTLY BE READ AT ALL TIMES BY THE PUBLIC PASSING BY.

Norwich City Council  
Citywide Services  
Public Protection (Licensing)  
City Hall  
St Peters Street  
Norwich NR2 1NH

01603 212761

[licensing@norwich.gov.uk](mailto:licensing@norwich.gov.uk)



**CERTIFICATE (TO FOLLOW)**

(To be completed by all applicants)

I certify that a copy of the notice overleaf was displayed on the premises to be licensed, on or near the premises, in a place where the notice may conveniently be read by the public, for a period of .....days,

From (date) ..... to (date) .....

Signature of applicant .....

Date .....

**NOTE:** AFTER THE NOTICE HAS BEEN DISPLAYED FOR 21 DAYS, THIS FORM MUST BE COMPLETED, SIGNED AND RETURNED TO THE LICENSING TEAM, AT THE ADDRESS OVERLEAF.

YOU SHOULD ALSO ATTACH A COPY OF THE NOTICE WHICH APPEARED IN A LOCAL NEWSPAPER, CIRCULATING WITHIN NORWICH, TO THIS FORM.

NOTICE TO BE DISPLAYED AT THE PREMISES AND REPEATED IN NEWSPAPER

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**  
**SECTION 2, SCHEDULE 3: CONTROL OF SEX ESTABLISHMENTS**

**Notice of Application for a Licence for a Sexual Entertainment Venue**

NOTICE IS HEREBY GIVEN THAT I, .....CODE RED PROMOTIONS LIMITED (Director: Dawn Peri)...

..... (full name)

APPLIED ON .....03/01/2019..... (date)

TO NORWICH CITY COUNCIL, IN RESPECT OF THE PREMISES KNOWN AS

.....Lace.....

OF .....75 Prince of Wales Road, Norwich, NR1 1DG..... (address)

UNDER THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982, FOR THE GRANT  
OR RENEWAL OR TRANSFER (DELETE AS APPLICABLE) OF A SEX ESTABLISHMENT LICENCE  
FOR:

A SEXUAL ENTERTAINMENT VENUE

FOR THE INTENDED DAYS AND OPENING HOURS OF ...

.....08:00 to 05:00 (day following) 7 days a week.....

ANYONE WISHING TO MAKE **OBJECTIONS** TO THIS APPLICATION MUST DO SO IN WRITING TO:

Norwich City Council  
Citywide Services  
Public Protection (Licensing)  
City Hall  
St Peters Street  
Norwich NR2 1NH

NO LATER THAN 28 DAYS AFTER THE DATE OF THE APPLICATION, STATING THE GROUNDS FOR  
OBJECTION.



### **CODE OF CONDUCT FOR SELF EMPLOYED DANCERS**

1. Customers must not stand during the performance of a private dance nor may customers participate in the performance. Should customers attempt to do so, the dancer must cease the provision of dancing services immediately.
2. Should a customer attempt to make physical contact with the dancer, the dancer is to remind the customer of the rules and warn them that the performance will cease if the rules are not adhered to. Should the warning be ignored, the dancer is to cease performing and report the incident to a member of management.
3. Dancers are to dress after each performance.
4. Private dances are to take place only in those areas of the premises specified by management. Non-private dances shall only take place on the stage area and elsewhere on the 1<sup>st</sup> floor.
5. When performing, dancers are not to carry out or simulate any sexual act.
6. Dancers must not provide contact details to any customers whilst on the premises.
7. All self employed dancers are to attend the club's quarterly management meetings. This is considered to be an essential part of the licence granted to each self employed dancer.
8. All self employed dancers are to work with the club to promote their business through social and other media. This is considered to be an essential part of the licence granted to each self employed dancer.

9. The dance charge structure is to be explained to all customers before dancing services are supplied.
10. Shifts must be booked 2 weeks in advance. Once a shift has been booked, it is the self employed dancer's responsibility to provide cover in the event of the dancer being unable to provide services during that period. A shift booking may be cancelled at the club management's discretion.
11. Dancer's may not approach a customer until they have sat down with a drink.
12. Dancer's may not approach a customer where that customer is currently engaged with another dancer save with the authorisation of that dancer.
13. Camera-phones are not permitted within the front of house area.
14. The reception area is for the arrival and dispersal management of customers and is not available to self employed dancers save for access/egress from the club.
15. It is the club's requirement that dancing services are paid for prior to provision of the service. The club will not assist any dancer in claiming payment for services provided prior to the claim for payment.
16. CCTV is in operation at the club and will be accessed by club management should an enquiry be necessary to ascertain whether dancing services have been provided for the period the dancer's customer has paid for. This protects both parties.
17. If a customer pays for an hour or longer, the customer must sign an authorisation form. The customer should be asked to sign a form if he should leave before the dance time is up. Failing to ensure the above forms are completed may result in the customer receiving a full refund.
18. Dancers are not to make contact with customers outside of their professional engagements.
19. **Breaches of this code will constitute misconduct and may result in immediate termination of the club-dancer contract for access to the club and its facilities.**



## Dancer Welfare Policy

### 1. Performance Standards

- a. The club management will provide a safe working environment for all members of staff. With respect to self employed dancers, such persons are to be afforded the same rights and privileges in terms of safety and support as employed staff.
- b. It is the responsibility of everyone working at the club, whether employed or self employed to comply with the terms of this policy.

### 2. Operational Safety

- a. Codes of Conduct will be explained to all staff, employed and self employed, and their promotion is a fundamental part of working at Lace.
- b. Dancers are to be made aware of the restrictions placed upon all statutory licences and operating policies applicable to the operation of the club. This is for their own safety and security as these documents have been compiled to ensure that such objectives are achieved.
- c. Safety is a priority for all staff and safety concerns are to take priority over all other elements of any job description.

### 3. Welfare

- a. All dancers are to be treated equally, in a fair and even handed manner.



- b. Appropriate welfare support will be provided by club management to any individual as required.
- c. During operating hours, the dancers' changing room is to be used by dancers only, save for exceptional circumstances such as a medical emergency or safety related maintenance issue.
- d. The dancers shall be provided with their own shower, changing and secure storage facilities. Further, Dancers shall be provided with free drinking water upon request.
- e. No dancer shall be required to drink alcohol at any time.
- f. Any form of harassment by a member of staff or a customer will not be tolerated and the club management operate a confidential whistle blowing approach to support anyone coming forward with such concerns.
- g. Any dancer concerned with the behavior of a customer is encouraged to bring their concerns directly to a member of management staff on duty.
- h. Any and all customers failing to adhere to the House Rules will be required to leave the premises.



### **HOUSE RULES FOR CUSTOMERS**

1. Lace Gentleman's Club operates a 21 and over policy. Exceptions may be made at management discretion on a case by case basis but entry is never guaranteed and no admission is permitted for persons under 18.
2. No cameras or camera-phones are to be used within the premises.
3. Customers must not stand during a private dance performance.
4. Customers must not attempt to touch dancers at any time. The only exception to this rule is that a customer may place payment into the hand of a dancer at the beginning or conclusion of a performance.
5. Customers must not attempt to dance as part of the performance.
6. Customers must remain fully clothed at all times.
7. Customers must be polite and respectful at all times.
8. Customers must not make any request for services other than dance services.

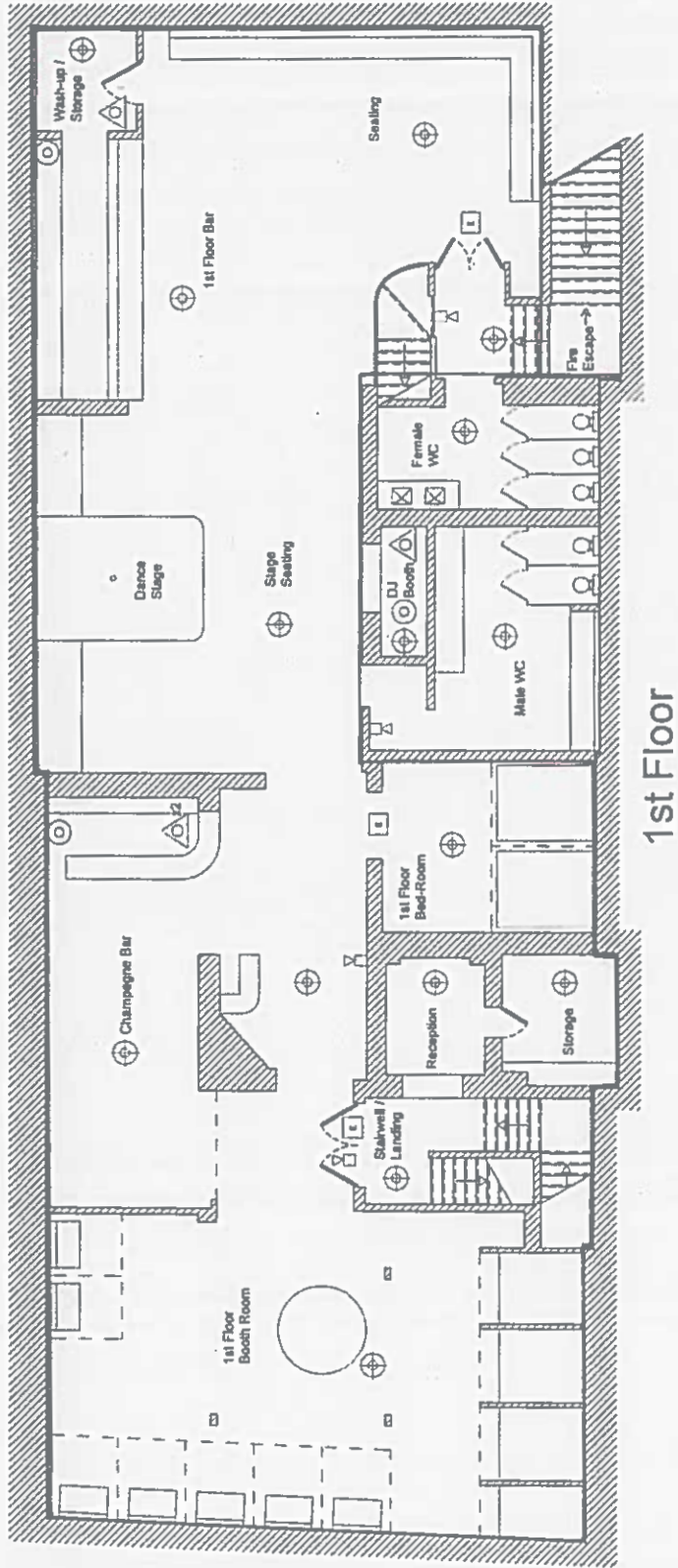
**ANY BREACH OF THESE RULES WILL RESULT IN THE CUSTOMER BEING  
ASKED TO LEAVE THE PREMISES**





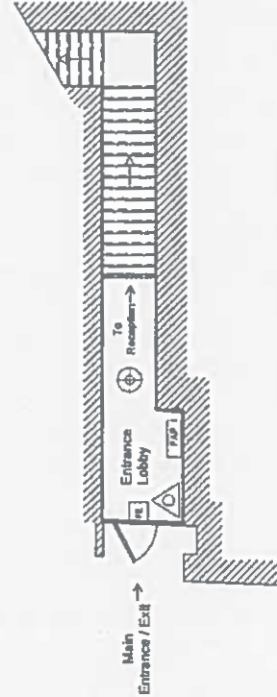


Do Not Scale  
Do not measure from this drawing  
Check all dimensions on site  
Licensing Authority to take place anywhere within the site  
Any, fixed furniture is shown for designational purposes  
only, any equipment is shown as of 18.03.2015



1st Floor

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- 3 JAN 2019  
LICENSING OFFICE



Ground Floor

**Legend**

- Fire Exit Sign
- Fire Exit Ch Signage
- Voice Alarm Speaker
- Fire Extinguisher
- Fire Alarm Panel
- Manual Breakglass Callpoint
- Smoke Detector

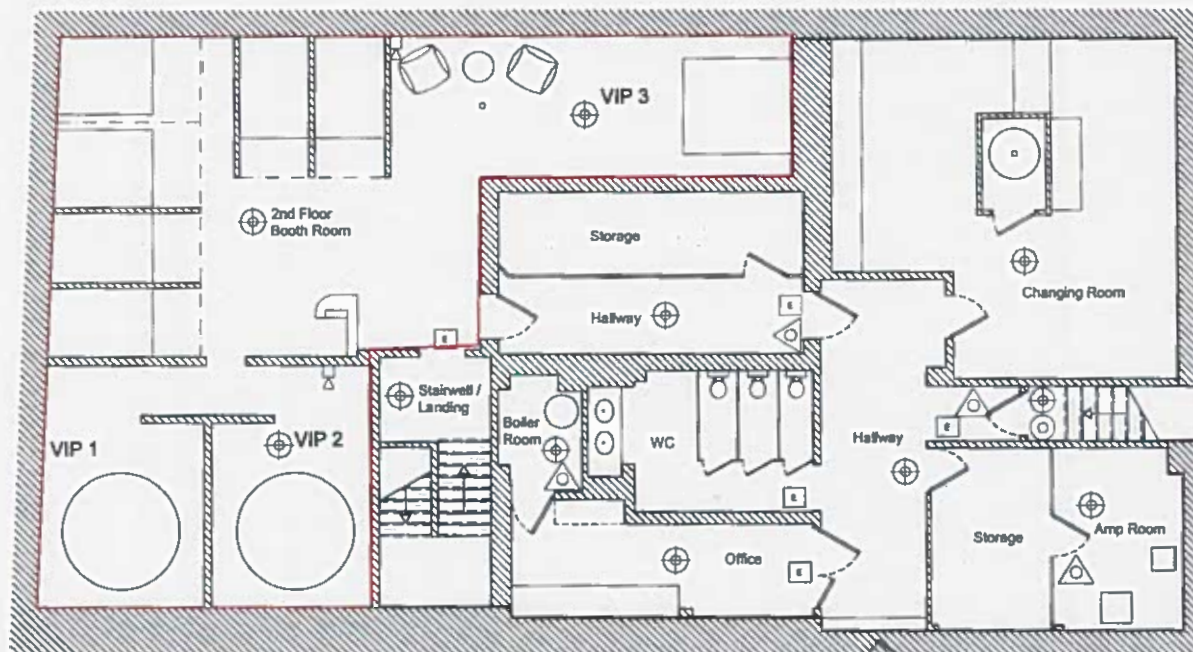
C	Fire Alarm & Signage Installed	18.03.2015
D	Fire Alarm & Signage Installed	18.03.2015
E	Fire Alarm & Signage Installed	18.03.2015
F	Fire Alarm & Signage Installed	18.03.2015
G	Fire Alarm & Signage Installed	18.03.2015
H	Fire Alarm & Signage Installed	18.03.2015
I	Fire Alarm & Signage Installed	18.03.2015
J	Fire Alarm & Signage Installed	18.03.2015
K	Fire Alarm & Signage Installed	18.03.2015
L	Fire Alarm & Signage Installed	18.03.2015
M	Fire Alarm & Signage Installed	18.03.2015
N	Fire Alarm & Signage Installed	18.03.2015
O	Fire Alarm & Signage Installed	18.03.2015
P	Fire Alarm & Signage Installed	18.03.2015
Q	Fire Alarm & Signage Installed	18.03.2015
R	Fire Alarm & Signage Installed	18.03.2015
S	Fire Alarm & Signage Installed	18.03.2015
T	Fire Alarm & Signage Installed	18.03.2015
U	Fire Alarm & Signage Installed	18.03.2015
V	Fire Alarm & Signage Installed	18.03.2015
W	Fire Alarm & Signage Installed	18.03.2015
X	Fire Alarm & Signage Installed	18.03.2015
Y	Fire Alarm & Signage Installed	18.03.2015
Z	Fire Alarm & Signage Installed	18.03.2015

Project - Lace Norwich  
Title - Ground & 1st Floor  
General Arrangement  
Drawing No. - Lace001  
Rev. C  
Date - 18.03.2015  
Scale 1:100 @ A3  
Drawn By - Matthew Reeve



Do not measure from this drawing  
Check all dimensions on site

Licensable Activity to take place anywhere within the red line, loose furniture is shown for diagrammatic purposes only, fire equipment is shown as of 18.08.2015



2nd Floor

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- 3 JAN 2019  
LICENSING OFFICE

Legend	
	Fire Exit Sign
	Fire Exit c/w Signage
	Voice Alarm Speaker
	Fire Extinguisher
	Fire Alarm Panel
	Manual Breakglass
	Callpoint
	Smoke Detector

B	Fire safety & signage added	01.07.2015
A	Final issue	18.08.2015
Rev	Description	Date

Project - Lace Norwich	
Title - 2nd Floor General Arrangement	
Drawing No. - Lace002	Rev. E
Date - 18.08.2015	Scale 1:100 @ A3
Drawn By - Matthew Reeve	



**NORWICH**  
City Council

18/00066/SEXEST

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

**LICENCE FOR SEX ESTABLISHMENT**

NORWICH CITY COUNCIL being the Licensing Authority under Section 2 of the above Act  
DO HEREBY grant by way of renewal to

**Code Red Promotions Limited of C/o Aston Shaw The Union Building 51 - 59 Rose  
Lane Norwich Norfolk NR1 1BY**

This licence to use the premises situated at **75 Prince Of Wales Road Norwich NR1 1DG**  
for the purposes of a sexual entertainment venue as defined in schedule 3 to the above  
Act.

This licence is granted subject to the standard terms, conditions and restrictions contained  
in regulations made by the authority relating to such licences and to the additional  
condition set out in the schedule below.

A fee of **£2583.00** has been paid for this Licence.

This licence shall, unless revoked in the meantime, be in force  
From **8 September 2017** to **7 September 2018**

Signed on behalf of Norwich City Council

Director of neighbourhoods

Dated 5 February 2018

**IT IS THE SOLE RESPONSIBILITY of the licence holder to ensure that any  
application to renew this licence must be received by the Licensing Section of  
Norwich City Council on or before the renewal date shown above.**

## Introduction

1. In these Conditions "The Council" shall mean the Norwich City Council and all enquiries concerning this licence shall be directed to the Licensing Team, Citywide Services, Norwich City Council, City Hall, St Peters Street Norwich NR2 1NH.
2. These conditions are imposed by the Council, pursuant to its powers under paragraph 13 (1) of Schedule 3 to the above Act, as terms, conditions and restrictions on a subject to which a licence is, in general, to be granted, renewed or transferred by the Council save, and insofar as, they do not conflict with the provisions of the Act itself.
3. These conditions are only applicable to a "Sexual Entertainment Venue" premises.

## Management of the Premises

4. The Licensee, or a responsible person over the age of 18 having been nominated by him and approved in writing by the Council for the purpose of managing the sex establishment ("the manager"), shall have personal responsibility for and be present on the Premises at all times when the Premises are open to the public.
5. Where the Licensee is a body corporate or an incorporated body, any change of director, company secretary or other person responsible for the management of the body shall be notified in writing to the Council within 14 days of such change and such written details as the licensing authority may require in respect of the change of personnel shall be furnished within 14 days of a request in writing from the Council.
6. A copy of the licence and any special conditions attached shall, at all times, be displayed in a conspicuous position on the Premises so as to be available for inspection by the police, the fire authority, and authorised officers of the Council.
7. The name of the person responsible for the management of the Premises, whether the Licensee or the manager, shall be displayed in a conspicuous position within the Premises throughout the period during which he is responsible for the conduct of the Premises.
8. The Licensee shall retain control over all areas of the Premises and shall not let, licence or surrender possession of any area. The Council must be immediately notified in the event that any area of the Premises is affected by the termination of a lease or other event affecting the Licensee's control of the Premises.
9. The Licensee shall ensure that the public is not admitted to any part of the Premises that has not been licensed, other than toilet facilities where provided for customers.
10. Neither the Licensee nor any employee or agent shall personally solicit custom for the sex establishment outside or in the locality of the Premises apart from promotional flyers for the premises, which shall not include the following:
  - (a) Any depiction of full nudity
  - (b) Any depiction of partial nudity (including the display of breasts, buttocks or genitalia)
  - (c) Any description of sexual or violent images or any other images which may give rise to concerns in respect of public decency or protection of children or vulnerable persons from harm.

Promotional flyers may only be distributed during the hours the premises are acting as a sexual entertainment venue, and may only be distributed in Prince of Wales Road, Norwich

11. The Licensee shall maintain a daily register in which shall be recorded the name and address of any person who is to be responsible for managing the Sex Establishment in the Licensee's absence and the names and addresses of those employed in the Sex Establishment. The Register is to be completed each day within thirty minutes of the Sex Establishment being opened for business and is to be available for inspection by the police and by authorised officers of the Council.

12. The Licensee shall take all reasonable precautions for the safety of the public, employees and other persons working in the premises.

13. The Licensee must ensure that a suitable and sufficient number of trained staff are employed to supervise the interior of the Premises ("floor supervisors") to ensure that conditions of licence are complied with, in particular the no touching conditions, and to ensure the safety of performers.

14. No person under the age of 18 shall be admitted to the Premises.

15. The Licensee shall adopt a procedure to check the age of customers entering the premises who appear to be younger than 25 in order to ensure that they are not under the age of 18.

16. All persons working in the premises, including Performers, shall be aged not less than 18 years. The Licensee must maintain adequate records of the names, addresses and dates of birth of performers including adequate identity checks.

17. The Licensee must submit a set of "House Rules" to the Licensing Authority as part of the application process; these rules will form part of the licence, and must be complied with. Furthermore they must ensure that all performers are fully conversant with and sign an agreement to adhere to such House Rules.

18. In the event that an authorisation under the Licensing Act 2003 does not require the provision of a CCTV system, then the Licensee shall ensure a closed-circuit television system is installed internally and externally to the satisfaction of the Norfolk Constabulary. Appropriate notices must be displayed in accordance with the Data Protection Act 1998, advising that CCTV is in operation. In addition the Licensee must ensure that the requirement under that Act regarding registration with the Data Protection Commissioner is complied with.

19. CCTV recordings will be made available for viewing by authorised Officers of the licensing authority or the police. Copies of such recordings must be kept for a period of 31 days and be provided upon request.

20. CCTV must be capable of monitoring the whole of the premises, in particular any private booths or rooms to ensure the safety and security of performers and other persons within the premises. The CCTV system must be monitored at all times that the premises are in operation.

21. The Licensee shall ensure that neither they nor any person promoting or providing entertainment on the Premises (nor any person acting on behalf of any such person) shall display advertisements promoting the entertainment or the Premises in any unlawful manner.

22. Where the Council have given notice in writing to the Licensee objecting to an advertisement on the grounds that, if displayed, it would offend against good taste or decency or be likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling, that advertisement shall not be displayed.

23. The Council may specify, in writing, the number of members of the public that shall be present on the Premises at any time whilst relevant entertainment takes place, on the grounds of public safety, public nuisance or crime and disorder. The Licensee shall ensure that the number specified is not exceeded at any time.

24. The Licensee shall provide upon request copies of any documents reasonably required by an authorised officer of the Council in relation to compliance with this Licence.

25. The Licensee shall provide adequate non-public changing rooms for performers.

#### Opening of the Premises

26. Relevant entertainment may only be provided during the hours permitted by an authorisation under the Licensing Act 2003 unless a specific condition on the Sex Establishment Licence permits otherwise.

#### Operation of the Premises

27. Approval from the Council is required for changes from:

- a sex shop (including a mail-order shop) to either a sex cinema or sexual entertainment venue
- sex cinema to either a sex shop or sexual entertainment venue
- a sexual entertainment venue to either a sex cinema or a sex shop.

This will require consideration of an appropriate application.

28. No sex articles or other items intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity shall be used, displayed, sold, hired, exchanged, loaned or demonstrated in a sexual entertainment venue or a sex cinema.

#### External Appearance

29. A notice stating that no person under the age of 18 shall be admitted to the premises must be displayed on the outside of the Premises. The notice must also include a statement that proof of age may be requested.

30. The exterior design of the premises shall be such that the interior of the premises is not visible to passers-by.

31. The windows and openings of the Premises shall be of a material or covered with a material, which will ensure the interior of the Premises is not visible to passers-by. At no time shall performers or persons working in the premises be visible from outside of the Premises, with the exclusion of Door Supervisors.

32. 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 on the Premises.

33. External advertising of relevant entertainment shall not include any of the following:

- a) any depiction of full nudity
- b) any depiction of partial nudity (including the display of breasts, buttocks or genitalia)
- c) any depiction of overtly sexual or violent images or any other images which may give rise to concerns in respect of public decency or protection of children or vulnerable persons from harm.

34. 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:

- (i) The licensed name of the premises may be displayed, unless the Council determines that the name is of a profane or sexual nature or gives other cause for concern.
- (ii) The form of warning notice required to be displayed by virtue of the provisions of Section 1(6) of the Indecent Displays (Control) Act 1981.
- (iii) A notice stating the opening hours of the establishment.

35. The lettering used in respect of such permitted items:-

In the case of the permitted items at paragraph 34 'i', 'ii' and 'iii' the lettering used shall not exceed 15 cm (approximately 6" inches) in height for each letter.

36. (a) No other words or signs, or any displays or advertisements, shall be displayed on the outside of the Premises or in the vicinity of the Premises unless approved by the Council in writing;

(b) No external loudspeakers may be installed.

#### State, Condition and Layout of the Premises

37. Notwithstanding the Licensee's duties under the Health and Safety at Work etc Act 1974 and related legislation and his obligations under any lease or other agreement for the use of the Premises, he/she shall maintain the Premises in good repair and condition.

40. No access shall be permitted through the Premises to any other Premises adjoining or adjacent except in the case of emergency.

41. Lighting shall be in operation continuously during the whole of the time that the Sex Establishment is open to the public.

42. Alterations or additions, either internal or external, or any proposed amendments to licence conditions shall not be made to the premises without prior written consent from the Council. An application will be required in order for consent to be considered, which will be considered by the council's Licensing Committee.

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

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

#### Provision of Relevant Entertainment

45. Live music or the playing of recorded music, which is integral to the provision of relevant entertainment, will be subject to the same conditions contained in any authorisation under the Licensing Act 2003 in respect of live or recorded music. The only exception to this is where a specific condition on the licence requires otherwise.

46. Performers shall only perform in specified designated areas, to seated customers or in such other areas of the licensed Premises as may be agreed in writing with the Council.

47. The Licensee is to implement a policy to ensure the safety of the Performers when they leave the Premises after a period of work.

48. Performers must remain clothed in public areas and all other areas except while performing in areas specified by the Council as being where relevant entertainment may be provided.

49. At the conclusion of performances all articles of clothing removed during that performance must be put back on. This does not prevent performers going to their non-public changing area to change their attire.

50. Performers may not accept any telephone number, email address, address or contact information from any customer.

51. Performers may not give any telephone number, email address, address, contact information or business card to any customer or in any way solicit themselves.

52. Performers must not perform a nude table dance unless in a supervised area.

53. Performers are never to be in the company of a customer except in an area open to the public within the Premises (this excludes the toilets as performers must not use the public toilets whilst open to the public).

54. The Licensee must ensure that during the performance of a table or lap dance:

- (1) customers must be seated in an upright position where reasonably practicable, against the back of the booth or seat with their hands by their sides before a dancer can start a table dance;
- (2) customers must remain seated during the entire performance of the dance;
- (3) for the purpose of restraint only, Performers may only touch a customer above the customer's chest (excluding the head) with their hands only;
- (4) Performers must not sit on or straddle the customer;
- (5) Performers must not place their feet on the seats.

55. The Licensee must ensure that during performances of relevant entertainment:

- (1) Performers may not perform any act that clearly simulates any sexual act;
- (2) Performers must never intentionally touch the genitals, anus or breasts of another dancer or to knowingly permit another dancer to intentionally touch their genitals, anus or breasts;
- (3) Performers may not intentionally touch a customer any time during the performance unless absolutely accidentally or due to a third party;
- (4) Performers may not use inappropriate, suggestive or sexually graphic language at any time;
- (5) Performers must not engage in communications that could be deemed as acts of prostitution or solicitation, even if the Performer has no intention of carrying out the act;
- (6) Performers must only perform nude or semi-nude dancing (of any description) within areas specified by the Council.

56. The Licensee must ensure that during performances of relevant entertainment:

- (1) Customers may not dance at any time except in areas specifically designated by the Council as being separate from areas for sexual entertainment.
- (2) Customers must remain appropriately clothed at all times.

57. At all times there must be no physical contact between customers and employees, or other persons working within the premises, in any part of the premises save for the following:-

- The payment of an entry fee by customers to authorised members of staff.
- The payment of a fee for relevant entertainment.
- The purchasing of drinks by customers from authorised members of staff.
- The placing of bank notes by the customer in a garter worn by females or an armband worn by males.
- SIA door staff in the execution of their duties.

58. Relevant entertainment will only take place in specified designated areas within the premises, as identified on the plan attached to the licence.

59. Notices outlining condition 56 will be clearly displayed at each entrance to the premises and in the specified designated areas. Notices must state that no touching

relates to customers touching performers and other persons working within the premises and vice versa.

60. Performers will stop immediately and move away from any customer who is offensive or attempts to touch them, and shall report such behaviour and any other inappropriate behaviour or breach of house rules to the management. If after receiving a warning a customer continues behave inappropriately, the customer must be requested to leave the premises and should be escorted from the premises by appropriately authorised staff only (i.e. SIA registered door supervisors).

#### Licensed Name

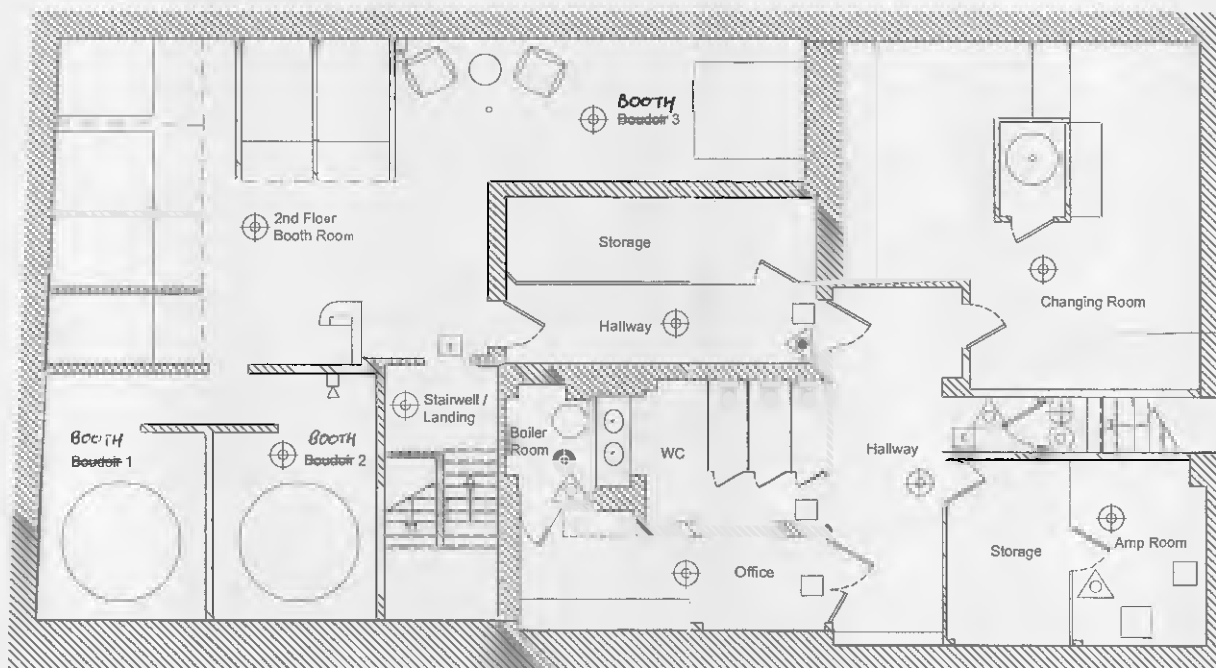
61. (a) The Council at the time of granting the licence in respect of the premises shall appoint a name referred to as "The Licensed Name" by which it is intended that the premises shall be known and the licence holder shall ensure that the premises are known solely by that name and by no other, save as provided for by paragraph (b) below. Such name shall have been provided on the application form.

(b) An application in respect of a change of licence name shall be made to the Council in writing 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.

62. The premises shall not be open for sexual entertainment venue business between close of business and 18:00 hours on any day.









Do not measure from this drawing  
Check all dimensions on site

Licensable Activity to take place anywhere within the re  
line, loose furniture is shown for diagrammatic purposes  
only, fire equipment is shown as of 18.06.2015



2nd Floor

# Legend

-  Fire Exit Sign
-  Fire Exit c/w Signage
-  Voice Alarm Speaker
-  Fire Extinguisher
-  Fire Alarm Panel
-  Manual Breakglass
-  Callpoint
-  Smoke Detector

Rev	Description	Date
1	First Issue	18.06.2015

Project - Lace Norwich

Title - 2nd Floor  
General Arrangement

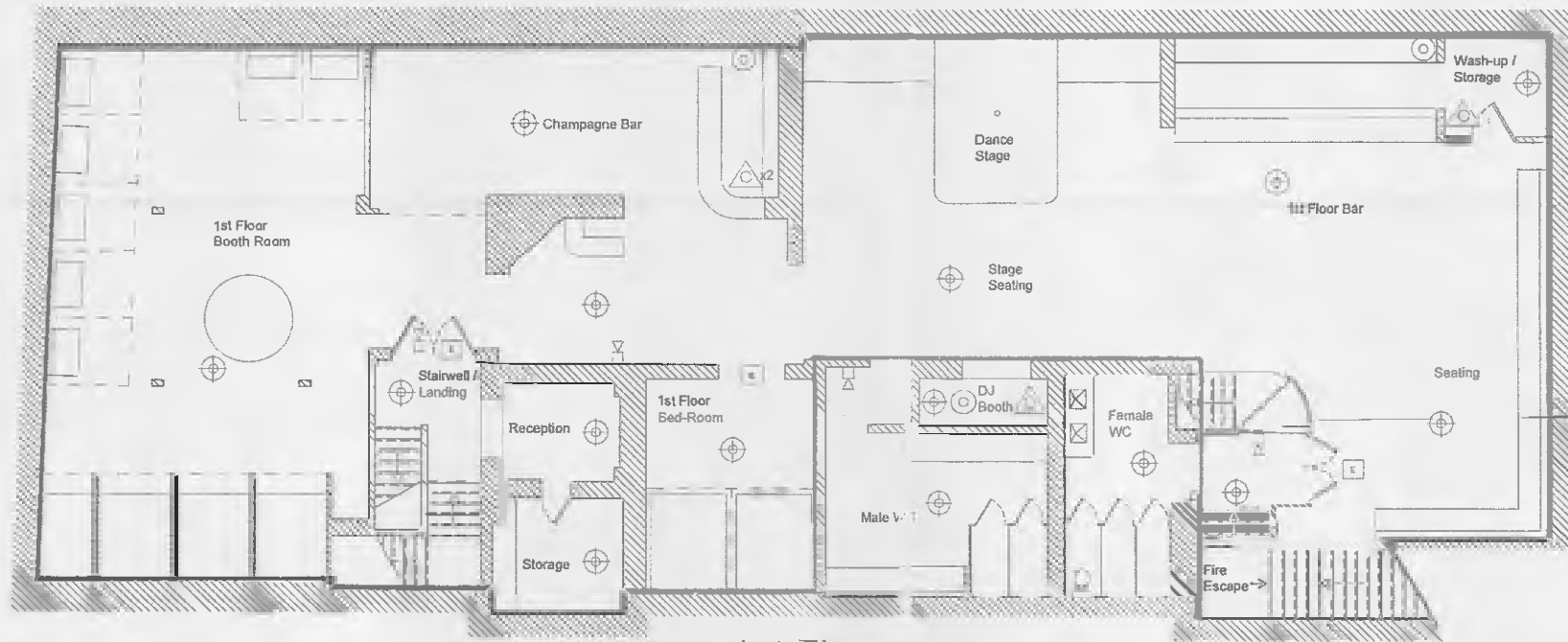
Drawing No. - Lace002 Rev. E

Date - 18.06.2015 Scale 1:100 @ A3

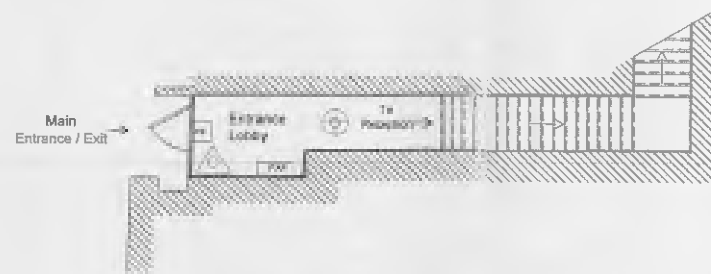
Drawn By - Matthew Raave

Do Not Scale  
Do not measure from this drawing  
Check all dimensions on site

Licensable Activity to take place anywhere within the red line, loose furniture is shown for diagrammatic purposes only, fire equipment is shown as at 18.06.2015



1st Floor



Ground Floor

**Legend**

- [E] Fire Exit Sign
- [FE] Fire Exit c/w Signage
- [V] Voice Alarm Speaker
- [A] Fire Extinguisher
- [FAP] Fire Alarm Panel
- [MBC] Manual Breakglass Callpoint
- [SD] Smoke Detector

Fire tests & sign added	01.07.2015
Amendments as per M.I. notes	26.06.2015
First Issue	18.06.2015
Drawn By	Matthew Reeve

**Project - Lace Norwich**

**Title - Ground & 1st Floor General Arrangement**

**Drawing No. - Lace001**    **Rev. C**

**Date - 18.06.2015**    **Scale 1:100 @ A3**

**Drawn By - Matthew Reeve**



# NORWICH City Council

## Premises Licence Summary

**Premises Licence Number**

**17/00110/PREM**

### Premises Details

**Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code**

Flaunt and Lace  
75 Prince Of Wales Road  
Norwich  
NR1 1DG

**Telephone number** 01603 627666

**Where the licence is time limited the dates**

Not applicable

**Licensable activities authorised by the licence.**

Films - Activity takes place indoors  
Indoor Sporting Events - Activity takes place indoors  
Late Night Refreshment - Activity takes place indoors  
Live Music - Activity takes place indoors  
Performances of Dance - Activity takes place indoors  
Sale by Retail of Alcohol  
Recorded Music - Activity takes place indoors

**The times the licence authorises the carrying out of licensable activities**

Films	Every Day	00:00 - 00:00
Indoor Sporting Events	Every Day	00:00 - 00:00
Late Night Refreshment	Every Day	23:00 - 05:00
Live Music	Every Day	00:00 - 00:00
Performances of Dance	Every Day	00:00 - 00:00
Sale by Retail of Alcohol	Every Day	08:00 - 04:00
Recorded Music	Every Day	00:00 - 00:00

**The opening hours of the premises**

Monday	00:00 - 00:00
Tuesday	00:00 - 00:00
Wednesday	00:00 - 00:00
Thursday	00:00 - 00:00
Friday	00:00 - 00:00
Saturday	00:00 - 00:00
Sunday	00:00 - 00:00

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**

Alcohol is supplied for consumption both on and off the Premise

**Name, (registered) address of holder of premises licence**

Mr Steve Peri  
Magic City  
75 Prince Of Wales Road  
Norwich  
NR1 1DG

**Registered number of holder, for example company number, charity number (where applicable)**

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Levi Solomon

**State whether access to the premises by children is restricted or prohibited**



**Premises Licence**

**Premises Licence Number**

**17/00110/PREM**

**Part 1 – Premises Details**

**Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code**

Flaunt and Lace  
75 Prince Of Wales Road  
Norwich  
NR1 1DG

**Telephone number** 01603 627666

**Where the licence is time limited the dates**

Not applicable

**Licensable activities authorised by the licence.**

Films - Activity takes place indoors  
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Late Night Refreshment - Activity takes place indoors  
Live Music - Activity takes place indoors  
Performances of Dance - Activity takes place indoors  
Sale by Retail of Alcohol  
Recorded Music - Activity takes place indoors

**The times the licence authorises the carrying out of licensable activities**

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Indoor Sporting Events	Every Day	00:00 - 00:00
Late Night Refreshment	Every Day	23:00 - 05:00
Live Music	Every Day	00:00 - 00:00
Performances of Dance	Every Day	00:00 - 00:00
Sale by Retail of Alcohol	Every Day	08:00 - 04:00

Recorded Music

Every Day

00:00 - 00:00

**The opening hours of the premises**

Monday	00:00 - 00:00
Tuesday	00:00 - 00:00
Wednesday	00:00 - 00:00
Thursday	00:00 - 00:00
Friday	00:00 - 00:00
Saturday	00:00 - 00:00
Sunday	00:00 - 00:00

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**

Alcohol is supplied for consumption both on and off the Premise

**State whether access to the premises by children is restricted or prohibited**

## Part 2

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Mr Steve Peri  
Magic City  
75 Prince Of Wales Road  
Norwich  
NR1 1DG

**Registered number of holder, for example company number, charity number (where applicable)**

**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Levi Solomon  


**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Party Reference: 

Licensing Authority: Norwich City Council

## Annex 1 – Mandatory conditions

- 1 No supply of alcohol may be made under a 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 his personal licence is suspended.
- 2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3 No moving picture shall be exhibited unless: -
  - (i) it has received a "U", "PG", "12A", "15" or "18" certificate of the British Board of Film Classification; or
  - (ii) it is a current newsreel which has not been submitted to the British Board of Film Classification; or
  - (iii) the permission of the Licensing Authority is first obtained and any conditions of such permission are complied with.
- 4 No person under the age of 18 years shall be admitted to any exhibition at which there is to be shown any moving picture which has received an "18" certificate from the British Board of Film Classification.
- 5 No person under the age of 15 years shall be admitted to any exhibition at which there is to be shown any moving picture which has received a "15" certificate from the British Board of Film Classification.
- 6 No person under the age of 12 years shall be admitted to any exhibition at which there is to be shown any moving picture which has received a "12A" certificate from the British Board of Film Classification.
- 7 Where, 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.
- 8
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, 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.
    - 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 in a manner which carries a significant risk of undermining a licensing objective;
    - 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 in a manner which carries a significant risk of undermining a licensing objective;
    - d) 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.
    - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 9 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 10
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either:-

(a) a holographic mark or

(b) an ultraviolet feature.

11 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 half pint

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

12 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

13 For the purposes of the condition set out in paragraph 1:

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "permitted price" is the price found by applying the formula:

$$P = D + (D \times V)$$

Where:

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence:

(i) The holder of the premises licence

(ii) The designated premises supervisor (if any) in respect of such a licence, or

(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

14 (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

15 Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

16 Where the film classification body is specified in the licence, unless subsection (12)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

17 Where

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

18 In this section "children" means any person aged under 18; and

"film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

19 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:

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of the Act.

20 But nothing in subsection (1) requires such a condition to be imposed:

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

(b) in respect of premises in relation to:

(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

21 For the purposes of this section:

(a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

## **Annex 2 – Conditions consistent with the Operating Schedule**

### **1 General - all four licensing objectives**

2 All bar staff will be trained in the basic law relating to the sale of alcohol and a record will be kept on the premises.

### **3 The Prevention of Crime and Disorder**

4 The licensee, that is the person in whose name the premises licence is issued, shall ensure that at all times when the premises are open for any licensable activity there are sufficient, competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder.

5 The licensee, designated premises supervisor or other person having responsibility for monitoring the radio communication system provided shall comply with any reasonable instructions or directions received through the system from the Police.

6 SIA registered door supervisors will also be employed when Norwich Football Club are playing at home and when there are televised England matches.

7 A minimum of 2 SIA registered door supervisors will be employed on Friday and Saturday's from 21:00 hours until close.

8 Door supervisors shall be provided with two-way radios or similar systems capable of ensuring continuous communication between each other at all times when on duty.

9 The licensee and designated premises supervisor shall ensure that during the late evening and night there are employed at the premises an appropriate number of door supervisors who are security industry badged.

10 Door supervisors shall wear clothing of the same style, type and colour which may be appropriate to the nature of the venue but which ensure they are clearly distinguishable and identifiable as door supervisors having regard to the events and activities taking place at the licensed premises.

11 Door supervisors will sign on and off duty and this will be recorded.

12 The licensee shall keep an incident book which must be available for inspection by the Police or authorised officer at all times when the premises are open.

13 No persons shall be allowed to leave the premises while in the possession of any drinking vessel or open glass bottle whether empty or containing any beverage, except drinking water.

14 All members of staff at the premises including door supervisors shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 21 years and who is seeking to purchase or consume alcohol on the premises.

15 A suitably worded sign of sufficient size and clarity must be displayed at the point of entry to the premises advising customers that they may be asked to produce evidence of their age.

16 There is a burglar alarm fitted which will be maintained at all times.

17 A CCTV system covering the main public areas of the venue and the entrances/exits will be installed. The system will be capable of recording images for a minimum of 28 days and copies of the images will be made available to Police or Officers of the Licensing Authority on reasonable request.

18 There will be no alcohol sales or consumption from 07:00 to 08:00

19 If the premises opens later than 06:30, then the premises licence holder will inform the Police within 14 days notice.

20 Polycarbonate or toughened glasses will be used at the premises.

21 There will be a home fans only policy on Norwich match days.

22 There will be a random search policy on entry to search patrons for drugs and weapons.

### **23 Public Safety**

24 The entire premises are subject to the provisions of the Regulatory Reform (Fire Safety) Order 2005 and appropriate risk assessments for fire and health and safety will be implemented.

### **25 The Prevention of Public Nuisance**

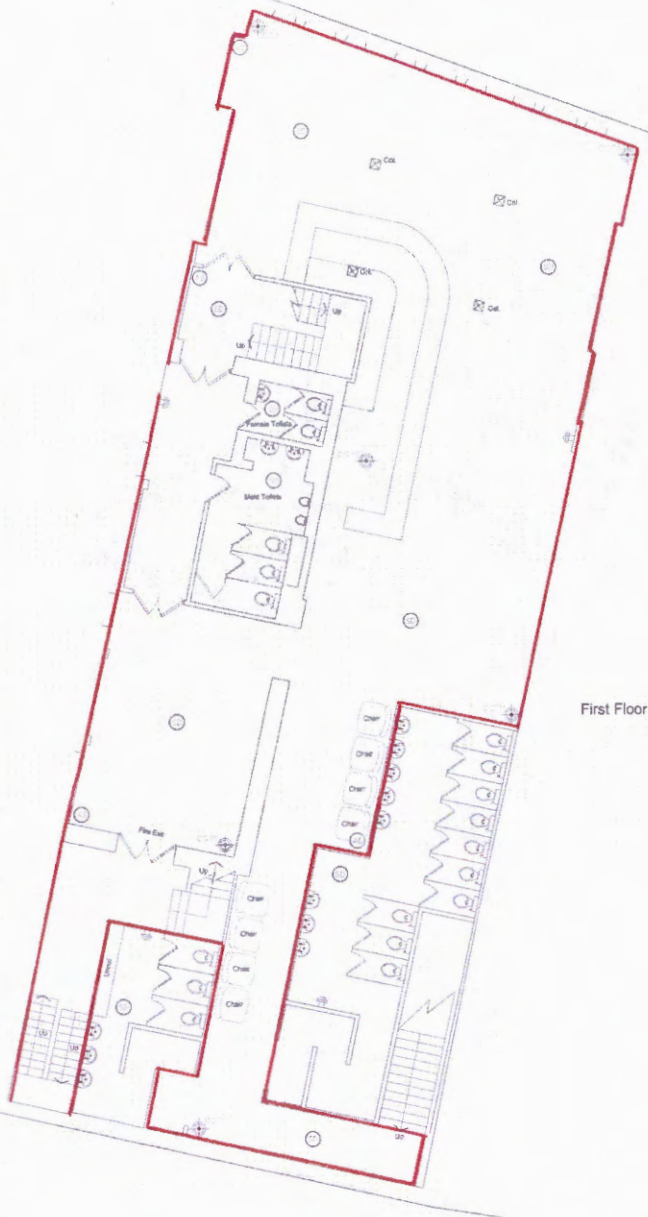
26 The lobby doors at the premises will be kept closed except for access and egress. Door staff must supervise to ensure that the doors are maintained closed as far as possible when public entertainment is taking place.

27 Internal and external lighting provided for the purpose of customer and staff and for the security of the premises must be so positioned to not cause a nuisance to neighbouring or adjoining properties.

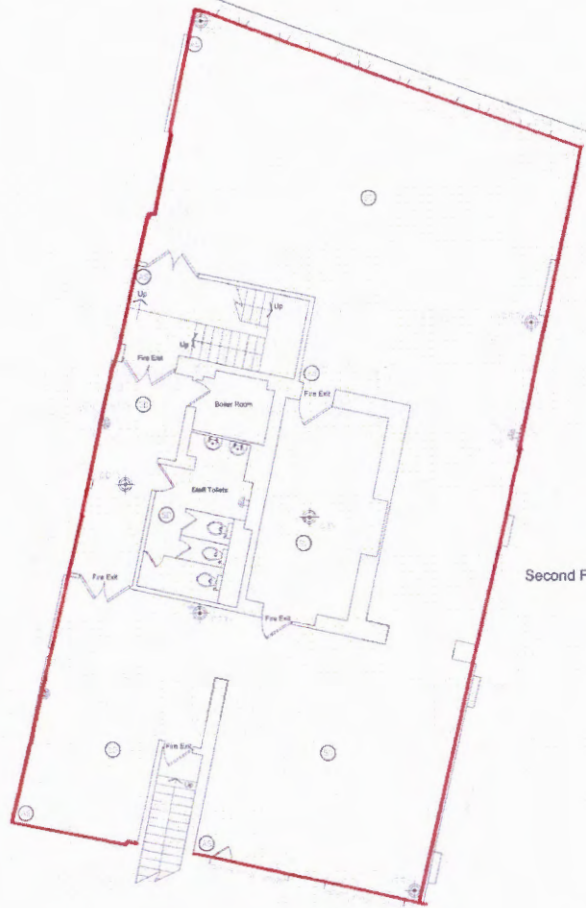
28 Lighting associated with entertainment must be so positioned to not cause a nuisance to neighbouring or adjoining properties.

29 Premises must remove their waste and refuse in a timely manner to a licensed waste disposal facility.

- 30 There must be clear and legible notices displayed at exits requesting patrons to leave the premises  
having regard to the needs of any local residents or businesses.
- 31 Music and other amplified sound will be inaudible at 10 metres from the facade of the building and  
at the nearest noise sensitive premises when the front folding doors are open.
- 32 **The Protection of Children From Harm**
- 33 Children under 18 years of age will not be allowed access to that part of the premises where adult  
entertainment is being performed.
- 34 All members of staff at the premises including door supervisors shall seek "credible photographic  
proof of age evidence" from any person who appears to be under the age of 21 years and who is  
seeking to purchase or consume alcohol on the premises.
- 35 A suitably worded sign of sufficient size and clarity must be displayed at the point of entry to the  
premises advising customers that they may be asked to produce evidence of their age.

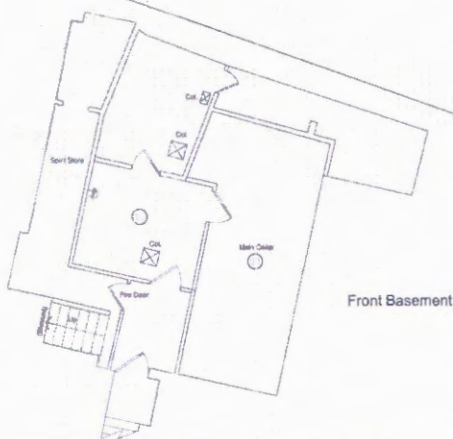


First Floor

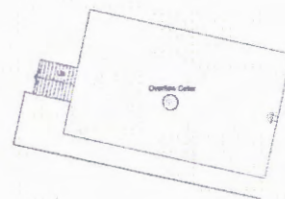


Second Floor

All LICENSABLE ACTIVITIES



Front Basement



Key

- ALARM SYSTEM
- FIRE EXIT
- STAIRCASE
- CCTV

<p><b>ABBREVIATIONS</b></p> <p>1st Flr - 1st Floor 2nd Flr - 2nd Floor Basement - Basement Garage - Garage Kitchen - Kitchen Living Area - Living Area Bedroom - Bedroom Bathroom - Bathroom Staircase - Staircase Fire Exit - Fire Exit CCTV - CCTV Alarm System - Alarm System</p>	<p><b>FEATURES</b></p> <p>Alarm System - Alarm System Fire Exit - Fire Exit CCTV - CCTV Staircase - Staircase Bathroom - Bathroom Bedroom - Bedroom Living Area - Living Area Kitchen - Kitchen Garage - Garage Basement - Basement 1st Flr - 1st Floor 2nd Flr - 2nd Floor</p>	<p><b>NOTES</b></p> <p>1. All measurements are taken from the internal face of the walls unless otherwise stated. 2. All measurements are taken to the center of the walls unless otherwise stated. 3. All measurements are taken to the center of the doors unless otherwise stated. 4. All measurements are taken to the center of the windows unless otherwise stated. 5. All measurements are taken to the center of the stairs unless otherwise stated. 6. All measurements are taken to the center of the fire exits unless otherwise stated. 7. All measurements are taken to the center of the CCTV unless otherwise stated. 8. All measurements are taken to the center of the alarm system unless otherwise stated.</p>	<p><b>CONTROLLED DOCUMENTS</b></p> <p>Document Name   Version   Date   Author</p>	<p><b>NOTES</b></p> <p>1. All measurements are taken from the internal face of the walls unless otherwise stated. 2. All measurements are taken to the center of the walls unless otherwise stated. 3. All measurements are taken to the center of the doors unless otherwise stated. 4. All measurements are taken to the center of the windows unless otherwise stated. 5. All measurements are taken to the center of the stairs unless otherwise stated. 6. All measurements are taken to the center of the fire exits unless otherwise stated. 7. All measurements are taken to the center of the CCTV unless otherwise stated. 8. All measurements are taken to the center of the alarm system unless otherwise stated.</p>	<p><b>ELEVATION PLAN (WHERE APPLICABLE)</b></p> <p>1. All measurements are taken from the internal face of the walls unless otherwise stated. 2. All measurements are taken to the center of the walls unless otherwise stated. 3. All measurements are taken to the center of the doors unless otherwise stated. 4. All measurements are taken to the center of the windows unless otherwise stated. 5. All measurements are taken to the center of the stairs unless otherwise stated. 6. All measurements are taken to the center of the fire exits unless otherwise stated. 7. All measurements are taken to the center of the CCTV unless otherwise stated. 8. All measurements are taken to the center of the alarm system unless otherwise stated.</p>	<p><b>Survey Solutions</b></p> <p>1. All measurements are taken from the internal face of the walls unless otherwise stated. 2. All measurements are taken to the center of the walls unless otherwise stated. 3. All measurements are taken to the center of the doors unless otherwise stated. 4. All measurements are taken to the center of the windows unless otherwise stated. 5. All measurements are taken to the center of the stairs unless otherwise stated. 6. All measurements are taken to the center of the fire exits unless otherwise stated. 7. All measurements are taken to the center of the CCTV unless otherwise stated. 8. All measurements are taken to the center of the alarm system unless otherwise stated.</p>
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**NORFOLK**  
CONSTABULARY  
*Our Priority is You*

Licensing Officer  
Norwich City Council  
St Peters Street  
Norwich  
NR2 1NN

Date 29th January 2019

Dear Sir/Madam

The Licensing Team

Bethel Street Police Station  
Norwich  
Norfolk  
NR2 1NN

Tel: 01603 276020

Fax: 01603 276025

Email: [licensingteam@norfolk.pnn.police.uk](mailto:licensingteam@norfolk.pnn.police.uk)

[www.norfolk.police.uk](http://www.norfolk.police.uk)

Non-Emergency Tel: 0845 456 4567

Police have received a copy of the application for a licence for a Sexual Entertainment Venue for the 1<sup>st</sup> & 2<sup>nd</sup> Floor of 75 Prince of Wales Road Norwich until 5am daily.

The applicant is Dawn Peri and manager Jack Ward. The venue already benefits from a Premises Licence in order to permit alcohol sales and alcohol however this licence will permit the operation of the sexual entertainment.

The venue was previously operating as Lace Gentleman's Club until 2017 and has remained closed since this time. Prior to this, the venue was not a venue of concern in terms of crime and disorder being specifically linked to this venue.

The application includes additional documentation which includes a code of conduct for dancers, a dancer welfare Policy and house rules for customers. With this, there is no reason for Police to object to the granting of this licence.

I am aware that the Norwich City Council is currently in consultation on their draft Policy for sexual entertainment venues in Norwich and has given mention to capping the number of them permitted. It is for Councillors to make the decision in terms of granting this taking the draft Policy into consideration.

Yours faithfully,

Michelle Bartram  
Licensing Officer

Daz Crawford  
39 Prince of Wales Road  
Norwich

29<sup>th</sup> January 2019

Notice has been given by Code Red Promotions Ltd applying for a Licence for a Sexual Entertainment Venue (SEV) at 75 Prince of Wales Road, Norwich, asking for objections to be made to Norwich City Council.

I am owner of Sugar & Spice which is a licensed table dancing venue on Prince of Wales Road in the 'Late-Night Activity Zone'. I am therefore a person carrying on a business of a sex establishment in Norwich and likely to be affected by any new or revised SEV policy and this is my objection.

I was at the Council's Licensing Committee meeting on 18<sup>th</sup> December 2018. The Committee discussed the Council's 'sex establishment policy' (which was item 7 on the agenda).

There was a long discussion about localities within Norwich City Council area and the appropriate number of Sexual Entertainment Venues within each relevant locality. Norwich City Council Licensing Committee resolved to set a limit on the number of sex establishments in the 'Late Night Activity Zone' to two.

*'Local Authorities have discretionary powers to refuse applications for SEVs where the number of sex establishments in the relevant locality at the time the application is made is equal to the number which the Council considers appropriate for that locality.'* **Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.**

The decision was based on the reasoned argument that more than two SEVs in this area would have a negative effect on the character of the area and the potential for a negative impact here.

Members took into consideration that *'the numbers of existing licensed sexual establishments in the city had reduced because one SEV within the Late-Night Activity Zone did not reapply for its licence.'* This 'one SEV' is the applicant Lace.

I object to the granting of a new SEV Licence on this basis. As one of the two businesses currently licensed and operating in this locality we are already regulated and have paid substantial application and renewal fees to allow this. Members have decided to cap the number in our area to two. It would be perverse to grant any new SEV Licences here only to cause one of the three that would be licensed in September 2019 to be revoked. This would be unreasonable, disproportionate and it is clearly a situation that the Authority has the ability to prevent.



**NORWICH**  
City Council

SEX ESTABLISHMENT  
POLICY STATEMENT  
INCORPORATING GUIDANCE AND  
STANDARD CONDITIONS

### **3.0 Scope**

3.1 This policy relates to any premises wishing to operate as a Sex Shop, Sex Cinema or Sexual Entertainment Venue in Norwich.

3.2 Not all premises will automatically require a licence. Where there is an exemption within the legislation this has been set out in this policy document.

3.3 Notwithstanding matters contained within this policy document, consideration will be given to the provisions of the Human Rights Act 1998 when considering applications for Sex Establishment licences.

### **4.0 Policy and Procedures statement**

4.1 This Policy became effective on 11 December 2014 and supersedes all previous licence conditions adopted by Norwich city council.

4.2 The council does not take a moral stance through the adoption of this policy. We recognise that Parliament has made it lawful to operate a sex establishment, and that such businesses are a legitimate part of the retail and leisure industries. It is our role as a licensing authority to regulate such premises in accordance with the law.

## **SEX ESTABLISHMENT LICENSING**

### **5.0 Types of Sex Establishment**

5.1 There are 3 types of sex establishments; Sex Shops, Sex Cinemas and Sexual Entertainment Venues.

5.2 Not all of these premises automatically require a licence. This is due to certain provisions and exemptions within the legislation. The criteria for requiring a licence is laid out below.

#### **5.5 Sexual Entertainment Venue**

The legislation defines a Sexual Entertainment Venue as:

“2A (1) In this Schedule “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.

(2) In this paragraph “relevant entertainment” means—

(a) any live performance; or

(b) 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).

(3) The following are not sexual entertainment venues for the purposes of this Schedule—

(a) sex cinemas and sex shops;

(b) premises at which the provision of relevant entertainment as mentioned in sub-paragraph (1) is such that, at the time in question and including any relevant entertainment which is being so provided at that time—

(i) there have not been more than eleven occasions on which relevant entertainment has been so provided which fall (wholly or partly) within the period of 12 months ending with that time;

(ii) no such occasion has lasted for more than 24 hours; and

(iii) no such occasion has begun within the period of one month beginning with the end of any previous occasion on which relevant entertainment has been so provided (whether or not that previous occasion falls within the 12 month period mentioned in sub-paragraph (i));

(c) premises specified or described in an order made by the relevant national authority.

*(4) – (12) omitted as they refer to other matters*

(13) For the purposes of this Schedule references to the use of any premises as a sexual entertainment venue are to be read as references to their use by the organiser.

(14) In this paragraph—

“audience” includes an audience of one;

“display of nudity” means—

(a) in the case of a woman, exposure of her nipples, pubic area, genitals or anus; and

(b) in the case of a man, exposure of his pubic area, genitals or anus;

“the organiser”, in relation to the provision of relevant entertainment at premises, means any person who is responsible for the organisation or management of—

(a) the relevant entertainment; or

(b) the premises;

“premises” includes any vessel, vehicle or stall but does not include any private dwelling to which the public is not admitted;

and for the purposes of sub-paragraphs (1) and (2) it does not matter whether the financial gain arises directly or indirectly from the performance or display of nudity.”

## **9.0 Determination of applications**

9.1 Section 12 (1)(a-e) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 prohibits the Licensing Authority from granting a licence:

“

- (a) to a person under the age of 18; or
- (b) to a person who is for the time being disqualified from holding a licence following revocation of such a licence; 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 6 months immediately preceding the date when the application was made; or
- (d) to a body corporate which is not incorporated in an EEA state;
- (e) to a person who had, 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.”

**Please note there is no right of appeal against refusal on these grounds.**

9.2 If none of the above applies to the applicant and no objections have been received and there are no other statutory grounds for refusal, including that the application does not exceed any permitted numbers, the application will be granted by way of delegated authority. However if any objections have been received, or if there are concerns regarding the characteristics of the locality, the application will be referred to the Council's Licensing Committee for a hearing of the application.

9.3 Section 12 (3)(a-d) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 provides that the Licensing Authority may refuse an application for the grant or renewal of a licence on one or more of the following grounds:

- “
- (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 relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewed or transfer of such a licence if he made the application himself;
- (c) that the number of sex establishments or of sex establishments of a particular kind, in the relevant locality at the time the application is made (determined) is equal to or exceeds the number which the authority consider is 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; or
  - (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. “

An application for the transfer of a licence can only be refused by virtue of the (a) & (b) above.

9.4 Each application will be decided upon its own merits. The Licensing Authority will not apply a rigid rule to its decision making.

9.5 The Licensing Authority will give clear reasons for its decisions.

9.6 When issuing a Sex Establishment Licence the Licensing Authority is permitted to issue it on such terms and conditions and subject to restrictions as specified at the time the licence is issued. In addition to this the Licensing Authority has the power to make standard conditions applicable to all licences for sex establishments.

9.7 It is an offence to breach the conditions and the penalty for this is a fine not exceeding £20,000.

9.8 Details of the standard conditions relating to each type of licence are contained in Appendices B-D. Should these standard conditions be amended at any time in the future, they would apply to all licences already issued as if the conditions had been in place at the time they were granted..

#### **9.10 Duration of licence**

The Licensing Authority will, unless there are exceptional reasons otherwise, grant licences for the maximum duration of one year to provide certainty to those operating businesses, unless the licence is revoked during this period.

#### **9.11 Right to appeal a decision**

If an application is refused, or revoked, following a hearing, then the applicant will be informed of the decision and whether there is any right of appeal. Appeals must be made to the local magistrates' court within 21 days, starting from the date the applicant is notified of the Licensing Authority's decision. It should be noted that a fee may be payable to the magistrates to lodge such an appeal. Applicants can appeal against the refusal of a grant, renewal, variation or transfer application, or against the decision to revoke a licence. They can also appeal against conditions or restrictions imposed. Please note that you cannot appeal against the Licensing Authority's decision if the application was refused on the grounds that:

- the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality; or
- the grant of the licence would be inappropriate considering the character of the area, the nature of other premises in the area, or the premises themselves.

The Magistrates' court will determine the appeal application. If you do not agree with the decision made by the magistrates' court, you can appeal to the local Crown court. The decision made by the Crown court will be final. The Licensing Authority must comply with a decision made by the Magistrates or Crown court.

### **11.0 Definitions & Guidance Documentation**

#### **11.1 Relevant Localities**

In considering the characteristics of a locality the Licensing Authority shall particularly take account of the density and proximity of:

(1) schools, nurseries, crèches, youth hostels and other similar educational or recreational facilities attended by children,

- (2) parks and children's play areas,
- (3) residential and sheltered accommodation,
- (4) religious and community buildings,
- (5) alcohol or entertainment licensed premises,
- (6) other retail units (and their uses).

## 11.2 Numerical Limits

The Licensing Authority can refuse applications for new or renewed licences where the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which we consider appropriate for that locality. This number can be 'nil'. The Council recognises that different parts of the City have different characteristics and therefore each application should be judged on its own merits.

## **SEXUAL ENTERTAINMENT VENUES**

### 11.9 Relevant entertainment

Licences for sexual entertainment venues are required for "any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer".

"Relevant entertainment" is defined in schedule 3 (as amended by section 27 of the Policing and Crime Act 2009) as "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 an audience (whether by verbal or other means)." An audience can consist of just one person, e.g. in a private booth.

In deciding whether entertainment is "relevant entertainment" the Licensing Authority will judge each case on its merits, but will generally apply to:

- (1) lap dancing
- (2) pole dancing
- (3) table dancing
- (4) strip shows
- (5) peep shows
- (6) live sex shows

Adult entertainment not classed as "relevant entertainment" may still require regulation under the Licensing Act 2003.

### 11.10 Nudity

Section 27 of The Policing and Crime Act 2009 defines the "display of nudity" as:-

- (a) in the case of a woman, exposure of her nipples, pubic area, genitals or anus; and
- (b) in the case of a man, exposure of his pubic area, genitals or anus.

*For further information in relation to regulation of Sexual Entertainment*

*Venues please refer to the Home Office Guidance issued in March 2010 entitled "Sexual Entertainment Venues – Guidance for England and Wales".*

#### 11.11 Suitable number of trained staff

Conditions require that the Licensee must ensure that a suitable and sufficient number of trained staff are employed to supervise the interior of the Premises ("floor supervisors") to ensure that conditions of licence are complied with, in particular the no touching conditions, and to ensure the safety of customers, performers and persons working in the premises.

A suitable and sufficient number should be determined by carrying out a risk assessment of all activities, design of the premises (including accessibility to all areas), and number of performers. This should be linked to the capacity of the premises.

#### 11.12 Adequate non-public changing rooms for performers

Conditions require that the Licensee shall provide adequate non-public changing rooms for performers. This means that there should be separate changing rooms for all genders and that different genders should not share changing rooms at the same time. Non-public means that the Licensee should ensure that the public do not have access to these changing facilities at any time and appropriate measures should be employed to ensure this.

**APPENDIX D**  
**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**  
**STANDARD SEX ESTABLISHMENT LICENCE CONDITIONS**  
**RESTRICTIONS AND TERMS APPLICABLE TO SEXUAL**  
**ENTERTAINMENT VENUE PREMISES**

**INTRODUCTION**

1. In these Conditions “The Council” shall mean the Norwich City Council and all enquiries concerning this licence shall be directed to the Licensing Team, Citywide Services, Norwich City Council, City Hall, St Peters Street Norwich NR2 1NH.
2. These conditions are imposed by the Council, pursuant to its powers under paragraph 13 (1) of Schedule 3 to the above Act, as terms, conditions and restrictions on a subject to which a licence is, in general, to be granted, renewed or transferred by the Council save, and insofar as, they do not conflict with the provisions of the Act itself.
3. These conditions are only applicable to a “Sexual Entertainment Venue” premises.

**Management of the Premises**

4. The Licensee, or a responsible person over the age of 18 having been nominated by him and approved in writing by the Council for the purpose of managing the sex establishment (“the manager”), shall have personal responsibility for and be present on the Premises at all times when the Premises are open to the public.
5. Where the Licensee is a body corporate or an incorporated body, any change of director, company secretary or other person responsible for the management of the body shall be notified in writing to the Council within 14 days of such change and such written details as the licensing authority may require in respect of the change of personnel shall be furnished within 14 days of a request in writing from the Council.
6. A copy of the licence and any special conditions attached shall, at all times, be displayed in a conspicuous position on the Premises so as to be available for inspection by the police, the fire authority, and authorised officers of the Council.
7. The name of the person responsible for the management of the Premises, whether the Licensee or the manager, shall be displayed in a conspicuous position within the Premises throughout the period during which he is responsible for the conduct of the Premises.
8. The Licensee shall retain control over all areas of the Premises and shall not let, licence or surrender possession of any area. The Council must be immediately notified in the event that any area of the Premises is affected by the termination of a lease or other event affecting the Licensee’s control of the Premises.
9. The Licensee shall ensure that the public is not admitted to any part of the Premises that has not been licensed, other than toilet facilities where provided for customers.
10. Neither the Licensee nor any employee or agent shall personally solicit custom for the sex establishment outside or in the locality of the Premises.

11. The Licensee shall maintain a daily register in which shall be recorded the name and address of any person who is to be responsible for managing the Sex Establishment in the Licensee's absence and the names and addresses of those employed in the Sex Establishment. The Register is to be completed each day within thirty minutes of the Sex Establishment being opened for business and is to be available for inspection by the police and by authorised officers of the Council.

12. The Licensee shall take all reasonable precautions for the safety of the public, employees and other persons working in the premises.

13. The Licensee must ensure that a suitable and sufficient number of trained staff are employed to supervise the interior of the Premises ("floor supervisors") to ensure that conditions of licence are complied with, in particular the no touching conditions, and to ensure the safety of performers.

14. No person under the age of 18 shall be admitted to the Premises.

15. The Licensee shall adopt a procedure to check the age of customers entering the premises who appear to be younger than 25 in order to ensure that they are not under the age of 18.

16. All persons working in the premises, including Performers, shall be aged not less than 18 years. The Licensee must maintain adequate records of the names, addresses and dates of birth of performers including adequate identity checks.

17. The Licensee must submit a set of "House Rules" to the Licensing Authority as part of the application process; these rules will form part of the licence, and must be complied with. Furthermore they must ensure that all performers are fully conversant with and sign an agreement to adhere to such House Rules.

18. In the event that an authorisation under the Licensing Act 2003 does not require the provision of a CCTV system, then the Licensee shall ensure a closed-circuit television system is installed internally and externally to the satisfaction of the Norfolk Constabulary. Appropriate notices must be displayed in accordance with the Data Protection Act 1998, advising that CCTV is in operation. In addition the Licensee must ensure that the requirement under that Act regarding registration with the Data Protection Commissioner is complied with.

19. CCTV recordings will be made available for viewing by authorised Officers of the licensing authority or the police. Copies of such recordings must be kept for a period of 31 days and be provided upon request.

20. CCTV must be capable of monitoring the whole of the premises, in particular any private booths or rooms to ensure the safety and security of performers and other persons within the premises. The CCTV system must be monitored by a dedicated member of staff or security personnel at all times that the premises are in operation.

21. The Licensee shall ensure that neither they nor any person promoting or providing entertainment on the Premises (nor any person acting on behalf of any such person) shall display advertisements promoting the entertainment or the Premises in any unlawful manner.

22. Where the Council have given notice in writing to the Licensee objecting to an advertisement on the grounds that, if displayed, it would offend against good taste or decency or be likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling, that advertisement shall not be displayed.

23. The Council may specify, in writing, the number of members of the public that shall be present on the Premises at any time whilst relevant entertainment takes place, on the grounds of public safety, public nuisance or crime and disorder. The Licensee shall ensure that the number specified is not exceeded at any time.

24. The Licensee shall provide upon request copies of any documents reasonably required by an authorised officer of the Council in relation to compliance with this Licence.

25. The Licensee shall provide adequate non-public changing rooms for performers.

### Opening of the Premises

26. Relevant entertainment may only be provided during the hours permitted by an authorisation under the Licensing Act 2003 unless a specific condition on the Sex Establishment Licence permits otherwise.

### Operation of the Premises

27. Approval from the Council is required for changes from:

- a sex shop (including a mail-order shop) to either a sex cinema or sexual entertainment venue
- sex cinema to either a sex shop or sexual entertainment venue
- a sexual entertainment venue to either a sex cinema or a sex shop.

This will require consideration of an appropriate application.

28. No sex articles or other items intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity shall be used, displayed, sold, hired, exchanged, loaned or demonstrated in a sexual entertainment venue or a sex cinema.

### External Appearance

29. A notice stating that no person under the age of 18 shall be admitted to the premises must be displayed on the outside of the Premises. The notice must also include a statement that proof of age may be requested.

30. The exterior design of the premises shall be such that the interior of the premises is not visible to passers-by.

31. The windows and openings of the Premises shall be of a material or covered with a material, which will ensure the interior of the Premises is not visible to passers-by. At no

time shall performers or persons working in the premises be visible from outside of the Premises, with the exclusion of Door Supervisors.

32. 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 on the Premises.

33. External advertising of relevant entertainment shall not include any of the following:

- a) any depiction of full nudity
- b) any depiction of partial nudity (including the display of breasts, buttocks or genitalia)
- c) any depiction of overtly sexual or violent images or any other images which may give rise to concerns in respect of public decency or protection of children or vulnerable persons from harm.

34. 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:

- (i) The licensed name of the premises may be displayed, unless the Council determines that the name is of a profane or sexual nature or gives other cause for concern.
- (ii) The form of warning notice required to be displayed by virtue of the provisions of Section 1(6) of the Indecent Displays (Control) Act 1981.
- (iii) A notice stating the opening hours of the establishment.

35. The lettering used in respect of such permitted items:-

In the case of the permitted items at paragraph 34 'i', 'ii' and 'iii' the lettering used shall not exceed 15 cm (approximately 6" inches) in height for each letter.

36. (a) No other words or signs, or any displays or advertisements, shall be displayed on the outside of the Premises or in the vicinity of the Premises unless approved by the Council in writing;

(b) No external loudspeakers may be installed.

State, Condition and Layout of the Premises

37. Notwithstanding the Licensee's duties under the Health and Safety at Work etc Act 1974 and related legislation and his obligations under any lease or other agreement for the use of the Premises, he/she shall maintain the Premises in good repair and condition.

38. External doors shall be closed at all times other than when persons are entering or leaving the Premises or unless there is an internal lobby with doors preventing the inside of the premises being viewed externally. The external doors shall be fitted with a device to ensure their automatic closure and such devices shall be maintained in good working order.

39. The Premises shall be fitted with an inner entrance door or screen so that no part of the interior of the Premises or any of the contents of the premises shall be visible when persons are entering or leaving the Premises. Such inner entrance door or screen shall

be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.

40. No access shall be permitted through the Premises to any other Premises adjoining or adjacent except in the case of emergency.

41. Lighting shall be in operation continuously during the whole of the time that the Sex Establishment is open to the public.

42. Alterations or additions, either internal or external, or any proposed amendments to licence conditions shall not be made to the premises without prior written consent from the Council. An application will be required in order for consent to be considered, which will be considered by the council's Licensing Committee.

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

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

#### Provision of Relevant Entertainment

45. Live music or the playing of recorded music, which is integral to the provision of relevant entertainment, will be subject to the same conditions contained in any authorisation under the Licensing Act 2003 in respect of live or recorded music. The only exception to this is where a specific condition on the licence requires otherwise.

46. Performers shall only perform in specified designated areas, to seated customers or in such other areas of the licensed Premises as may be agreed in writing with the Council.

47. The Licensee is to implement a policy to ensure the safety of the Performers when they leave the Premises after a period of work.

48. Performers must remain clothed in public areas and all other areas except while performing in areas specified by the Council as being where relevant entertainment may be provided.

49. At the conclusion of performances all articles of clothing removed during that performance must be put back on. This does not prevent performers going to their non-public changing area to change their attire.

50. Performers may not accept any telephone number, email address, address or contact information from any customer.

51. Performers may not give any telephone number, email address, address, contact information or business card to any customer or in any way solicit themselves.

52. Performers must not perform a nude table dance unless in a supervised area.

53. Performers are never to be in the company of a customer except in an area open to the public within the Premises (this excludes the toilets as performers must not use the public toilets whilst open to the public).

54. The Licensee must ensure that during the performance of a table or lap dance:

- (1) customers must be seated in an upright position against the back of the booth or seat with their hands by their sides before a dancer can start a table dance;
- (2) customers must remain seated during the entire performance of the dance;
- (3) for the purpose of restraint only, Performers may only touch a customer above the customer's chest (excluding the head) with their hands only;
- (4) Performers must not sit on or straddle the customer;
- (5) Performers must not place their feet on the seats.

55. The Licensee must ensure that during performances of relevant entertainment:

- (1) Performers may not perform any act that clearly simulates any sexual act;
- (2) Performers must never intentionally touch the genitals, anus or breasts of another dancer or to knowingly permit another dancer to intentionally touch their genitals, anus or breasts;
- (3) Performers may not intentionally touch a customer any time during the performance unless absolutely accidentally or due to a third party;
- (4) Performers may not use inappropriate, suggestive or sexually graphic language at any time;
- (5) Performers must not engage in communications that could be deemed as acts of prostitution or solicitation, even if the Performer has no intention of carrying out the act;
- (6) Performers must only perform nude or semi-nude dancing (of any description) within areas specified by the Council.

56. The Licensee must ensure that during performances of relevant entertainment:

- (1) Customers may not dance at any time except in areas specifically designated by the Council as being separate from areas for sexual entertainment.
- (2) Customers must remain appropriately clothed at all times.

57. At all times there must be no physical contact between customers and employees, or other persons working within the premises, in any part of the premises save for the following:-

- The payment of an entry fee by customers to authorised members of staff.
- The payment of a fee for relevant entertainment.
- The purchasing of drinks by customers from authorised members of staff.
- The placing of bank notes by the customer in a garter worn by females or an armband worn by males.
- SIA door staff in the execution of their duties.

58. Relevant entertainment will only take place in specified designated areas within the premises, as identified on the plan attached to the licence.

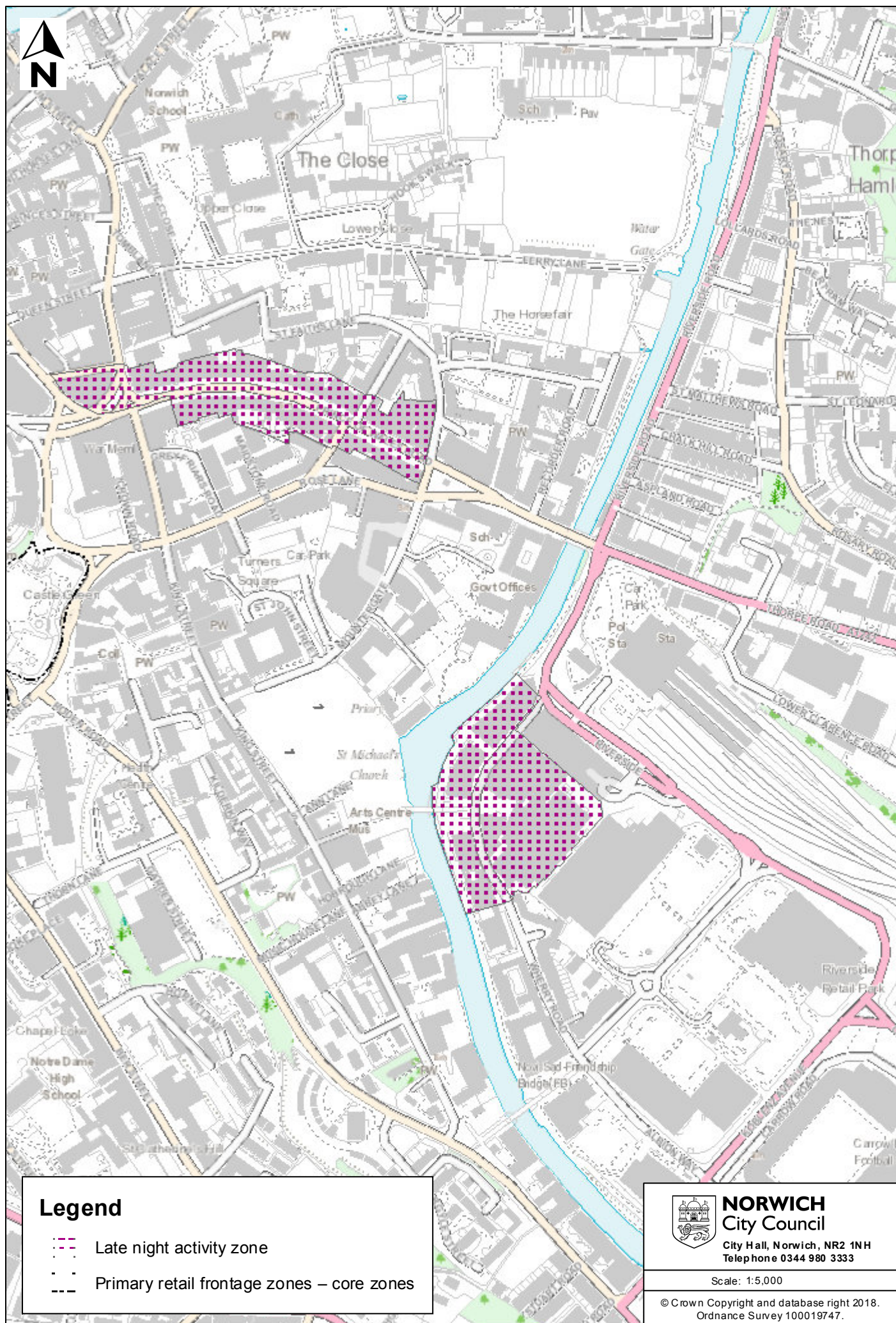
59. Notices outlining condition 56 will be clearly displayed at each entrance to the premises and in the specified designated areas. Notices must state that no touching relates to customers touching performers and other persons working within the premises and vice versa.

60. Performers will stop immediately and move away from any customer who is offensive or attempts to touch them, and shall report such behaviour and any other inappropriate behaviour or breach of house rules to the management. If after receiving a warning a customer continues behave inappropriately, the customer must be requested to leave the premises and should be escorted from the premises by appropriately authorised staff only (i.e. SIA registered door supervisors).

#### Licensed Name

61. (a) The Council at the time of granting the licence in respect of the premises shall appoint a name referred to as "The Licensed Name" by which it is intended that the premises shall be known and the licence holder shall ensure that the premises are known solely by that name and by no other, save as provided for by paragraph (b) below. Such name shall have been provided on the application form.

(b) An application in respect of a change of licence name shall be made to the Council in writing 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.



## 6. Sex Establishment Policy

The environmental protection, licensing and markets manager presented the report. He said in 2014 the council adopted its Sex Establishment Policy. In September 2017 four Sexual Entertainment Venues (SEVs) in the city applied and were granted licences. At the time the licences were determined, the policy was amended to determine relevant localities for making applications within the city. Three localities had been identified; the Late Night Economy Zone (which included three SEVs), the City Centre Leisure Area (which contained one SEV) and all other areas outside of these two.

At the meeting of the licensing committee in September 2018, members amended the City Centre Leisure Area to incorporate the location of the one licensed sex shop in the city. At this meeting members requested research be conducted and presented to committee in order to enable it to consider the setting of an appropriate number of sex establishments within each relevant locality.

Members discussed the appropriate numbers within each relevant locality. The numbers of existing licensed sexual establishments in the city had reduced because one SEV within the Late Night Activity Zone did not reapply for its licence.

In response to a member question the environmental protection, licensing and markets manager said that if the council set a cap on the numbers of sex establishments within each of the relevant localities applications above this number were not automatically refused and any decision to refuse an application could be appealed.

Members discussed the possibility of separating out the categories of sex establishments and setting appropriate numbers to each category but it was decided not to pursue this.

### **RESOLVED** to:

- 1) set a limit on the number of sex establishments in the relevant localities as follows; Late Night Activity Zone: two sex establishments; City Centre Leisure Area (as amended): two sex establishments, all other areas: zero sex establishments ; and
- 2) authorise the head of citywide services to consult on the draft Sex Establishment Policy.

#### 4. Location of Licensed Premises

The Authority acknowledges that a concentration of licensed premises in a particular area can result in a potential fear of crime, anti-social behaviour, noise pollution and other disturbance to residents. In such cases the amenity of local residents can be placed under severe pressure.

In considering the characteristics of a locality the Authority will take account of the density and proximity of:

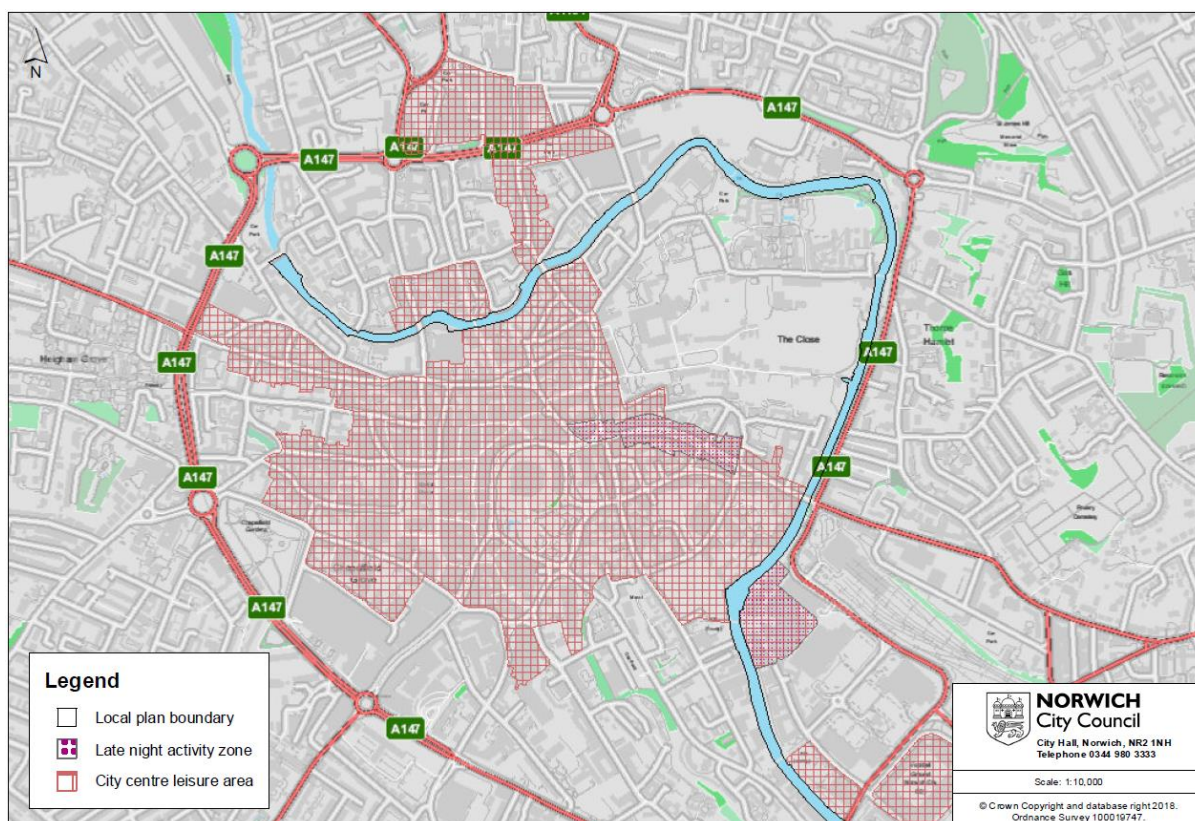
- schools, nurseries, crèches, youth hostels and other similar educational or recreational facilities attended by children,
- parks and children's play areas,
- residential and sheltered accommodation,
- religious and community buildings,
- alcohol or entertainment licensed premises,
- other retail units (and their uses).

As provided for under the provisions of the Act, the Authority can refuse applications for new or renewed licences where the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number the number which we consider appropriate for that locality. This number can be 'nil'.

In recognising that different parts of the City have different characteristics the Authority has imposed a limit on the number of premises that may be licensed in a given area, and will treat each application upon its own merits. The Authority considers the maximum numbers should be:

Locality	number
Late Night Activity Zone	2
City Centre Leisure Area <sup>1</sup> (outside of the LNAZ)	2
City Council area outside of the City Centre Leisure Area	nil

The Authority expects that applications for licences for permanent commercial premises should be from businesses with planning consent for the property concerned.



Map showing the relevant localities of Late Night Activity Zone and City Centre Leisure Area<sup>1</sup>

<sup>1</sup> The relevant locality of the City Centre Leisure Area is slightly amended from that shown on the plan above so as to also include St Augustines Street from the junction of Pitt Street to the junction of Esdelle Street with the boundary placed through the centre of the street, such that the area incorporates the existing licensed sex establishment at 39 St Augustines Street.