

OADBY & WIGSTON BOROUGH COUNCIL

LICENSING OF SEX ESTABLISHMENTS



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Oadby & Wigston
BOROUGH COUNCIL

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Appendix 1: General Pool of Conditions

1.0 Introduction

Oadby and Wigston Borough Council (“the Council”) has adopted Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 making it illegal for any person or business to use any premises, vessel or stall for the purposes of a sex establishment without first obtaining a licence from the Council.

The Council recognises that there is a commercial market for premises which fall under the definition of a sex establishment within the United Kingdom and individuals and companies may wish to operate such premises within the Borough. The Council also recognises and understands the unique character of its own Borough and the expectations and requirements of residents living within it.

By formulating this policy, the Council hopes to strike an appropriate balance between the needs and rights of legitimate businesses and the needs and rights of residents of the Borough.

This policy outlines the process for making an application and the matters that the Council will consider in determining that application.

2.0 Definitions of a Sex Establishment

There are three types of premises that are classed as sex establishments under the Local Government (Miscellaneous Provisions) Act 1982 (LGMPA). These are:

- A sex cinema**
- A sex shop**
- A sex entertainment venue**

A sex cinema is any premises, vehicle, vessel or stall used to a significant degree for the exhibition of moving pictures concerned primarily with the portrayal of, deal with, or relate to sexual activity.

A sex shop is any premises, vehicle, vessel or stall which consists to a significant degree of selling, hiring, exchanging lending, displaying or demonstrating sex articles or other things intended for use in sexual activity.

A sexual entertainment venue is any premises that provides live entertainment or display of nudity solely or principally for purpose of sexually stimulating an audience for the financial gain of the organiser.

3.0 Application Process

The process for applying for a sex establishment, as laid down in the LGMPA, is as follows:

- An application must be made to the Council on the Council's own application form.
- The applicant must pay the requisite fee.
- A copy of the application must be sent to the Chief Constable of the Leicestershire Police.
- The applicant must advertise their application in a local daily newspaper (recommended Leicester Mercury) no later than 7 days after the day of their application.
- The applicant must place a public notice on or near the premises where it can be conveniently read by members of the public for 21 days continuously beginning with the date of the application.
- Objections may be made to an application within the period of 28 days starting the day after the application was made.

Applicants should ensure that they are familiar with the procedure outlined above. Failure to advertise correctly is likely to result in the invalidation of the application and a licence will not therefore be granted.

4.0 Application Requirements

The Council's application form will require the following information:

- Full postal address of the premises.
- The name and home address of the applicant.
- The date and place of birth of the applicant.
- Details of any business partners or other staff involved in the business, including names, addresses, dates and places of birth.
- If a company-the registered name and address of the company, the names of directors and shareholders of the company.
- If the shareholder, or a shareholder is another company-details will be required as to the shareholders of that company and so on until the Council are able to identify the individuals involved in operating the premises.
- If the premises are leasehold-information about whom holds the lease and if it is a sublease, who holds the head lease and if necessary the freehold.

Additionally, the Council will require the applicant to supply:

- A plan of the premises in the scale of 1:100 outlining the layout of the premises and the area from which the licensable items or activities will occur.
- A risk assessment of the fire safety, health and safety, nuisance and crime and disorder risks completed by the applicant.

The Council will require an individual applicant to submit:

- A disclosure and barring service certificate (criminal record certificate) issued within the calendar month preceding the date of application.

The Council will require a company applicant to submit:

- A disclosure and barring service certificate (criminal record certificate) issued within the calendar month preceding the date of application for all directors of the company.
- Where a company has more than six directors the Council may choose to reduce the number of directors required to produce a disclosure and barring service certificate to those who will have either an operational, regulatory or financial control over the business.

5.0 Consultation Period

A consultation period will begin the day after the date the application is made. This period will last for 28 days. During this time objections may be made against the grant of the licence by any person.

The extent of the consultation undertaken by the Council will depend on the nature of the premises, the locality of the premises, and any previous licence granted by the Council in respect of the premises or to the applicant and any previous trading history of the premises and the applicant.

The Licensing Officer responsible for the administration of the application will determine the appropriate level of the consultation but will be guided by this policy.

The Council will consult with any person, authority, organisation or body that it deems necessary to enable it to make an informed decision on the granting of a sex establishment licence.

The Council will also ensure that local residents, businesses and other local organisations that are likely to be affected by the grant of the licence are given the opportunity to be made aware of it.

Objections or other observations will be required to be made in writing to the Law and Governance (Licensing team) of the Council within 28 days of the application being made.

6.0 Who Will be Consulted

Where a valid application has been received by the Law and Governance (Licensing team) the appropriate Licensing Officer will determine the consultation procedure that needs to be carried out.

The Council will always consult with:

- Leicestershire Police
- Leicestershire Fire and Rescue Service
- Leicestershire Trading Standards
- Environmental Health
- Planning
- Ward Councillors
- Local Residents likely to be affected by the grant of a licence
- Local Businesses likely to be affected by the grant of a licence
- Local organisations (such as public buildings, community groups, religious groups and similar bodies) likely to be affected by the grant of a licence.

In determining those local residents, businesses and other local organisations which will be consulted, the Licensing Officer will consider the vicinity of people likely to be affected if the application was granted. The key element for the Law and Governance (Licensing team) will be to ensure that all local residents, businesses and organisation with a realistic prospect of being affected by the potential grant of a licence are given the opportunity to object.

As a minimum, the Licensing Officer will consult with all properties within a 100 metre radius of the proposed premises. However, the Licensing Officer may choose to consult more widely than this. In determining the extent of those to be consulted, the Licensing Officer must consider and form a view on the proposed location of the premises to be licensed, the type of premises to be licensed and any other matter that the Licensing Officer considers to be relevant.

If, for example, an application was made for a premises near to a school the Council may consider it necessary to consult with all parents of children attending that school, either via the school head teacher or by writing to all properties within the catchment area of that school.

On the other hand, an application for a premise in an industrial area not intended to be open to members of the public (i.e. a mail order business) and with no external advertising, may not require any extended consultation outside of the minimum 100 metre radius.

7.0 Consultation Procedure

The Council will write to all local residents, businesses and organisations that it has identified as having a realistic prospect of being affected by the potential grant of a sex establishment licence.

The Council will display a number of notices around the area of the proposed premises as well as advertise the application on its website, via social media and/or Council publications and any other means that it deems necessary to bring the application to the attention of the local community.

Ward Councillors for the relevant Ward in which the application is made will be notified and may consult with their constituents and make any remarks they wish on their constituents or their own behalf.

Where the applicant has previously held a licence with another authority the Law and Governance (Licensing team) will consult with that authority.

An Environmental Health Officer will be asked to visit the premises for the purpose of conducting a health & safety inspection and to ascertain whether the premises or its proposed activities could cause any form of public nuisance. For this reason the applicant is requested to submit a health and safety and noise risk assessment to the Council to assist the Officer make his assessment.

A Planning Officer will be asked to visit the premises to ascertain that the premises comply with planning regulations and any relevant planning permission. This will include any proposed signage expected to be displayed from the premises. The applicant is therefore requested to make clear what signage if any will be displayed from the premises, in making their application.

A Building Control Officer will be asked to visit the premises to ascertain that the premises comply with building control regulations.

An Officer of the Leicestershire Constabulary will be asked to conduct a thorough background check of the applicant(s) and to visit the premises to meet with the applicants to discuss their arrangements to prevent and reduce crime. For this reason the applicant is requested to include a risk assessment of potential crime or disturbance stemming from the premises with their application.

A Fire Safety Officer of the Leicestershire Fire and Rescue Service will be asked to visit the premises to assess whether the premises are safe for staff and customers in the event of an emergency. For this reason the applicant is requested to submit a fire risk assessment to the Council to help the Officer make his assessment.

Any of the above Officers may, at their own discretion and in relation to their own professional expertise and based upon the application submitted choose not to visit the premises and instead submit written or oral observations to the Law and Governance (Licensing team) without visiting the premises.

A Licensing Officer will in all circumstances visit the premises to assess any of the above that they feel necessary along with conducting a general inspection of the premises and so as to review the procedures that are in place or are to be put in place.

Upon completion of the consultation period the Licensing Officer will complete a thorough report of the application, legislation and the outcome of the consultation to be considered by the Head of Law and Governance and place this before the Licensing and

Regulatory Committee or a Licensing Sub-Committee comprised of three members of the main committee.

8.0 Determination of a Valid Application

In the first instance a Licensing Officer will assess whether an application has been validly made and the application requirements of this policy and the appropriate legislation have been complied with.

Where an application is invalid or incomplete the Law and Governance (Licensing team) will write to the applicant advising them of the matters requiring attention. The 28 day consultation period will not begin until the day after the Council has received a complete and valid application.

Where any application falls foul of the mandatory grounds (see below) for refusal the application will be rejected by the Licensing Officer.

All valid applications for a sex establishment licence will be considered by the Licensing and Regulatory Committee or a Licensing Sub-Committee. It will be for a Licensing Officer to decide in the first instance if a valid application has been made.

9.0 Grounds for Refusal

The LGMPA provides two grounds for refusal, mandatory grounds and discretionary grounds. An application can only be refused on one of these grounds.

Mandatory Grounds

A Licence cannot be granted to an individual applicant who:

- Is less than 18 years of age.
- Is not presently a resident in the United Kingdom.
- Has not been a resident in the United Kingdom in the six months prior to making the application.
- Has been refused the grant or renewal of a licence in respect of the same premises, vehicle, vessel stall (unless reversed on appeal).
- Is disqualified from holding a licence.

A licence will not be granted to a company which:

- Is not incorporated in the United Kingdom.
- Disqualified from holding a licence.
- Has been refused the grant or renewal of a licence in respect of the same premises, vehicle, vessel stall (unless reversed on appeal).

Applications will automatically be refused in any of the above circumstances. This will be done as soon as the Licensing Officer is aware that one of these grounds is not met.

Discretionary grounds for refusal

There are four discretionary grounds for refusal within the LGMPA.

The four discretionary grounds for refusal are:

- The applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason.
- That the applicant is merely a front for a person who would otherwise be refused a licence.
- That the number of sex establishments in the relevant locality exceeds the number which the authority consider appropriate for the area.
- That the licence would be inappropriate having regard to the relevant locality, or to the use to which the premises in the vicinity are put, or to the layout, character and condition of the premises in respect of which the application is made.

10.0 Consideration of Applications under the Discretionary Grounds

The Council will consider all applications on their own merits. Where there is evidence that one or more of discretionary grounds for refusal are met the Council will reject the application unless there is strong compelling evidence to suggest that a refusal would be so unreasonable that the Council ought not to use its discretion to reject.

The below is a guide to the matters that the Council will consider:

Suitability of the Applicant:

A licence will normally be refused if the applicant or any director (if the applicant is a company) has been convicted of an offence or has been cautioned for an offence that renders him unsuitable to hold a licence. The information supplied by the Leicestershire Police and any observations or comments that they make will be of importance to the Council in this regards.

A licence will normally be refused if there is the suspected involvement in the operation of the business by another person who is neither an applicant nor a director (if the applicant is a company) who would otherwise not be licensed by the Council. The information supplied by the Leicestershire Police will once again be pertinent to a determination under this section.

The Council will also consider any information that may be supplied by the Leicestershire Police if relevant to the licence applied for even if it does not relate to an actual conviction of the applicant.

The Council will also consider any experience the applicant has of running the type of premises to licensed. A lack of experience in itself should not render an applicant unsuitable but it may when taken collectively with other matters.

The Council will consider the history of any previous licence held by the applicant and their record of compliance with that licence. If any previous licence has been refused or revoked, the Council will consider the circumstances of such a refusal or revocation.

The suitability of each applicant will be considered on its own merits but in most circumstances, if the applicant, or one of its members, has an unspent conviction, the Council will normally refuse the application. However the applicant may satisfy the Council that there are exceptional circumstances to justify the granting of the licence or that the conviction relates to a matter that is not relevant to the grant of the licence sought and should not be considered.

Where an objection has been raised by the Police or another consultee regarding the suitability of the applicant, the Council will in most cases defer to the experience and knowledge of the consultee and refuse the application unless satisfied by the applicant that there are exceptional circumstances to justify the granting of the licence.

Suitability of the Premises:

The Council will refuse a licence where the premises is inappropriate having regard to the relevant locality, or to the use to which the premises in the vicinity are put, or to the layout, character and condition of the premises in respect of which the application is made.

The Council consider that it is inappropriate for a sex establishment to be located near to any of the following premises:

- Schools, colleges, nurseries, play areas or any other premises predominantly used for and by children.
- Any access route to and from any of the above premises.
- Any place of religious worship.
- Museums, Libraries, Council buildings, or other community and public buildings.
- Any community premises such as swimming pools, leisure centres, youth centres, clubs, shelters, public parks and recreational areas.
- Historic buildings and tourist attractions.
- Residential homes.
- Any premises of a similar nature to the above.
- Any other licensed sex establishment

The Council has chosen not to define a specific measurement as to when premises would be sufficiently near to any of the above so as to be “inappropriate”. Each decision on such a matter will be made on the merits of each application. Any written objections received during the consultation period will be of relevance to the Council’s decision.

When considering if the location of a proposed licensed premises is “inappropriate” the Council will not only form a view on the distance between the premises applied for and those listed above but the general routes to and from those premises.

For instance, it may not be appropriate for premises to be located on a street which is a main thoroughfare to a school, tourist attraction or to a nursing home.

Oadby and Wigston is a small Borough and any commercial premise is likely to find itself close to any of the above premises. An applicant may therefore consider taking steps to reduce the impact on its surroundings by ensuring that:

- The interior of the premises will not be visible to any member of the public passing by.
- No advertisement of products or services will be displayed externally, or in such a manner that they can be viewed externally.
- No external advertising will take place in public, including the provision leaflets, business cards or posters.
- The opening times of the premises will not coincide with the opening times of any of the above premises.

The Council will need to be satisfied that the premises themselves are suitable for the proposed use. Information received from the Police, Fire, Planning, Building Control and Fire Service will be of relevance to the Council in making such a determination.

The Council may consider, amongst other things, the following matters:

- The suitability of the premises in terms of its size and location for members of the public to enter, given its proposed use.
- If there are sufficient safety measures in place at the premises, such as CCTV, and fire extinguishers.
- Has a suitable & sufficient fire risk assessment been carried out as required under the Regulatory Reform (Fire Safety) Order 2005.
- Is the premises designed to allow a suitable, convenient and direct exit from the premises in an emergency.
- Is every area of the premises visible to staff either by sight or via internal camera systems.
- Are staff suitably trained in terms of their own and their customer’s safety.
- The products or services offered and their nature.
- The proposed opening times of the premises.

11.0 Determining an Application

Under the LGMPA before making a decision to grant or refuse an application the Council must consider any notice of objection received and any comments received from the Chief Constable. Oadby and Wigston Borough Council will also, however, take into consideration any comments from any other person consulted whether they amount to a formal representation or not.

Copies of any objection notice received by the Council will be given to the applicant. Objections will be redacted on public documents where necessary to protect the names and addresses of objectors.

Following the conclusion of the consultation period the Licensing Officer will submit a report to the Head of Law and Governance and identify if any objections have been received.

If no objections have been received the Head of Law and Governance will arrange for the application to be considered by the Licensing and Regulatory Committee. The applicant will be given the opportunity to address the committee and if he wishes to a public hearing will be convened.

If objections have been received against an application a public hearing will always be necessary unless the applicant wishes to withdraw the application. The applicant and objectors will be advised of the date and time of the hearing.

12.0 Hearings

The Licensing and Regulatory Committee, or a Licensing Sub-Committee comprised of three members of that committee, will determine all applications for sex establishment licences, whether contested or not.

If no objections are received and the applicant does not wish to address the committee the Council may choose not to hold a formal meeting and determine the application by the most convenient means possible that allow for a thorough consideration of the application.

If the applicant wishes to address the committee or objections have been received the Council will hold a formal public hearing. The hearing procedure will follow the Councils "Code of Practice for Hearings" under the Licensing Act 2003.

13.0 Conditions

The Council is permitted under the Act to grant each licence on such terms and conditions and such restrictions as it may specify. The Council has not resolved to pass regulations imposing standard conditions on licences and will consider each application on its own merits.

A pool of standard conditions is attached as an appendix to this policy (Appendix 1). The purpose of these conditions is to indicate to applicants the type of conditions that may be imposed on any licence granted by the Council. The Council will however have discretion to amend, ignore or add to any condition contained in the appendix depending on the circumstances of each application.

14.0 Duration of Licence

All licences granted by the Council will have a maximum duration of one year from the date of grant.

15.0 Renewals

The same procedure outlined above for the grant of a new licence will be followed for all renewals. Renewals should be made in good time before the lapse of an existing licence. If a licence is allowed to lapse a renewal application cannot be made.

16.0 Transfers

The same procedure outlined above for the grant of a new licence will be followed for all transfers of licences. Transfers should be made in good time before the lapse of an existing licence. If a licence is allowed to lapse a transfer application cannot be made.

17.0 Appeals

Any applicant who is aggrieved at the refusal, revocation, or imposition of a term, condition or restriction may appeal to the Magistrates Court before the expiration of the period of within 21 days beginning with the day they received the notification.

Appendix 1: General Pool of Conditions

The following conditions are a guide to aid Oadby and Wigston Borough Council in making decisions and an indicator to applicants as to the type of conditions that may be imposed. They should not be considered to be, or used as, mandatory requirements.

The conditions should be tailored to the particular premises seeking the licence, and amended, added to or ignored as the Licensing and Regulatory Committee or Licensing Sub-Committee feel appropriate when considering the merits of an application.

GENERAL CONDITIONS

These may be applicable to all premises licensed as a sex establishment.

1. No-one shall be admitted to the premises who is, or appears to be, under the age of 18. Where necessary, appropriate age verification measures should be put in place by the licensee.
2. A notice stating that "No person under the age of 18 shall be admitted" shall be displayed on the outside of the premises.
3. The licensee, or a responsible person nominated by him in writing for the purpose, shall be in charge of and present on the premises whilst they are open to the public.
4. No person under the age of 18 shall be employed on the premises.
5. External doors shall be closed at all times, other than for the purpose of access and egress, and the external doors shall be fitted with a device to provide for their automatic closure.
6. Any entrance or exit shall be of such design that no part of the premises from which licensed activities are carried out or any of the contents, items, performers, products or similar, within the premises shall be visible when persons are entering or leaving the premises.
7. The licensee shall at all times keep and maintain a written record of the names, addresses, dates of birth and national insurance numbers of all persons employed within the licensed premises, whether on a full time or part time basis or whether paid or unpaid. Such records shall be made available for inspection upon the reasonable request of the Council or other responsible body authorised in writing by the Council.
8. The licence or a certified copy of it and any conditions attached to it shall at all times be displayed at the premises and be made available for inspection by the police, the fire authority and authorised officers of the Council.
9. Members of the public shall only be permitted within those parts of the premises that are licensed.
10. The licensee shall notify the Licensing section at Oadby and Wigston Borough Council and the Police of the name and address and date of birth of any manager or employee within 14 days of them commencing employment.

11. 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 shall be notified to the Council within 14 days of such change. Further written details that the Council may require in respect of the change shall be furnished within 14 days of a request in writing from the Council.

12. 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 licensee shall ensure that the premises are known solely by that name and by no other. Any change in name must be requested in writing to the Council, and shall not be used until approved by the Council.

14. The licence may be revoked by Oadby and Wigston Borough Council if at any time the holder is convicted of any offence of using the licensed premises, or another premises licensed, other than in accordance with the terms, conditions or restrictions of that licence, or is convicted of any offence under any enactment defined in paragraph 1 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982

15. The licensee shall take all reasonable steps to ensure that persons entering or leaving the licensed premises or using associated or nearby car parks and highways do not conduct themselves in a manner so as to cause annoyance to residents and persons passing by.

16. The licensee shall comply with any reasonable fire prevention measures and/or safety measures that may be required of him by the Fire Authority or Oadby and Wigston Borough Council.

17. All parts of the licensed premises shall be open to free ingress and inspection by:

- (i) Duly authorised officers of Oadby and Wigston Borough Council.
- (ii) Police Officers.
- (iii) Officers of the Fire Authority.
- (iv) HM Customs Officer

18. No conduct, activity or entertainment of an offensive nature will be permitted to occur from the premises or its external areas of the premises which may be viewed or heard by persons outside of the licensed area.

19. Noise such as to cause persons in the neighbourhood to be unreasonably disturbed shall not be permitted to emanate from the premises.

Window, fascia board advertisement and displays

20. The interior of the premises shall not be visible to passers-by and the licensee shall obscure all windows, doors and openings of the premises in such manner as the Council may specify to its satisfaction.

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

- the address of the premises;
- the licensed name of the premises as approved by the Council;
- any other notice reasonably required to be displayed by the council;
- any other notice required to be displayed by law; or,
- any other sign or notice requested to be displayed by the licence holder.

The wording “PRIVATE / ADULT” followed by either “SHOP / CINEMA / VENUE/ ENTERTAINMENT” but no other indication as to the nature of the business carried on at the premises may be permitted by the council.

Opening Hours

22. The licensed premises shall not without the written consent of the Council, be open or used at all on Sundays, Good Friday, Christmas Day, Bank Holiday or any other day of religious worship celebrated by any part of the community within the vicinity of the premises.

23. The premises shall not without the written consent of the Council be open and used for the purposes for which the licence is granted except between the hours of 9.00 am and 6.30 pm Monday to Saturday.

CONDITIONS THAT MAY BE APPLICABLE TO PREMISES OPERATING AS SEX SHOPS

24. Any facilities in sex shops for previewing films, video recordings or other similar material shall be physically separated from the display area of the shop in such manner that no material being displayed by way of preview shall be visible or audible outside the preview area.

25. There shall be no facilities for previewing or viewing any video/DVD or similar item being sold at the premises.

26. All sex articles and other things displayed for sale, hire, exchange or loan within a sex establishment shall be clearly marked to show the price being charged. Only videos, DVD's and magazines may be made available for hire.

27. No film or video recording shall be exhibited, sold or supplied unless it has been passed by the British Board of Film Classification and bears a certificate to that effect.

28. A sex shop shall be conducted primarily for the purpose of the sale of goods by retail.

CONDITION THAT MAY BE APPLICABLE TO PREMISES OPERATING AS SEX CINEMAS

29. No film or video recording shall be exhibited, sold or supplied unless it has been passed by the British Board of Film Classification and bears a certificate to that effect.

CONDITION THAT MAY BE APPLICABLE TO PREMISES OPERATING AS SEX ENTERTAINMENT VENUES

30. Performances (striptease, podium dancing, lap dancing, or any similar form of entertainment) shall be given only by the performers or entertainers employed or hired for that purpose by the licensee.

31. Members of the audience must remain fully clothed at all times.

32. Except with the consent of the Council no external advertising of the sexual entertainment shall take place at the premises or in its immediate vicinity.

33. All performers shall be aged 18 or over and the licensee shall have appropriate procedures in place for verifying the age of performers. Records of all performers shall be kept and made available for inspection.

34. When the premises are open for striptease/ lap dancing no person under the age of 18 shall be allowed on the premises. All staff will ensure that any person who would appear to be under the age of 25 to a reasonable and responsible person must be requested to show identification documents proving that they are over 18. Such documents must contain a photograph and date of birth and will either be a passport, driving licence or a PASS approved ID card displaying the PASS hologram.

35. During any performance of an individual lap dance, striptease or similar the following rules shall apply:

- a) No touching must take place during dances.
- b) Customers must remain seated during the dance.
- c) Customers must leave the area as soon as the dance has finished.

36. On completion of the dance, dancers or performers must:-

- a) Ask the customer to leave the area immediately.
- b) Dress themselves immediately.
- c) Dancers must not leave the dance area in a state of undress and must dress not inappropriately.

37. Lap dancers must not:-

- a) Open their legs when completely undressed.
- b) Dance for longer than 1 minute when completely undressed.
- c) Show their genitals.
- d) Sit on customer's laps (dry ride).

38. If requested by a customer for a further dance the dancer must:-

- a) Put their undergarments (briefs) and or top back on.
- b) Receive payment only by way of dance tokens.

39. Podium dancers must not:-

- a) Entice dancers onto the podium.
- b) Remove their undergarments.
- c) Interfere with their undergarments in such a way as to show their genitals.
- d) Receive gratuities other than in their garter belts or by hand.

40. Sex toys must not be used and penetration of the genital area by any means must not take place.

41. Dancers must not solicit, exchange addresses or telephone numbers with customers, or liaise with customers off the premises.

42. When dancers leave the premises they must be escorted to their cars or taxi by another staff member.

43. SIA registered door staff will be employed at the premises when they are open.

