



North Kesteven
DISTRICT COUNCIL

POLICY IN RELATION TO SEX ESTABLISHMENT VENUE LICENSING

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 (AS AMENDED BY SECTION 27 OF THE POLICING AND CRIME ACT 2009)

Whilst all applications will be judged and determined on their individual merits the policy will be the basis of the Licensing Authority's decisions. The policy will be reviewed regularly to reflect the needs of the North Kesteven District.

www.n-kesteven.gov.uk

Dated 10th January 2022

Any comments on this document should be addressed to:

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If you require this Statement in a different language or format please contact the Licensing Team at the address above.

North Kesteven District Council has adopted Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended by Section 27 of the Policing and Crime Act 2009) so that we can licence sex shops, sex

cinemas and sexual entertainment venues in the District. In this policy, we refer to these as “sex establishments” unless stated otherwise.

We do not make a moral stand in adopting this policy. We recognise that Parliament has made it lawful to operate a sex establishment, and that such businesses are a legitimate part of the retail and leisure industries. It is our role as a Licensing Authority to administer the licensing regime in accordance with the law.

The 1982 Act and the 2009 Act can be viewed at www.opsi.gov.uk .

In developing this policy, we took into account the legal requirements of the 1982 Act and our duties under;

- Section 17 of the Crime and Disorder Act 1998 to take all reasonable steps to reduce crime and disorder within the District
- The Regulators’ Compliance Code (set out under the Legislative and Regulatory Reform Act 2006) not to impede economic progress by the regulations we set out and to particularly consider the impact of regulations on small businesses; and
- The Provision of Services Regulations 2009 to ensure requirements are:
 - i. Non- discriminatory
 - ii. Justified by an overriding reason relating to the public interest
 - iii. Proportionate to that public interest objective
 - iv. Clear and unambiguous
 - v. Objective
 - vi. Made public in advance, and
 - vii. Transparent and accessible

The District of North Kesteven

The District of North Kesteven is a large, diverse, rural area, stretching from the Witham in the east almost to the Trent in the west and from the sparsely populated villages to the south of Sleaford to the more densely-populated Lincoln fringe in the north.

North Kesteven is one of seven districts in Lincolnshire and covers an area of approximately 92,000 hectares (356 square miles). The District is characterised by small settlements and large areas of farmland. More than 64% of the population live in rural settlements, including villages or market towns, therefore the area has been classified as ‘mainly rural’.

There are around 100 communities in the North Kesteven District. The population of the District is 116,915 (Office for National Statistics mid-year population estimate 2019). Major concentrations are in Sleaford, with a population of nearly 19,500; North Hykeham, with around 16,400 residents; and 11 larger villages with populations of over 5,000. Within the District, nearly a third of the population live in the “Lincoln Fringe”, the area immediately surrounding Lincoln City.

The principal sectors of the economy include food and agriculture, engineering, tourism and construction. The emergent engineering sector has potential to grow, with a focus on engines and turbines, and sector

specialisms related to medical, precision and optical equipment, and electrical machinery. There are low unemployment rates and relatively good skills levels in the district.

North Kesteven also has a relatively underdeveloped transport and communications infrastructure. As a result, local communities have historically been self-reliant, with parish and town councils providing services, such as playing fields or play areas.

Commenting on Licence Applications

Unlike some other licensing regimes (such as for alcohol, entertainment, or gambling), a wide range of people can raise objections about sex establishment licences; the Police are a statutory consultee for all applications.

Objectors should have something to say which is relevant to consideration of the statutory grounds for refusal that are set out in the 1982 Act.

We take the following approach to deciding applications;

- Each case will be decided upon its merits. This Authority will not apply a rigid rule to its decision making
- Objectors can include residents'/tenants' associations, community associations and trade associations. Councillors may represent interested parties, providing they do not also sit on the Licensing Committee determining the application in question
- We will give clear reasons for our decisions

We will not consider objections that are frivolous or vexatious, or which relate to moral grounds (as these are outside the scope of the 1982 Act). Decisions on whether objections are frivolous or vexatious will be made objectively by our Officers and not on the basis of any political judgement. Where objections are rejected, the objector will be given a written reason. A report will be made to our Licensing Committee determining the application (if appropriate), indicating the general grounds of the representation and the reason it was rejected.

A vexatious objection is generally taken to be one which is repetitive, without foundation or made for some other reason such as malice. A frivolous objection is generally taken to be one that is lacking in seriousness.

Objections will be considered by the full Licensing Committee; we give both applicants and objectors an equal opportunity to state their case.

Objections should;

- Be made in writing (unless submitted electronically)
- Indicate the name and addresses of the person or organisation making the representation
- Indicate the premises to which the objection relates
- Indicate the proximity of the premises to the person making the objection. A sketch map or plan may be helpful to show this
- Clearly set out the reasons for making the objections

Exchange of Information

The Authority may, at reasonable intervals, exercise its' powers under Section 115 of the Crime and Disorder Act 1998 to exchange data and information with the Police and other partners to fulfil its' statutory objective of reducing crime in the area.

Details of applications and objections which are referred to a Licensing Committee for determination will be published in Reports that are made publicly available in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000.

Where requested, the names and addresses of objectors will not be disclosed to applicants or published in public reports in accordance with the Local Government (Miscellaneous Provisions) Act 1982. Such details will be made available to Councillors on the Licensing Committee. In all aspects of dealing with data, the Authority will have regard to General Data Protection Regulation (GDPR).

Compliance and Enforcement

This Authority will keep itself informed of developments as regards the work of the Better Regulation Executive and other Central Government bodies in its consideration of the regulatory functions of Local Authorities.

We recognise that sex establishments are not generally a source of crime or disorder. We will adopt a light touch inspection regime, carrying out simple inspections of premises no more than once a year unless exceptional circumstances require otherwise.

Our approach to enforcement is set out in our enforcement policies, which are available on request.

SEX SHOPS

Significant Degree.

Licences for sex shops are required where there are 18R films being sold, or where there is a "significant degree" of "sex articles".

The phrase "sex articles" is defined in the 1982 Act, but the phrase "a significant degree" is not. When considering whether or not a business is selling a significant degree of sex articles and needs a licence, we will consider;

- The ratio of sex articles to other aspects of the business
- The absolute quantity of sales
- The character of the remainder of the business
- Turnover
- Other factors which appear to be materially relevant

Relevant Localities

There are some specific grounds for refusing sex establishment licences set out in paragraph 12 of schedule 3 to the 1982 Act. These include where the

applicant is unsuitable to hold a licence, due to their age, domiciliary status or previous criminal convictions.

We can also refuse applications for new or renewed licences where;

- The number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number, which we consider appropriate for that locality
- The grant or renewal of the licence would be inappropriate, having regard to
 - i. The character of the relevant locality, or
 - ii. The use to which any premises in the vicinity are put, or
 - iii. To the layout, character or condition of the premises

We recognise that different parts of our District have different characteristics; the number or numbers of sex shops appropriate for a particular locality can be set by the Authority.

At the time of adopting this policy the Authority had not set a number for any locality within the District. If a number is set then this Authority will indicate the locality, number of sex shops and the reason for the number.

This table is not exhaustive and we would consider representations from applicants as to why our view should be changed, about any particular locality. Where this is likely to affect existing licence holders, we will give at least two months' notice in which they may make representations. In considering the characteristics of a locality we shall particularly take account of the density and proximity of;

- Residential accommodation
- Parks and children's play areas
- Other retail units (and their uses)
- Schools
- Religious and communal buildings
- Alcohol or entertainment licensed premises

Length of licence

We will, unless there are exceptional reasons otherwise, grant licences for the maximum duration of a year at a time to provide certainty to those operating businesses.

Waivers

We do not consider it would be appropriate to permit waivers from the requirements to hold a sex establishment licence, except in extreme circumstances considered by our full Licensing Committee (for example, to allow a temporary re-location of a business following damage to licensed premises).

Application form

We have a standard application form, including public notices, which are available on request from our Licensing Team.

Criminal Record Checks

Licence applicants (and persons responsible for the management of the licensed premises) will be required to produce a current Basic DBS Certificate. The Certificate will reveal the existence and content of any criminal record (not spent under the terms of the Rehabilitation of Offenders Act) held in the name of the applicant and/or manager. A basic check will contain details of convictions and conditional cautions that are considered to be unspent under the terms of the Rehabilitation of Offenders Act 1974.

Licence Conditions

We have adopted standard conditions for the operation of sex shops that are set out at **Appendix I** of this Policy. Where it is reasonable and necessary to do so, our Licensing Committee will impose additional proportionate conditions on a licence. Wherever possible, these will be discussed in advance with operators.

Fees

Our fees are set each year and details are available from the Licensing Team.

SEX ENTERTAINMENT VENUES

Relevant Entertainment

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

“Relevant entertainment” is defined in schedule 3 (as amended by section 27 of the Policing and Crime Act 2009) as “any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of an audience (whether by verbal or other means)”. An audience can consist of just one person, e.g. in a private booth.

In deciding whether entertainment is “relevant entertainment” we will judge each case on its merits, but will generally apply to;

- Lap dancing
- Pole dancing
- Table dancing
- Strip shows
- Peep shows
- Live sex shows

Adult entertainment not classed as “relevant entertainment” may still require licensing under the Licensing Act 2003. Further information is available from the Licensing Team.

Relevant Localities

There are some specific grounds for refusing sex establishment licences set out in Paragraph 12 of Schedule 3 to the 1982 Act. These include where the applicant themselves are unsuitable, due to their age, domiciliary status or previous criminal convictions.

We can also refuse applications for new or renewed licences where:
The number of sex entertainment venues in the relevant locality at the time the application is made is equal to or exceeds the number, which we consider appropriate for that locality.

- a) The grant or renewal of the licence would be inappropriate, having regard to;
- The character of the relevant locality, or
 - The use to which any premises in the vicinity are put, or
 - To the layout, character or condition of the premises

At the time of adopting this policy, the Authority had not set a number for any locality within the District. If a number is set then this Authority will indicate the locality, number of sex entertainment venues and the reason for the number.

This table is not exhaustive and we would consider representations as to why our view should be changed about any particular locality. Where this is likely to affect licence holders, we will give at least two months' notice in which they may make representations. In considering the characteristics of a locality we shall take account of the density and proximity of;

- Residential accommodation
- Parks and children's play areas
- Other retail units (and their uses)
- Schools and nurseries
- Religious and communal buildings
- Alcohol or entertainment licensed premises

Length of licence

We will, unless there are exceptional reasons otherwise, grant licences for the maximum duration of a year at a time to provide certainty to those operating businesses.

Waivers

We do not consider it would be appropriate to permit waivers from the requirements to hold a sexual entertainment venue licence. Particularly as the legislation allows relevant entertainment on an infrequent basis of no more than eleven occasions within a 12 month period, providing there is at least one month between each period of entertainment which itself does not last for more than 24 hours.

Application form and operating schedule

We have a standard application form, including public notices, which are available on request from the Licensing Team. As part of the application, the applicant will have to submit an Operating Schedule showing how the Licence Holder will operate the premises, so as to comply with the standard conditions detailed at Appendix II of this document, together with a plan showing;

- the area where the entertainers perform
- the means of access and egress to and from the performance area
- the performers' dressing room

- the seating layout for the customers

The operating Schedule will detail;

- stewarding arrangements, including the means by which physical contact between the audience and performers will be prevented
- the appearance and content of any advertising material outside and inside the premises
- the means by which potential customers will be made aware of the nature of the performance

Criminal Record Checks

Licence applicants (and persons responsible for the management of the licensed premises) will be required to produce a current Basic DBS Certificate. The Certificate will reveal the existence and content of any criminal record (not spent under the terms of the Rehabilitation of Offenders Act) held in the name of the applicant and/or manager. A basic check will contain details of convictions and conditional cautions that are considered to be unspent under the terms of the Rehabilitation of Offenders Act 1974.

Licence conditions

We have adopted standard conditions for the operation of sexual entertainment venues set out at **Appendix II** of this Policy. Where it is reasonable and necessary to do, so our Licensing Committee will impose additional proportionate conditions on a licence. Wherever possible, these will be discussed in advance with operators.

Licence conditions - private booths or performing areas

There will be a presumption against granting consent for private booths or private performing areas on the premises, unless the Council is satisfied that the relevant risk assessments have been undertaken and adequate safety measures and assurances are in place.

Fees

Our fees are set out each year and details are available from our Licensing Team. We charge separate fees for applying for a licence, renewing a licence and for making major and minor variations to a licence.

APPENDIX I

STANDARD CONDITIONS APPLICABLE TO LICENCES FOR SEX ESTABLISHMENTS

Definition

1. In these Conditions, save when the context otherwise requires it, the following expressions shall have the following meanings;
 - (i) "Sex Establishment" "Sex Cinema" "Sex Shop", "Sex Entertainment Venue" and "Sex Article" shall have the meanings ascribed to them in the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982, as amended
 - (ii) "Premises" means a building or part of a building and any forecourt, yard or place of storage used in connection with a building or part of a building, which is the subject of a licence for a Sex Establishment granted under the said Third Schedule
 - (iii) "Approval of the Council" or "Consent of the Council" means the approval or consent of the Council in writing
 - (iv) "Approved" means approved by the Council in writing
 - (v) "The Council" means North Kesteven District Council
 - (vi) "He" means he or she and "his" means his or her

General

2. In the event of a conflict between these Regulations and any special conditions contained in a licence relating to a Sex Establishment the special conditions shall prevail.
3. The grant of a licence for a Sex Establishment shall not be deemed to convey any approval or consent, which may be required under any enactment by law, order or regulation other than the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982.

Times of Opening

4. Opening times will be considered on a case-by-case basis.
5. Except with the previous consent of the Council a Sex Establishment shall not be open on Christmas Day and New Year's Day.

Conduct and Management of Sex Establishments

6. Where the Licence Holder is a corporate body, 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. Such written details as the Council may require in respect of any new director, secretary or manager are to be furnished within 14 days of a request in writing from the Council.

7. The Licence Holder or some responsible person nominated by him, in writing, for the purpose of managing the Sex Establishment in his absence and of whom details have been supplied to and approved in writing by the Council, shall be in charge of and upon the Premises during the whole time they are open to the public.
8. The name of the person responsible for the management of a Sex Establishment (the Licence Holder or a manager approved by the Council) shall be prominently displayed within the Sex Establishment throughout the period during which he is responsible for its conduct.
9. The Licence Holder shall maintain a daily register in which shall be recorded the name and address of any person who is to be responsible for managing the Premises in the Licence Holder's absence and the names and addresses of those employed in the establishment. The Register is to be completed each day within thirty minutes of the premises being opened for business and is to be available for inspection by the police and by authorised officers of the Council.
10. The Licence Holder shall retain control over all portions of the Premises and shall not let, licence or part with possession of any part of the premises.
11. The Licence Holder shall maintain good order in the Premises.
12. The Licence Holder shall ensure that there is no nuisance or annoyance to neighbouring residents or commercial occupiers arising from noise emanating from the premises.
13. No person under the age of 18 shall be admitted to the Premises or employed in the business of the Sex Establishment.
14. The Licence Holder shall ensure that the public are not admitted to any part or parts of the Premises other than those which have been approved by the Council.
15. No part of the Premises shall be used by prostitutes for the purposes of solicitation or of otherwise exercising their calling.
16. Neither the Licence Holder nor any employee or other person shall seek to obtain custom for the Sex Establishment by means of personal solicitation outside or in the vicinity of the Premises.
17. The Licence Holder shall comply with all statutory provisions and any regulations made hereunder.
18. The copy of the licence and of these Conditions required to be exhibited in accordance with paragraph 14(1) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 shall be

reproductions to the same scale as those issued by the Council. The copy of the licence and any Conditions attached shall at all times be displayed in a conspicuous position on the Premises, so as to be available for inspection by the police, the fire authority and authorised officers of the Council or the local trading standards authority.

19. A Sex Shop shall be primarily for the purpose of the sale of goods by retail.
20. No change of use of any portion of the Premises from that approved by the Council shall be made until the consent of the Council has been obtained thereto.
21. No change from a Sex Cinema to a Sex Shop or from a Sex Shop to a Sex Cinema shall be effected without the consent of the Council.
22. Neither Sex Articles nor other things intended for use in connection with, or 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, used or demonstrated in a Sex Cinema.

Goods available in Sex Establishments

23. All Sex Articles and other things displayed for sale, hire, exchange or loan within a Sex Shop shall be clearly marked to show to persons who are inside the Sex Shop the respective prices being charged.
24. All printed matter offered for sale, hire, exchange or loan shall be available for inspection prior to purchase and a notice to this effect is to be prominently displayed within the Sex Establishment.
25. The Licence Holder shall without charge display and make available in the Sex Establishment such free literature on counselling on matters related to sexual problems as may be published by the Family Planning Association and by such other similar organisations as may be specified by the Council. Such literature is to be displayed in a prominent position approved by the Council adjacent to all cash collection points in the Sex Establishment.

External Appearance

26. The licence holder shall comply with any requirements relating to the external appearance of the licensed premises, as the Council may consider reasonably necessary for the preservation of public amenity.
27. Without prejudice to the generality of Regulation 26 above no advertisement display, word, letter, model, sign, placard, board, notice, device, representation, drawing, writing or any matter or thing (whether illuminated or not) shall be displayed outside or on the exterior of the licensed premises or inside the licensed premises so as to be visible from outside such premises without the consent of the Council except;
 - (i) as required by law, regulation or licence condition; or

- (ii) the name of the business carried on at the licensed premises, in not more than one place, in characters not exceeding 15 inches in height
 - (iii) such display, advertisement, word, letter, model, sign placard, board, notice, device, representation, drawing, writing or any matter or thing as shall have been approved by the Council
28. The licence holder shall ensure that the interior of the licensed premises shall not be visible to persons outside the premises.

State, Condition and Layout of the Premises

29. The Premises shall be maintained in good repair and condition.
30. Lighting in all parts of the Premises as approved by the Council shall be in operation continuously during the whole of the time that the Sex Establishment is open to the public.
31. There shall be exhibited on the licensed premises a warning notice containing the following words and no others:-

"WARNING"

NO ADMITTANCE TO PERSONS UNDER 18 YEARS OF AGE

- (i) the word "WARNING" must appear as a heading
 - (ii) no pictures or other matter shall appear on the notice
 - (iii) the notice must be so situated that no-one could reasonably gain access to the licensed premises or any part of such premises without being aware of the notice and it must be easily legible by any person gaining such access
32. The number, size and position of all doors or openings provided for the purposes of the ingress and egress of the public shall be approved by the Council and shall comply with the following requirements;
- (i) All such doors or openings approved by the Council shall be clearly indicated on the inside by the word "exit"
 - (ii) 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"
 - (iii) Save in the case of emergency no access shall be permitted through the Premises to any unlicensed premises adjoining or adjacent
33. The external doors of the licensed premises shall be fitted with self-closing door mechanisms and such mechanism shall be maintained in good working order. No external door shall be fixed in the open position at any time during which the premises are open for the serving of customers. A partition shall be erected inside the premises in such a

position so that the interior of the premises and the contents cannot be seen when the front door of the premises is opened.

34. The Licence Holder shall make provision in the means of access both to and within the Sex Establishment for the needs of members of the public visiting the Sex Establishment who are disabled.
35. Alterations or additions either internal or external and whether permanent or temporary to the structure, lighting or layout of the Premises shall not be made except with the prior approval of the Council.
36. All parts of the Premises shall be kept in a clean and wholesome condition to the satisfaction of the Council.
37. The Licence Holder shall provide and maintain satisfactory sanitary conveniences and hand washing facilities for any staff employed by him.

Safety

38. The Licence Holder shall take all reasonable precautions for the safety of the public and employees.
39. The Licence Holder shall comply with any fire prevention and safety measures that may be required of him by the Council or Lincolnshire Fire and Rescue.
40. The Premises shall be provided with fire appliances suitable to the fire risks of the Premises and such fire appliances shall be maintained in proper working order and shall be available for instant use, in accordance with the requirements of Lincolnshire Fire and Rescue.

APPENDIX II

STANDARD CONDITIONS FOR SEXUAL ENTERTAINMENT VENUES

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| 1. | The Licence Holder must remain in personal control of the premises at all times or nominate an individual in writing over the age of 18 with the Authority to direct activities within the Premises. |
| 2. | Any individual employed on the Premises to conduct a security activity (within the meaning of section paragraph 2(1) (a) of Schedule 2 to the Private Security Industry Act 2001) must be licensed by the Security Industry Authority. |
| 3. | The Licence Holder must ensure that a suitable number of trained staff are employed to supervise the interior of the premises ("floor supervisors") whilst performances are being given under this licence. |
| 4. | <p>No persons under the age of 18 shall be admitted to the premises. A clear notice shall be displayed at each entrance to the premises, in a prominent position so that it can easily be read by people entering the premises, saying;</p> <p>"NO PERSONS UNDER THE AGE OF 18 SHALL BE ADMITTED"</p> <p>the word "WARNING" must appear as a heading</p> <p>(ii) no pictures or other matter shall appear on the notice</p> <p>(iii) the notice must be so situated that no-one could reasonably gain access to the licensed premises or any part of such premises without being aware of the notice and it must be easily legible by any person gaining such access</p> <p>Customers who appear to be under the age of 25 must be asked to provide photographic proof of their age. The Licence Holder must provide prominent notices at each entrance to the premises to this effect.</p> |
| 5. | Performers shall be aged not less than 18 years. The Licence Holder must maintain adequate records of the names, addresses and dates of birth of performers including adequate identity checks. |
| 6. | <p>The Licence Holder shall ensure that neither they nor any person promoting or providing entertainment on the Premises (nor any person acting on behalf of any such person) shall display advertisements promoting the entertainment or the Premises in any unlawful manner;</p> <p>a) Where the Council has given notice in writing to the Licence Holder objecting to an advertisement on the grounds that, if</p> |

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| | <p>displayed, it would offend against good taste or decency or be likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling, that advertisement shall not be displayed</p> <p>b) The Licence Holder shall not permit the display outside of the Premises of photographs or other images which indicate or suggest that striptease or similar entertainment takes place on the Premises and which may be offensive</p> <p>c) The Licence Holder shall ensure to the Council's satisfaction (including, where required, necessary planning or building control consents) that the interior of the premises is not visible from the outside of the premises, and that the exterior is maintained to a satisfactory level of decorum. At no point may dancers be visible from the outside of the premises</p> |
| 7. | Performances of sexual entertainment shall not be the subject of any advertising involving the distribution of leaflets in the street, promotion by canvassers or by touting in the street. |
| 8. | The Licence Holder shall ensure that no more members of the public shall be present on the Premises, at any time whilst sexual entertainment takes place, to which this licence relates, where the Council has specified a number in writing on the grounds of public safety, public nuisance or crime and disorder. |
| 9. | Performers shall only perform on the stage area, to seated customers or in such other areas of the licensed Premises as may be agreed in writing with the Council. There shall be no private booths or private performing areas provided on the premises (unless specifically permitted in writing by the Council). |
| 10. | Performances of sexual entertainment shall be given only by performers/entertainers who are engaged exclusively for that purpose. |
| 11. | The Licence Holder is to implement a policy to ensure the safety of the performers when they leave the Premises after a period of work. |
| 12. | No performer shall be allowed to work if they appear to be under the influence of intoxicating liquor and/or drugs. |
| 13. | Performers shall be provided with changing room(s) that shall be located so as to be separate and apart from public facilities. No person other than performers and authorised staff shall be permitted in the changing room(s). |
| 14. | Performers must remain clothed in public areas and all other areas except while performing in areas approved by the Council as where sexual entertainment may be provided. |
| 15. | Performers must dress fully at the end of each performance. |
| 16. | Performers must never be alone in the company of a customer except in an area open to the public within the Premises. |

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| 17. | The Licence Holder is to ensure a sufficient number of staff are employed inside the Premises whilst sexual entertainment is provided to supervise the Performers and Customers. |
| 18. | Performers must not perform a nude table dance unless in a supervised area or within five metres of a floor supervisor. |
| 19. | <p>The Licence Holder must ensure that during performances to which this Licence relates;</p> <ul style="list-style-type: none"> a) Performers may not perform any act that clearly simulates any sexual act b) Performers may not use inappropriate, suggestive or sexually graphic language at any time c) Performers must never intentionally touch the genitals or breasts of another dancer or to knowingly permit another dancer to intentionally touch their genitals or breasts d) Performers must not engage in communications that could be deemed as acts of prostitution or solicitation, even if the Performer has no intention of carrying out the act e) Performers only perform nude or semi-nude dancing (of any description) within areas specified by the Council |
| 20. | <p>The Licence Holder must ensure that during performances to which this Licence relates;</p> <ul style="list-style-type: none"> a) Customers may not dance at any time except in areas specifically designated by the Council as being separate from areas for sexual entertainment b) Customers must remain appropriately clothed at all times |
| 21. | Apart from that permitted under Condition (22) below, there shall be no physical contact between any member of the audience or any performer(s). |
| 22. | The only time any physical contact shall be allowed between a performer and a customer is when the performer introduces herself/himself with a formal handshake or when a gratuity or tip is placed in the garter or armband. Other than that, there shall be no contact. |
| 23. | No performer shall accept from members of the audience or give to and such audience members any telephone number, email address, address, contact information, business card or note. |
| 24. | The Licence Holder, management or anyone concerned in providing the approved entertainment shall not encourage or permit the encouragement of the audience to throw money or otherwise give gratuities to the performers except as permitted by condition (22) above. |
| 25. | The Licence Holder shall provide a copy of the House Rules to the Licensing Authority for approval. |

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| <p>26.</p> | <p>On arrival, each customer shall be provided with a copy of the House Rules which shall include;</p> <ul style="list-style-type: none"> a) No person under the age of 18 years shall be admitted to the premises b) The only time any physical contact will be allowed between a performer and a customer is when the performer introduces herself/himself with a handshake or when a gratuity or tip is placed in the garter or armband. Other than that, there shall be no contact c) No member of the audience shall throw money or otherwise give gratuities to the performers except as permitted in section (b) above d) There shall be no physical participation by any member of the audience e) No customer shall accept from or give to any performer any telephone number, email address, address, contact information or business card or note |
| <p>28.</p> | <p>A clear copy of these conditions and House Conditions shall be exhibited at all times in or near the performers' changing room(s) in such a manner that they can be read by the performers and customers. These conditions shall be protected against theft, damage or defacement.</p> |
| <p>29.</p> | <p>The Licence Holder shall ensure that working CCTV is installed (both internally and externally). The CCTV to be maintained to the satisfaction of Lincolnshire Police, and the Licence Holder to ensure that any images are;</p> <ul style="list-style-type: none"> a) retained for a period of at least 31 days, and b) made available on request to a Police Officer or Authorised Officer of the Council |
| <p>30.</p> | <p>No still or moving photographic or video recordings other than under condition (29) above shall be made of any performance of an approved entertainment.</p> |
| <p>31.</p> | <p>The Licence Holder shall provide in a timely fashion copies of any documents reasonably required by an Authorised Officer of the Council in relation to compliance with this licence.</p> |