



**Bromsgrove**  
District Council

[www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)

## Consultation on Draft Sex Establishment Licensing Policy

Bromsgrove District Council is currently seeking views on a draft policy in relation to the licensing of sex establishments in the District including sex shops, sex cinemas and sexual entertainment venues.

This draft policy sets out how applications should be made and how they will be processed.

The draft policy also sets out what will be considered when determining applications and sets out the grounds on which the Council can refuse applications. The draft policy also sets out the standard conditions that will be attached to licences granted.

The Council is interested in receiving views on the content of the draft policy generally, but also wishes to seek opinions on the following questions in particular:

Do you have any comments to make on the arrangements for consultation on applications?  
(see parts 2.3 and 2.4 of the draft policy)

**NO**

Comments:

Do you have any comments to make on the way in which the suitability of the applicant will be assessed by the Council? (see part 3.5 of the draft policy)

**NO**

Comments:

Do you have any comments to make on the factors that will be taken into account by the Council when assessing the suitability of a location to be used for a sex establishment? (see part 3.6 of the draft policy)

**NO**

Comments:

Do you have any comments to make on the standard conditions that the Council proposes to prescribe in relation to different types of sex establishment? (see Annex D and Annex E of the draft policy)

**YES**

Comments: I do not feel that the existing draft standard conditions are sufficiently comprehensive and suggest the following:-

1. Security Industry Authority (SIA) door supervisors shall be on duty at the premises and employed as follows:

From the commencement of opening hours on (all days or specific days of the week), there will be a minimum of two (02) SIA registered door supervisors. Where the numbers of persons at the premises reach 150 (including all staff) three (03) SIA door staff shall be employed. These numbers will be maintained until the end of licensable activities.

2. The Premises Licence Holder or Designated Premises Supervisor (DPS) or a person nominated by them in writing for the purpose, shall maintain a register of door supervisors, which shall be kept on the premises, showing the names and addresses of the door supervisors, their badge numbers and shall be signed by the door supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by Officers of the Fire Authority, Police, Licensing Authority or any other authorised body.

2. CCTV will be provided in the form of a recordable system capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas, and all areas where adult entertainment occurs. Equipment MUST be maintained in good working order and be correctly time and date stamped. Recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand. The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format, EITHER DISC or VHS to the Police / Local Authority on demand. The recording equipment and tapes / discs shall be kept in a secure environment under the control of the DPS or other responsible named Individual. An operational daily log report must be maintained, endorsed by signature, indicating the system has been checked and is compliant. In the event of any failings actions taken are to be recorded. In the event of technical failure of the CCTV equipment the Premises Licence Holder / DPS MUST report the failure to the Police on contact number '101' immediately.

3. An incident log must be kept at the premises and made immediately available on request to an authorised officer of the Council or the Police. Incident log records will be retained for a period of 12 months from the date it occurred. The incident log must record the following:

all crimes reported to the venue

all ejections of patrons

any complaints received

any incidents of disorder

seizures of drugs or offensive weapons

any faults in the CCTV system or searching equipment or scanning equipment

any visit by a relevant authority or emergency service

4. The premises shall be an active member of the Bromsgrove "Pub Watch" scheme for the area for the duration it is in existence.

5. A Bromsgrove "Pub Watch" radio shall be held at the premises. A responsible person shall log on at the Control Centre at the commencement of licensable activities. A responsible person shall monitor the radio throughout the period which the premises are open for licensable activities. Any information likely to have an impact on any of the licensing objectives shall be transmitted on the radio immediately.

5. A dispersal policy in relation to the premises shall be kept on the premises and produced to the Police and authorised Local Authority Licensing Officers on request.

6. The interior of the premises shall not be visible to passers-by and to that intent the licensee shall ensure the area of the premises in which relevant adult entertainment is offered shall not be capable of being seen from outside the premises.

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

(a) the address of the premises

(b) the licensed name of the premises

(c) a notice stating the opening hours of the establishment

8. The lettering used in respect of such permitted items shall be of such colour and style as may be approved by the Licensing Authority.
9. The Premises Licence Holder shall not permit the display outside of the premises of photographs or other images which indicate or suggest that relevant entertainment takes place in the premises.
10. No person under the age of 18 shall be on the licensed premises. A notice shall be clearly displayed at the entrance to the premises in a prominent position stating that "No person under 18 will be admitted" so that it can be easily read by persons entering the premises.
11. Each area where relevant entertainment is conducted shall be supervised and contain a panic alarm for the safety of performers.
12. All areas within the premises shall display signs advising clients of the club rules and conditions of the licence regarding improper performances.
13. Performers shall be aged not less than 18 years.
14. Full nudity is only permitted in the approved designated areas, as stipulated or shown on the approved plan attached to the licence with the exception of the designated areas. In all other areas within the premises the performers and employees must at all times wear at least a G-string (female) and or pouch (male) covering the genitalia as well as one other over layer of clothing.
15. During any performance (including performances usually termed "private dances") there must not be any deliberate contact, by the performer with any patron or person within the viewing audience except:
  - (a) Leading a patron hand in hand to and from a chair or private room or designated dance area
  - (b) Simple handshake greeting at the beginning and / or end of the performance.

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

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

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

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

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

19. No fastening or lock of any description shall be fitted upon any booth or cubicle or other area within the premises except within the toilets or within the performers' dressing rooms and staff areas.

20. At all times during a performance, performers shall have unrestricted access to a dressing room.

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

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

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

24. The licensee or its agents, servants, employees, contractors or performers shall not tout for business and or customers outside of or away from the licensed premises by any means unless authorised by the Council in writing.

25. The licensee shall ensure that any marketing communications associated with the

licensed premises or relevant entertainment shall comply with the code of practice as issued by the Advertising Standards Authority.

Please use this space to make any other comments you wish to make in relation to the draft policy?

I feel that the draft policy is sufficient as it will give the police the opportunity to make necessary objections or observations on a case by case basis. I do, however, feel that the conditions relating to Sex Establishments are not as comprehensive as they could be. I have included suggested conditions in the comments section on standard conditions.

Once complete, please return this consultation questionnaire by email to [wrsenquiries@worcesterservices.gov.uk](mailto:wrsenquiries@worcesterservices.gov.uk) using the subject line "Bromsgrove Sex Establishment Licensing Policy Consultation"

Alternatively you can post your response to:

Bromsgrove Sex Establishment Licensing Policy Consultation  
Worcestershire Regulatory Services  
Wyre Forest House  
Finepoint Way  
Kidderminster  
Worcestershire  
DY11 7WF

This consultation will be open for responses until **29<sup>th</sup> January 2016** and all responses received will be given consideration by the Council before a finalised policy is approved and implemented.