

LICENSING COMMITTEE

5 SEPTEMBER 2016

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982,
SCHEDULE 3 – APPLICATION FOR THE RENEWAL OF A SEX ESTABLISHMENT
LICENCE – FOR PLAYERS, GENTLEMENS’ CLUB, 57 HIGH STREET,
MAIDSTONE, KENT,
ME14 1SY**

Final Decision-Maker	Licensing Committee
Head of Service	John Littlemore
Report Author	Lorraine Neale
Classification	Non-exempt
Wards affected	High Street

This report makes the following recommendations to the final decision-maker:

1. That the Committee grants the application made by Emma Louise Sexton on 6 April 2016 to renew the Sexual Entertainment Licence for Players, 57, High Street, Maidstone, with the existing conditions remaining attached.

This report relates to the following corporate priorities:

- Keeping Maidstone an attractive place for all
- Securing a successful economy for Maidstone Borough

Timetable

<i>Meeting</i>	<i>Date</i>
Policy and Resources Committee	N/A
Council	N/A
Other Committee	N/A

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982,
SCHEDULE 3 – APPLICATION FOR THE RENEWAL OF A SEX ESTABLISHMENT
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MAIDSTONE, KENT, ME14 1SY**

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 To consider and determine the application made on 6 April 2016 by Emma Louise Sexton for the renewal of a Sex Establishment Licence for a Sexual Entertainment Venue which has been made under the Local Government (Miscellaneous Provisions) Act 1982, Schedule 3 as amended by the Policing and Crime Act 2009
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2. INTRODUCTION AND BACKGROUND

- 2.1 On 2 March 2011 the Council resolved to adopt the Local Government (Miscellaneous Provisions) Act 1982, as amended by section 27 of the Policing and Crime Act 2009; therefore, subject to limited exceptions and exemptions, or in the absence of a waiver, premises offering relevant entertainment require a Sexual Entertainment Venue (SEV) licence to operate in Maidstone. The new powers took effect locally from the 1 May 2011.
- 2.2 Where a licence is granted any standard conditions adopted by the Council will automatically be imposed unless expressly excluded or varied. The Council has adopted standard conditions and a policy to facilitate consideration of applications and guidance is provided to the committee in subsequent paragraphs of this report.
- 2.3 Players have provided adult entertainment since the grant of their Licensing Act 2003 premise licence issued on 30 July 2007. Players made their initial application for their sexual entertainment venue licence on 28 October 2011 and at the Licensing Committee meeting on 5 March 2012 their sexual entertainment venue licence was granted with variations to conditions 2,4,14,20 and 37, and additional Security and CCTV conditions were attached, this licence came into operation on 1 May 2012. The SEV licence has been in place at the premises since 2011 and is renewed annually.

In 2013, 107 objections were received in relation to the renewal application, Members considered all the relevant factors at the hearing and made the decision to grant the licence.

In 2014 no representations were received and the licence was granted without the requirement of a hearing.

In June 2015 members agreed to the transfer of the sexual entertainment venue to Emma Sexton.

At a meeting in October 2015 members considered 1 representation received on the renewal application and agreed to grant the licence on the existing terms and conditions together with following additional conditions and an informative.

ADDITIONAL CONDITIONS.

- All premises rules documents must be reviewed and updated to correctly reflect current practice, for example removal of reference to pole shows and dancers being involved in promotions as referred to at the hearing. The revised documents should be submitted, within 28 days of the date of issue of this licence, to the Head of Housing and Community Services to confirm approval and form part of the premises information. Any notices displaying these documents on the premises or handed to employees should be amended within 7 days of the date of confirmed approval.
- A sign shall be placed in a prominent place at each exit from the premises, where it can be easily read, stating that customers are reminded to leave quietly and consider the impact of their behaviour on those in the locality.
- All current and any new door staff shall be specifically advised by management of the premises that those customers awaiting entry to and leaving the premises should be encouraged to behave appropriately and under no circumstances to harass those in the vicinity. Harassment is not to be tolerated.
- A member of door staff at the entrance/exit must have clear sight of the outside of the premises at all times when there is a queue outside or persons leaving the premises.

All these conditions have been complied with.

- INFORMATIVE.
 - The licence holder should consider whether some use of female door staff would encourage the maintenance of appropriate behaviour in the immediate vicinity of the premises should harassment be found.
- 2.4 An application was received on 6 April 2016 from Emma Louise Sexton for renewal of the Sexual Entertainment Venue licence in respect of Players, 57 High Street, Maidstone, Kent, ME14 1SY and a copy is attached as Appendix A.
- 2.5 This application has been made in accordance with the amendments to the 1982 Act, as amended by the Policing and Crime Act 2009, as an existing operator currently carrying out 'Relevant Entertainment' as defined by the amendments to the Act and as detailed at 5.6 and 5.7 pages 6 and 7 of the Council's 'Sex Establishments Policy'.

- 2.6 The application is for the provision of sexual entertainment during the following hours Monday to Sunday 20:30 – 02:00 and New Years Eve 20:30 – 03:00.
- 2.7 The applicant is required to serve a copy of their application on the Chief Officer of Police and to give notice to other interested parties by way of a notice on site for 21 days and in the local paper once within 7 days of application. These requirements have been satisfied for this application. A copy of the site notice and newspaper advert as it appeared in the Kent on Sunday is attached as Appendix B. Any objections were required by 4 May 2016.
- 2.8 No observations were received in response to the notices of application from the Police but a comment was submitted in relation to the premises on 18 May 2016 and is attached as Appendix C.
- 2.9 There have been 3 objections received by 4 May 2016, 1 letter received on 15 April 2016 and 2 e-mails received on 18 and 25 April 2016, in summary their objections are:-
- Emma Sexton is not a fit and proper person to hold the Sexual Entertainment Venue licence due to being involved in the “adult” industry in the past.
 - alleged drug problems at the club
 - club rules and regulations not followed.
 - the welfare of dancers is not maintained, as there is an expectation to do more than the rules and regulations allow.
- 2.10 Copies of the objections providing full details of the comments are attached as appendix i to the exempt report for the letter and Appendix D for the e-mails. Names and addresses have been redacted as the objectors have not consented to their details being revealed.
- 2.11 The letter of objection received on 15 April 2016 included attachments and was signed. However it contained no contact information for the author. As we have no contact information for this objector we are unable to establish to our satisfaction the source of the contents. We could not inform them of the date of the hearing and therefore it is unlikely they will be in attendance. Due to the nature of the information contained within this document this objection is attached as appendix i to the exempt report and any discussion of the content will take place with exclusion of the public. The meeting information has, however, been published in the usual manner.
- 2.12 In respect of the e-mail of objection received on 18 April 2016 requests for further information were sent on 13 May 2016 and 27 May 2016 by the Licensing Department (Appendix E), there has been no response to the requests for information or any indication given that they would attend the hearing.
- 2.13 In respect of the e-mail of objection received on 25 April 2016 requests for further information were sent on 13 May 2016 and 27 May 2016 by the

Licensing Department (Appendix F), there has been no response to the requests for information or any indication given that they would attend the hearing.

- 2.14 The letter and e-mails of objection were furnished to the applicant and her legal representative has provided responses to the objections that are attached.
- a) Response from the applicant Miss E Sexton, this is attached as appendix G to this report and ii to the exempt report this is due to the nature of the information provided ,
 - b) Response from the Assistant Manager and House Mother (Appendix H)
 - c) Response from a member of the door security (Appendix I)
- 2.15 Members should note that licences cannot be refused on solely moral grounds i.e. sex establishments are immoral and none should be allowed. They need to confine their considerations to matters relevant to the statutory grounds, (12.3 policy).
- 2.16 The definition of a Sexual Entertainment Venue is any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer.
- 2.17 There are a number of mandatory grounds for refusal of an SEV licence which are:-
- (a) to any person under the age of 18 years
 - (b) to any person who is for the time being disqualified due to having had a previous licence revoked in the area of the appropriate authority within the last 12 months
 - (c) to any person, other than a body corporate, who is not resident in an EEA state or was not so resident throughout the period of six months immediately preceding the date when the application was made; or
 - (d) to a body corporate which is not incorporated in an EEA state; or
 - (e) to any person who has, within a period of 12 months immediately preceding the date when the application was made, been refused that 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.
- 2.18 There are also discretionary grounds for refusal of an SEV licence.
- (a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason

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

(c) the number of sexual entertainment venues, in the relevant locality at the time which the authority consider is appropriate for the locality

(d) 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 lay out, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

2.19 In considering this application the Committee should have regard to:

- The Council's Sex Establishments Policy (Appendix J)
- Schedule 3 Local Government (Miscellaneous Provisions) Act 1982, as amended by Policing and Crime Act 2009.
- Home Office – Sexual Entertainment Licence – Guidance for England and Wales.

2.20 Additionally Section 1 and Schedule 1 Parts I & II of The Human Rights Act 1998 will apply to this application:

Article 1 – Every person is entitled to the peaceful enjoyment of his or her possessions including the possession of a licence and shall not be deprived of the possession except in the public interest

Article 6 – That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

Article 10

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the

protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

See item 7, page 7 of the Council's 'Sex Establishments Policy.

- 2.21 The provision of Services Regulations 2009 impose three tests on any refusal of a licence under the Act, they must be:-
- Non discriminatory
 - Necessary
 - Proportionate
- 2.22 Section 17 of the Crime and Disorder Act 1998 imposes a duty on Licensing Authorities to have due regard to the likely effect of the exercise of their functions on and the need to do all they reasonably can to prevent Crime and Disorder.
- 2.23 The Equality Act 2010, Section 149 requires public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination, harassment and victimisation, to advance equality of opportunity between the sexes and foster good relations between them. Consideration of this may inform Conditions. This duty also covers religious belief and disability.
- 2.24 Players SEV licence was issued on 16 May 2015 and expired on 15 May 2016 (Appendix K). The application for renewal of the licence was received on 6 April 2016 (Appendix A). The licence is now due for renewal and the premises can continue to trade while these matters are determined.
- The premises has operated with no issues or complaints being reported to the Licensing Department. The last visit made to the premises by Licensing Officers was on 28th April 2016, no issues were found.
- 2.25 Renewal of a licence is an occasion on which the licensing authority can revisit the principle of the licence, the legislation does not differentiate between discretion to refuse to grant and refusal to renew a licence. Case law has confirmed that a licensing authority is entitled to refuse to renew a licence for a sex establishment on grounds under paragraph 12 (3) (d) of schedule 3 of the Local Government (Miscellaneous provisions) Act 1982 ,(grant or renewal would be inappropriate having regard to the character of the relevant locality or the use to which any premises in the vicinity are put etc.), despite there not having been any change of circumstances since the last grant, provided that due weight is given to the fact that the licence has been previously granted and gave rational reasons for the refusal. If, however, the decision purports to rely on a change of character of the relevant locality, if there was in fact no evidence of such a change sufficient to justify the refusal to renew the licence an appeal could be allowed.

An authority can take into account changing considerations so as to refuse a licence even where the licensee has done nothing wrong.

- 2.26 Section 12.1 of the Sex Establishments Policy details the Mandatory Grounds for refusing an application; none of these grounds apply to this application.
- 2.27 Section 12.2 details discretionary grounds where a licence may be refused.

(a) suitability of applicant (paragraph 12.4 a) policy) –

The applicant for renewal of the premises licence is Emma Sexton who has been the Licensing Act 2003 DPS since 7th May 2015 and SEV licence holder since June 2015. Of the 3 objections that have been received the letter refers to her lack of suitability to hold the Sexual Entertainment Venue Licence and the emails refer to issues suggesting insufficient management of the premises.

The ground relevant in respect of refusal for suitability is the applicant is unsuitable to hold the licence by reason of having been “**convicted of an offence or for any other reason**”. There are no allegations concerning conviction for an offence and so consideration is of whether there is evidence of any other reason relevant to this application.

Paragraph 12.4 of the Council’s policy refers to factors that will be considered:

- previous knowledge and experience of the applicant
- any evidence of the operation of any existing/previous licence held by the applicant, including any licence held in any other local authority area
- any report about the applicant and management of the premises received from objectors

This applicant has been the 2003 Act licence holder and SEV licence holder since 2015 and involved with the premises prior to that. The Police and Licensing Authority have not experienced issues with the premises during this time. The only issues raised for consideration have been those from the 3 objections which have come from sources that cannot be confirmed despite further contact. The allegations made are denied by the applicant.

(b) Business carried out on behalf of a person who would be refused

(paragraph 12.4 b) Policy). No information indicates that this ground of refusal would be relevant or justified.

(c) That the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time of determination is equal to or exceeds the number which the authority considers is appropriate for the locality.

At the hearing on 19 May 2013 it was decided that 1 Sexual Entertainment venue would be suitable for the relevant locality and the relevant locality in respect of these premises was established as being the High Street area between Mill Street and the Bridge area BishopsWay/Fairmeadow.

There was no requirement for a hearing in 2014 therefore the matter was not considered.

- 2.28 At the hearing on 19 October 2015 it was decided that 1 Sexual Entertainment venue would be suitable for the relevant locality and the relevant locality in respect of these premises was established as being the High Street area between Mill Street and the Bridge area BishopsWay/Fairmeadow.

Each application must be considered on its own merit at the time the application is determined. When considering the application for Players Members may wish at this time to consider the relevant locality and how many Sex Establishments are suitable for this relevant locality at this time. There have been no significant changes since these previous decisions and this ground is not raised by objectors.

2.29 What is the Relevant Locality

This is relevant to Paragraphs 12(3) (c) and (d) (i) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and Paragraphs 12.5 to 12.10 policy refer.

- 2.30 The building is located in Lower High Street, an area with mixed uses. Members should consider the locality at the time of this decision and consider the locality at the time when it is proposed the premises will be operating as an SEV. Parties at the hearing will be able to make submissions on this issue. Locality may be a large area, probably larger than vicinity, but the locality is a matter for members and will depend on the circumstances of the case. It has been held that locality cannot be the entire administrative area and further that locality is likely to be a homogenous area. Case law has held that a whole town may be too large. There does not have to be a clearly predefined area or precise boundaries.

2.31 What is the Character of the Relevant Locality

Paragraph 12(3)(d)(i) of Schedule 3 to the Local Government (Miscellaneous provisions) Act 1982 and paragraph 12.10 policy. The area is in the Maidstone Town Centre conservation area, there are some listed building in the vicinity including 57 High Street for further details see the plan attached at Appendix N.

- 2.32 There are no residences located immediately adjacent to the premises, but there are residential premises in the area. In general there are there are 44 residential properties in the High Street/Mill street area, 22 are occupied and 22 are empty. The nearest residences being 55a High Street which is currently occupied and Flats 1-5 River Court, 53a High Street currently showing 2 residents, these residences are on the Players side of the High Street also 37 High Street which is almost opposite Players. There are other licensed

premises, (Licensing Act 2003), in the lower end of the High Street and nearby that also form part of the night time economy, they are:-

Name of premises	Address	Opening Hours
Buddha Belly	22 – 23 High Street	Mon to Sun – 09:00 – 03:00
Kullar News	30 High Street	Mon – Sun 00:00 – 24:00
Pizza Chicken Hot 4 You	31 High Street	Mon – Sat 11.00 – 04.00 Sunday 11.00 – 23.00
Fortify Cafe	32 High Street	Mon to Sun 08:00 – 00:00
Dinos Pizza	34 High Street	Fri & Sat 11:30 – 05:00 Sun – Thurs 23:00 – 00:00
Wok Inn	38 High Street	Mon to Sun 11:00 – 05:00
Maidstone Grill	54 High Street	Mon – Sun 00:00 – 24:00
Gem of Kent/Rafters	62 High Street	Sun – Wed 08:00 – 00:00 Thurs – Sat 08:00 – 04:00
Buenos Aires	63 High Street	Mon – Sat 12:00-16:00 and 18:00 -00:00 Sun 12:00 – 23:00

- 2.33 There are shops/businesses that operate during the day immediately around the premises. High Street is a retail thoroughfare and a pedestrian street, see policy paragraph 12.13
- 2.34 There are bus stops located in Lower High Street however the premises would not operate until 20:30 hours, which would be after schools finish and normal commuting times.
- 2.35 At 34A High Street, there is a youth café called switch which is used by young people and any local organisations involved with them. Its hours of operation are Tuesday –Friday 15:30 – 17:30 and Saturday 15:00 – 18:00, they are not open during the operational hours for Players. However, at night the premises are used as a base by Maidstone’s street pastors.
- 2.36 There is an established space approximately 200 – 250 metres from Players called Jubilee Square which is used for civic and community events and is used by the public as a meeting and resting place also during the summer months there are children’s funfair rides often positioned there. Jubilee Square and the High Street was Phase I of Maidstone Borough Council regeneration scheme and was completed in May 2012. In October 2013 Phase II was completed this saw the lower end of the High Street being regenerated its intention to encourage public use into that area. There have not been any events put on in this part of the High Street either before or since Phase II of the regeneration.

2.37 **(d) That the grant of the licence would be inappropriate, having regard –**

i. to the character of the relevant locality
(paragraph 12.10 Policy)

The Notices displayed at the premises as part of the application process did not attract any complaints from member of the public on the grounds of “character of the relevant locality. The Police offered no observations on receipt of their copy of the application but a comment was submitted in relation to the premises on 18 May 2016 and is attached as Appendix C.

The Players windows are blacked out with only the name of the premises and the operating hours advertised on them, the only other advertising is a billboard just outside the door during the hours of operation, which is controlled by standard conditions 13-15, rather than refusal of the licence. The regeneration of the lower end of the High Street completed in 2013 its intention when finished was to encourage public use into that area, to date this objective has not been fully met.

No objections have been raised as to locality.

; or

ii. to the use to which any premises in the vicinity are put;
(paragraph 12.11 Policy)

Paragraph 12(3)(d)(ii) of schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 and paragraph 12.11 policy.

Vicinity is likely to be a narrower area than “relevant locality” and parties will be able to make representations on this issue.

Paragraph 2.23 describes the character of the locality and here we concentrate on the uses of premises which may be relevant to members’ consideration if they are considered to be in the vicinity of the premises.

The nearest residential properties are at Flats 1-5 River Court, 53a High Street, there are other Licensing Act 2003 premises nearby that attract a significant number of customers.

The nearest churches are Maidstone Baptist Church at the corner of Knight rider Street and Mill Lane and All Saints Church which is directly opposite on College Road (0.5 mile). There is also the United Reform in Week Street (0.3 mile) and the Life Church and Methodist Church in Brewer Street (0.3 mile).

The nearest schools are Maidstone Boys Grammar School at Barton Road (0.8 mile) Invicta Girls Grammar School and Valley Park School are at Huntsman Lane (0.9 mile) Maidstone Girls Grammar School and Maplesden Noakes at Buckland Road (0.9 mile).

The nearest public recreation spaces are the Archbishop's Palace Gardens, amphitheatre by the riverside and Brenchley Gardens.

Bus stops are situated on High Street not far from the premises.

The premises are within the Maidstone conservation area and the nearest historic buildings are Archbishops Palace, All Saints Church, Carriage Museum and the Town Hall. Some of the buildings in High Street are also listed.

The premises in the area mainly reflect two types of economy namely the retail outlets during the day and those establishments relevant to the night time economy. High Street is a mix of these.

No objections have been raised as to locality, character of locality or use to which premises in the vicinity are put.

or

iii. to the layout, character or condition of the premises in respect of which the application is made. (paragraph 12.12 Policy)

The premises is on two levels with one main door that leads directly into the High Street with minimal signage on the street which is subject to any planning requirements and the approval of the licensing department.

The applicant has requested that lap and pole dancing carries on between the hours of 20:30 – 02:00 Monday to Sunday and 20:30 – 03:00 on New Year's Eve. Included as part of the application are the Customers and Dancers House rules, a welfare of dancers document and their training procedures, these things combined illustrate the suitability of the management systems with regard to these premises.

The two emails received raise the issue that drugs are used at the premises and rules are not followed these engage the consideration of character of the premises and whether it is appropriate.

Officers have made visits to the premises as routine and always found the premises to be compliant. To date there have been no complaints made in respect of these premises from the public or observations from the Police.

- 2.38 The Committee must have regard to the Councils Sex Establishments Policy (attached as appendix J) and in doing the so the overriding principle is that each application will be determined on its own merit. A licence granted would last for one year and is subject to renewal annually.
- 2.39 The Council has approved a set of Standard Conditions which they can apply to or impose on any licence that may be granted, unless, the application has requested that one or more of the Standard Conditions are to be removed if this appears to the Members to be necessary and proportionate in this particular case. This is a matter for the Committee to

consider in their determination. The Standard Conditions as part of the Councils policy are attached as appendix L

- 2.40 Under Paragraph 8 of Schedule 3 of the Act the Council may grant a Sex Establishment Licence on such terms and conditions and subject to any restrictions as may be specified and that these specific terms and conditions will be tailored for each individual premises.

In respect of Players there are some variations to standard conditions and additional conditions in place on the current licence appendix K and the application is for these to continue.

- 2.41 Policy- Locality and Numbers.

An authority may publish a policy but that cannot prevent any individual application from being considered on its merits at the time of the decision, when submissions can be made by all parties. Thus a policy predetermining localities and numbers would have to be reviewed on each application, in any event, and the circumstances of any area may change over time.

- 2.42 At the meeting on the 5 March 2013, when Players first made application for a Sexual Entertainment Venue Licence (SEV) the Licensing Committee decided at that time that the appropriate number of such establishments in the locality of the Lower High Street between Mill Street and the bridge area (Bishops Way/Fairmeadow) was one. In 2014 there was no requirement for a hearing and in 2015 again it was considered to be one for the area. The Committee may now revisit their decision and make a decision at this time. Determination will be made on individual merit of the application, at the time the application is decided

- 2.43 Appeals.

A statutory right of appeal against any decision to refuse in this case, or to impose conditions, is given to the applicant, in respect of mandatory grounds of refusal only on the basis that the ground does not apply to the applicant and in respect of discretionary grounds in paragraph 12 (3) (a) and (b), (suitability of applicant, manager and beneficiary of the operation). This is to the Magistrates' Court, by way of complaint for an order, within 21 days beginning with the date the decision is notified. There is no right for other parties to appeal in this way but they can apply to the Court to be heard at any appeal. In respect refusal for grounds under paragraph 12 (3) (c) and (d) (i) – (iii) these rights do not apply. Any other appeal would be by way of judicial review.

- 2.44 When Decision is Effective.

If there should be a refusal to renew on grounds under schedule 3 paragraphs 12 (3) (c) or (d) the decision takes immediate effect and the licence lapses with the decision. If there is a refusal on other grounds then the decision is not effective until the time for appeal expires and if an appeal is brought until that is abandoned or determined.

3. AVAILABLE OPTIONS

The Committee may:

- 3.1 Grant the application as applied for with Standard Conditions, or
 - 3.2 Grant the application as applied for with Standard Conditions and additional conditions, or
 - 3.3 Grant the application on varied terms, with or without additional conditions.
 - 3.4 Refuse the application on one or more of the statutory grounds.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The existing licence conditions have enabled the premises to operate without incident or cause for concern and the recommendation is that the licence is renewed with the existing conditions attached.
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5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 Three objections were received during the statutory consultation period and are attached as Appendices D & E.
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6. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities		[Head of Service or Manager]
Risk Management		[Head of Service or Manager]
Financial		[Section 151 Officer & Finance Team]
Staffing		[Head of Service]
Legal	Contained within the body of the report	[Legal Team]
Equality Impact Needs		[Policy &

Assessment		Information Manager]
Environmental/Sustainable Development		[Head of Service or Manager]
Community Safety	Contained within the body of the report	[Head of Service or Manager]
Human Rights Act	Contained within the body of the report	[Head of Service or Manager]
Procurement		[Head of Service & Section 151 Officer]
Asset Management		[Head of Service & Manager]

7. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix A - Application form including company policy
- Appendix B - Applicants site notice and newspaper notice
- Appendix C - Police comment.
- Appendix D - E- mails of objection
- Appendix E - Licensing Department request for information re 18.4.16 e-mail
- Appendix F - Licensing Department request for information re 25.4.16 e-mail
- Appendix G – E Sexton response to objections
- Appendix H - Assistant Manager/House Mother response to objections
- Appendix I - Security response to objections
- Appendix J - Maidstone Borough Council sex establishments policy.
- Appendix K - SEV licence now expired
- Appendix L - Policy SEV Conditions
- Appendix M - Hearing Procedure
- Appendix N - Plan of the area

8. BACKGROUND PAPERS

Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009.

<http://www.legislation.gov.uk/ukpga/1982/30/contents>
<http://www.legislation.gov.uk/ukpga/2009/26/section/27>

Home Office – Sexual Entertainment Licence – Guidance for England and Wales.
<http://webarchive.nationalarchives.gov.uk/20100413151441/http://crimereduction.homeoffice.gov.uk/crimereduction057a.pdf>