



## SEX ESTABLISHMENT LICENCE

### LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 As amended by the POLICING AND CRIME ACT 2009 (Section 2 and Schedule 3)

**Maidstone Borough Council** being the licensing Authority under Schedule 3 of the above Act as amended by the Policing and Crime Act 2009, **GRANT A LICENCE** to:

**Name:** Mr. Pemble  
**At the premises situated and known as:** Players  
57 High Street  
Maidstone  
Kent. ME14 1SY

The licence is issued subject to the standard conditions contained in the Maidstone Borough Council policy as approved on 2nd March 2011 relating to such licences and also to the varied conditions set out in the attached Schedule.

**Licence number:** 13/00702/SEXEST  
**Date licence granted:** 16th May 2013  
**Expiry date of licence:** 15th May 2014



**Neil Harris**  
**Head of Democratic Services**  
**Maidstone Borough Council**

**Dated: 9th May 2013**

A copy of this licence and any regulations prescribing standard conditions made by the authority must be kept exhibited in a conspicuous position at the premises known as 'Players' 57 High Street, Maidstone, Kent. ME14 1SY

(Failure to do so without reasonable excuse is an offence punishable by a fine not exceeding level 3 on the standard scale of fines).

### **Extract from the Local Government (Miscellaneous Provisions) Act 1982**

#### **Appeals (Sched.3, para. 27)**

27. – (1) Subject to sub-paragraphs (2) and (3) below, any of the following persons that is to say –

- (a) an applicant for the grant, renewal or transfer of a licence under the Schedule whose application is refused;
- (b) an applicant for the variation of terms, conditions or restriction on or subject to which any such licence is held whose application is refused;
- (c) a holder of any such licence who is aggrieved by any term, condition or restriction on or subject to which licence is held; or
- (d) a holder of any such licence whose licence is revoked may at any time before the expiration of the period of 21 day beginning with the relevant date appeal to the magistrates' court acting for the relevant area.

(2) An applicant whose application for the grant or renewal of a licence is refused, or whose licence is revoked, on any ground specified in paragraph 12(1) above shall not have a right to appeal under this paragraph unless the applicant seeks to show that the ground did not apply to him.

(3) An applicant whose application for the grant or renewal of a licence is refused on either ground specified in paragraph 12(3)(c) of (d) above shall not have the right to appeal under this paragraph.

(4) In this paragraph – “the relevant area” means –

- (a) in relation to premises, the petty sessions area in which they are situated; and
- (b) in relation to a vehicle, vessel or stall, the petty sessions area in which it is used or, as the case may be, desired to be used as a sex establishment; and “the relevant date” means the date on which the person in question is notified of the refusal of his application, the imposition of the term, condition or restriction by which he is aggrieved or the revocation of his licence, as the case may be.

(5) An appeal against the decision of a magistrates' court under this paragraph may be brought to the Crown Court.

(6) Where an appeal is brought to the Crown Court under sub-paragraph (5) above, the decision of the Crown Court shall be final: and accordingly in section 28(2)(b) of the Supreme Court Act 1981 for the words “of the Gaming Act 1986” there shall be substituted the words “or the Gaming Act 1968” there shall be substituted the words “the Gaming Act 1968 or the Local Government (Miscellaneous Provisions) Act 1982”.

(7) On an appeal to the magistrates' court for the Crown Court under this paragraph the court may make such order as it thinks fit.

(8) Subject to sub-paragraphs (9) to (12) below, it shall be the duty of the appropriate authority to give effect to an order of the magistrates' court or Crown court.

(9) The appropriate authority need not give effect to the order of the magistrates' court until the time for bringing an appeal under sub-paragraph (5) above has expired and, if such an appeal is duly brought, until the determination or abandonment of the appeal.

(10) Where a licence is revoked or an application for the renewal of a licence is refused, the licence shall be deemed to remain in force –

- (a) until the time for bringing an appeal under this paragraph has expired and, if such an appeal is duly brought, until the determination or abandonment of the appeal; and
- (b) where an appeal relating to the refusal of an application for such a renewal is successful and no further appeal is available, until the licence is renewed by the appropriate authority.

(11) Where-

- (a) the holder of a licence makes an application under paragraph 18 above; and
- (b) The appropriate authority impose any term, condition or restriction other than one specified in the application, the licence shall be deemed to be free of it until the time for bringing an appeal under this paragraph has expired.

(12) Where an appeal is brought under this paragraph against the imposition of any such term, condition or restriction, the licence shall be deemed to be free of it until the determination or abandonment of the appeal.



## **SEX ESTABLISHMENT LICENCE CONDITIONS**

### **Sexual Entertainment Venue Conditions**

#### **Times of Opening**

##### **Condition 1**

The premises shall not open unless otherwise permitted:

Monday to Sunday 20.30 - 02:00  
New Years Eve 20.30 - 03:00

#### **Conduct and Management of Premises**

##### **Condition 2**

The name of the person responsible for the management of the sex establishment being either the Licensee or a manager approved by the Council, shall be displayed within the sex establishment throughout the period during which he is responsible for its conduct.

##### **Condition 3**

The licensee or the responsible person shall maintain a daily register to be kept on the premises and produced to an authorised officer on request. The register to be completed each day within 30 minutes of the Sex Entertainment Venue opening for business and will record the name and contact details of any person who is to be responsible for managing the Sex Entertainment Venue in the absence of the licensee and details of all staff employed at the premises including performers.

##### **Condition 4**

A notice showing the name of the person responsible for the management of the sex entertainment venue on that day to be displayed within the sex establishment throughout the period during which he is responsible for its conduct.

##### **Condition 5**

Where the licensee is a body corporate or an unincorporated body any change of director, company secretary or other person responsible for the management of the body is to be notified in writing to the Council within 14 days of such change.

#### **Condition 6**

The licensee shall ensure that no part of the building or its boundary is used by prostitutes (male or female) for the purposes of soliciting or any other immoral purposes. Neither the licensee nor any employee or other person shall seek to obtain custom by means of personal solicitation outside or in the vicinity of the premises.

#### **Condition 7**

The licensee shall ensure that the public are not admitted to any part or parts of the premises other than those that have been approved by the Council.

#### **Condition 8**

Licensee shall maintain good order on the premises and in particular shall ensure that no

- lewd conduct
- indecent behaviour
- unlawful possession and/or supply of controlled drugs
- conduct likely to cause a breach of the peace on the premises
- offers of any sexual or indecent service for reward
- any acts of violence against person or property and/or the attempt or threat of such acts

takes place on the premises or in its immediate vicinity

#### **Condition 9**

A management operation manual detailing all aspects of procedure when the premises is operating relevant entertainment shall be produced and approved by the Licensing Authority. This document shall be on going and under constant review.

#### **Condition 10**

All members of staff (except performers) shall be easily identifiable. If required by the Council or Kent Police in writing the licensee shall ensure that during the hours the premises are open for relevant entertainment staff will wear a badge of a type/format approved by the Council indicating their name and that they are an employee or person working in the premises.

#### **Age Restriction**

#### **Condition 11**

No person under the age of 18 shall be admitted to the premises or employed in the business of the sex establishment.

**Condition 12**

A prominent clear notice shall be displayed at each entrance to the premises advising customers that no person under 18 will be admitted and they may be asked to produce evidence of their age.

**PERSONS UNDER 18 CANNOT BE ADMITTED TO THESE PREMISES**

**Advertising**

**Condition 13**

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

**Condition 14**

The licence holder shall not display outside the premises, or on any advertising material, photographs or other images that indicate and suggest striptease or similar dancing takes place on the premises and which may be offensive. Any promotional advertising in respect of the premises must have prior approval of the licensing Authority before its display/distribution.

**Condition 15**

The premises should not advertise by means of cruising vehicles or use of any other form of solicitation to invite people into the premises.

**External and Internal access to an area holding relevant entertainment**

**Condition 16**

The entrances to the premises shall be of a material or covered with a material that will render the interior of the premises invisible to passers by.

**Condition 17**

Windows and openings within the premises other than entrances will have curtains / blinds of a type and size that covers windows and openings which render the interior of the premises where relevant entertainment is taking place invisible to passers by and/or other areas within the building that are open to the public for other activities.

**Condition 18**

Windows will remain closed whilst the premises or part of that premises is being used for relevant entertainment.

## **Layout of the premises**

### **Condition 19**

No fastening of any description shall be fitted upon any booth or cubicle within the premises.

### **Condition 20**

All temporary dance booths or cubicles are covered by CCTV which will be monitored throughout all performances by an SIA registered member of staff.

### **Condition 21**

Any changes to layout of the premises must be informed to the licensing authority in writing submitting plans. Alteration must not take place without prior written consent by the Licensing Authority

### **Condition 22**

The licensee shall ensure that noise from the premises or vibration be transmitted through the structure of the premises does not give rise to a nuisance to the occupiers of premises in the vicinity of the venue.

### **Condition 23**

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

### **Condition 24**

Doors and openings which lead to parts of the premises to which the public are not permitted to have access shall have notices placed over them marked 'private' and remain closed other than for the purposes of the ingress and egress of management, staff and performers.

## **Entertainers/Performers**

### **Condition 25**

An appropriate room shall be set aside to provide a changing and rest area for entertainers. Arrangements shall be made to ensure that there is restricted public access to this room which shall be maintained at all times whilst the licensable activities are taking place and until such time as all performers using the dressing room have finished.

**Condition 26**

At all times during the performance, performers shall have direct access to a dressing room without passing through or in close proximity to the audience.

**Condition 27**

On leaving the premises performers, who wish to be, shall be escorted by a staff member to their vehicle or other safe location

**Condition 28**

Performers shall be aged not less than 18 years old.

**Condition 29**

Only the performers shall provide the entertainment, no audience participation shall be permitted.

**Condition 30**

No performance shall include a sex act with any other performer, persons in the audience or with the use of any object or animal.

**Condition 31**

In the event of the relevant entertainment being performed for private viewing, the patron shall be informed of the duration and price of the relevant entertainment and the details shall be specified in a clearly visible notice in each area designed for private relevant entertainment.

**Condition 32**

Any person who can be observed from the outside of the premises must be properly and decently dressed. Scantily clad individuals shall not exhibit in the entranceway or in an area of the premises open to the public that is not designated area for relevant entertainment.

**Condition 33**

All performers shall be aware of the management operation that will include a written policy on the conduct of performers.

**Condition 34**

Photography or videoing of performances should not be allowed.

**Condition 35**

There shall be routine checking of employment records and evidence that all prospective staff and performers have the right to work in the UK.

#### Condition 36

Performers should not be permitted to arrange contacts or liaisons, exchange telephone numbers or other means of making contact while on the premises

#### **Staffing**

#### Condition 37

During any lap dancing performance, or private dance, performers may not:

- Touch any customers with their fingers.
- Perform within 6" from any part of a patron save that they are allowed to sit on the lap of a customer provided they sit with their backs to the customer.
- Climb onto furniture provided for patrons.
- Simulate sex acts.
- Use sex articles.

#### **Sale of Goods**

#### Condition 38

Neither sex articles nor other things 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 displayed, sold, hired, exchanged, loaned or demonstrated in a Sex Entertainment Venue.

#### **Display of Tariff and Charges**

#### Condition 39

There shall be prominently and legibly displayed a comprehensive tariff of all charges and prices which shall be illuminated and placed in such a position that it can easily and conveniently be read by persons before entering the premises. No employee shall stand in such a position as to obscure the notice.

#### Condition 40

Where a charge is to be made for the company of a hostess or other companion this shall be identified on the tariff of charges to the satisfaction of the Council.

#### Condition 41

No order shall be accepted unless the customer has been provided with a copy of the said tariff and has been given sufficient time and opportunity to read it.

#### Condition 42

No charge shall be made to the customer for any drink provided for the hostess or companion unless that customer has specifically ordered it having first been made aware of the cost.

## **Use of Premises**

### **Condition 43**

No change from a sex shop or sex cinema to a sexual entertainment venue cinema or from a sex entertainment venue to a sex shop or sex cinema shall be effected without the consent of the Council.

### **Condition 44**

The words "Gentlemans Club" will be removed from signs on the premises frontage and from any advertising signs for the premises within one month from the date of receipt of this decision.

## **INFORMATIVE.**

The licence holder should review and use his best endeavours to improve the disabled access to toilet facilities at the premises. He should demonstrate to the Licensing section within 3 months that he has explored possibilities with relevant officers at Maidstone Borough Council.

## **Additional Conditions**

### **Security**

#### **Condition b**

Door supervisors, registered in accordance with the Security Industry Authority (SIA) shall be on duty at all times when relevant entertainment is taking place.

#### **Condition c**

An adequate number of door supervisors shall be on duty on the premises whilst relevant entertainment takes place. There shall be at least one door supervisor on each entrance, in each separate part of the premises and on the door to the dressing room.

#### **Condition d**

CCTV to be installed to a standard agreed by police to cover all public areas, including all access and egress points in accordance with CCTV Code of Practice. Maintained and serviced on a regular basis and records to be kept. The system to have an incorporated recording facility and recordings to be stored for one calendar month. The CCTV system to be fully operational throughout the hours that the premises are open for licensable

activity. Access of the recordings to be made available at any reasonable time to Police and Local Authority officers upon request. Staff will be fully trained in the CCTV system and there will be at least one member of staff on duty during trading hours who is able to provide a recording of any incident in a format that can be taken away to be viewed.