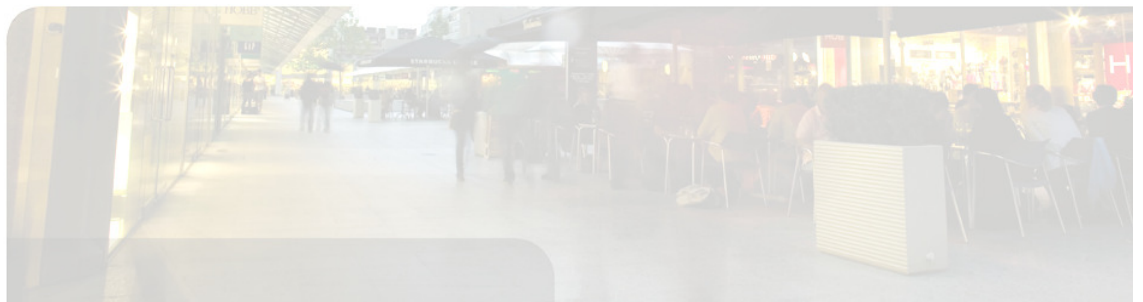


London Borough of Camden Sex Establishments Policy



Camden’s Sex Establishment Policy	3
Introduction	3
Consultation on this Policy	3
Definitions	5
Welcome to the London Borough of Camden	6
Core Strategy.....	7
CamdenSafe Strategy	8
Equality Act 2010.....	8
Camden’s Equality Policy	8
Crime and Disorder Act 1988.....	9
Human Rights Act 1998.....	9
The Provision of Services Regulations 2009	11
Principles to be Applied When Considering Applications	11
Limit on Appropriate Number of Sex Establishments.....	12
Character of Locality and Use Nearby Premises Are Put To	13
Suitability of Applicant - All Applications	14
Other Considerations.....	14
Existing Premises	15
Planning	15
Transitional Arrangements for Sexual Entertainment Venues.....	16
Advertisement of Applications	17
Commenting on Applications.....	18
Standard Conditions.....	18
Sexual Entertainment Venues also Licensed Under the Licensing Act 2003 ..	18
Hearings.....	19
Duration of Licence	19
Appeals	19
Revocation	20
Burlesque	21
Premises ‘Infrequently Used’ for Sexual Entertainment	21
Policy Review.....	21
Further Information.....	21
APPENDIX A MAP SHOWING RESIDENTIAL PREMISES IN CAMDEN	22
APPENDIX B MAP SHOWING LOCATION OF SENSITIVE PREMISES IN	
CAMDEN	23
APPENDIX C MAP SHOWING 250M RADIUS AROUND SENSITIVE	
PREMISES IN CAMDEN	24
Regulations Prescribing Standard Conditions for Sex Establishment	
Licences	25
General Conditions.....	25
CCTV Conditions.....	27
Additional Conditions for Sex Shops	28
<i>Requirements for a Code of Conduct for Dancers</i>	29
<i>Disciplinary Procedure</i>	30
<i>Sexual Entertainment Venues - Code of Conduct for Customers</i>	32
<i>Private Booths</i>	32
<i>Dancers Private Work Areas</i>	32
<i>Dancers Welfare Policy</i>	32
<i>General Provisions</i>	32
Additional Rules for Premises Used as Sex Cinemas	34

Camden's Sex Establishment Policy

Introduction

Camden's Sex Establishments Policy ("the Policy") sets out the London Borough of Camden's approach to the regulation of sex establishments and the procedure relating to applications for sex establishment licences.

This Policy applies to:

- sex shops
- sex cinemas
- sexual entertainment venues

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

The Council is mindful of the possible concerns of the local community and that there may be conflict between the wishes of applicants for licences and those who object to such applications. This Policy will therefore guide the Council when considering applications for sex establishment licences in balancing the needs of residents, communities, commercial interests, patrons and employees.

The Policy creates a presumption that any applications for new licences shall normally be refused. However each case will be considered on its own merits and the presumption may be overcome having regard to the facts of a particular case.

This Policy may be reviewed from time to time as the Council thinks fit.

Consultation on this Policy

1. The Council has consulted with stakeholders on the formulation of its policy on sex establishments.
2. The consultation took place in two phases.
3. The Phase One consultation took place from 23 May 2011 until 4 July 2011. 223 letters and around 600 emails were sent to consultees including:
 - existing sexual entertainment operators
 - existing sex establishments
 - persons who have asked to be consulted on any applications for a sex establishment licence (including churches)
 - Area Amenity Groups as identified on CINDEK (the Council's consultations database)
 - Residents and Tenants Associations as identified on CINDEK
 - Community Associations and Centres as identified on CINDEK

- Ethnic Group Associations as identified on CINDEX
 - Faith Groups as identified on CINDEX
 - neighbouring Licensing Authorities at Brent, Westminster, Islington, Haringey, Barnet and the City of London
 - Members
 - Responsible Authorities under the Licensing Act 2003, including the Metropolitan Police and Fire Authority
 - Camden Primary Care Trust
 - Area Forum attendees
 - Police Safer Neighbourhood Teams
 - Town Centre Managers
 - The Womens Burlesque Institute
 - Business Improvement Districts at Camden Town and Holborn
 - Camden Business Against Crime
 - Camden Lesbian, Gay, Bisexual and Transgender Forum
 - The Council's Community Safety Team
 - The Council's Anti Social Behaviour Team
 - The Youth Council
4. A newspaper advertisement was published in the Camden New Journal on 26 May 2011 advising of the consultation and how to respond and a public notice displayed at the Town Hall for the duration of the consultation. An online version of the consultation was also made available on the Camden website. 54 responses were received to the Phase One consultation.
5. A first draft of this policy was then produced and was the subject of a Phase Two consultation from 1 August 2011 until 2 September 2011. The draft policy was sent for comment to the following persons:
- persons who responded to the Phase One consultation, including the Metropolitan Police
 - existing sex establishments
 - existing sexual entertainment operators
 - Ward Councillors
6. The draft policy was also published on the Camden website for the duration of the consultation period and details provided on how to respond to the consultation.
7. 17 responses were received to the Phase Two consultation.
8. Details of the results of both consultations together with the draft policy document were considered by the Licensing Committee, Culture and Environment Scrutiny Committee, Cabinet and Full Council in October and November 2011.
9. Full details of the consultation responses can be obtained by emailing licensingreform@camden.gov.uk.

Definitions

“the Act” refers to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009

“the Council” means the Council of the London Borough of Camden

“the Policy” refers to the Camden Sex Establishments Policy

“relevant locality” means the locality in which the premises, vehicle, vessel or stall are situated. For the purposes of this policy, each ward has been determined to be a locality. In individual cases, if it is necessary to decide the precise boundaries of the locality, this will be done on the facts of the individual case

“character of the relevant locality” means the character or characteristics of the locality in which the premises, vehicle, vessel or stall are situated. In determining the character of the area, the Council will consider the primary use premises in the locality are put to, any additional uses of premises in that locality, and any purposes that may require persons to use that locality, for example transport hubs

“the premises” means the premises, vehicle, vessel or stall that are the subject of the sex establishment licence or of the application for a sex establishment licence

“sex cinema” means any premises, vehicle, vessel or stall used to a significant degree for the exhibition of moving pictures related to, or intended to stimulate or encourage, sexual activity, acts of force or restraint associated with sexual activity, or concerned primarily with the portrayal of or primarily deal with, or relate to, genital organs or excretory or urinary functions, but does not include a dwelling house to which the public is not admitted

“sex shop” means any premises, vehicle, vessel or stall used for a business consisting to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating:

- (a) sex articles; or
- (b) other things intended for use in connection with, or for the purpose of stimulating or encouraging—
 - i. sexual activity; or
 - ii. acts of force or restraint which are associated with sexual activity.

“sex articles” include written or visual material such as sex magazines or books, or visual or audio recordings concerned with the portrayal of, or primarily deal with or relate to, or are intended to stimulate or encourage, sexual activity or acts of force and restraint associated with sexual activity, or which are concerned primarily with the portrayal of, or primarily deal with or relate to, genital organs or urinary or excretory functions

“sexual entertainment venue” means any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer

“relevant entertainment” means 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. where the entertainment takes place in private booths)

“display of nudity” means, in the case of a woman, exposure of her nipples, pubic area, genitals or anus; and in the case of a man, exposure of his pubic area, genitals or anus

“the organiser” means any person involved in the organisation or management of relevant entertainment

“significant degree” in the context of sex shops, shall be considered by the Council on a case by case basis. In considering significant degree, the Council will consider, amongst other things:

- the amount of shelf space devoted to relevant articles
- the annual turnover in relation to relevant articles and other things
- the way the business is marketed and advertised and
- the primary intention of the majority of customers in visiting the shop

“permitted hours” are the hours of activity and operation that have been authorised by the Council under the sex establishment licence

Welcome to the London Borough of Camden

10. The London Borough of Camden covers an area of 22 square kilometres (2,180 hectares) of inner London, to the north of the West End and City of London.
11. The area covered by the London Borough of Camden extends from Hampstead Heath through Camden Town, Euston and Kings Cross to areas including parts of Holborn, St Giles and Covent Garden.
12. The borough is well served by public transport, including major mainline rail terminals at Euston, Kings Cross and St Pancras International and extensive bus and London Underground coverage.
13. Camden has a rich architectural heritage, with many buildings and places of architectural or historic importance. It has many residential areas, each with its own distinctive identity and characteristics. There are numerous parks and open spaces within the borough, including Hampstead Heath, Primrose Hill and Regents Park.
14. Camden also has a wide range of shopping centres and districts, including Camden Town, Finchley Road, Kilburn High Road, Tottenham Court Road, West Hampstead and the Seven Dials area of Covent Garden.
15. The borough is home to University College London, and major teaching hospitals including University College Hospital and the Royal Free, as well as to many of the country’s legal practices at Chancery Lane and Holborn.
16. Camden’s cultural and leisure activities include the British Museum, the British Library and well known theatres, in addition to many smaller museums and galleries, cinemas and public houses. Camden also offers a variety of indoor and outdoor sport facilities, enjoyed by both residents and visitors.

17. Approximately 210,000 residents live in the London Borough of Camden. It is estimated that this population will grow by around 27,500 people between 2010 and 2025. Annual Business Inquiry 2007 estimates that around 24,000 businesses are situated in Camden, ranging from international organisations to small businesses, with an estimated 275,800 workers in the borough
18. Camden is a borough of diversity and contrasts, with some of the wealthiest areas in England as well as some of the most deprived. Though a small borough in terms of size, Camden is the third largest contributor to London's economy and accounts for around 1% of Britain's economic output.

Core Strategy

19. The Council's Core Strategy forms part of the Local Development Framework (LDF). The Core Strategy contains strategic policies and sets out the key elements of the Council's planning vision and strategy for the borough over the next fifteen years. It includes where new homes, jobs and infrastructure could be located. The first two documents of the LDF, the Core Strategy and Development Policies, replaced the Unitary Development Plan in November 2010.
20. The Core Strategy contains a number of sections relevant to sex establishments, including:
 - promoting Camden's Centres and shops (Policy CS7)
 - seeking to minimise the impact of food, drink and entertainment uses (Policy CS7)
 - promoting a successful and inclusive Camden Economy (Policy CS8)
 - recognising and encouraging the concentrations of creative and cultural businesses in the borough as well as supporting the development of Camden's tourism sector whilst ensuring that any new facilities meet the other strategic objectives of the Core Strategy (Policy CS8)
 - recognising the importance of other employment generating uses, including retail, leisure, education and health (Policy CS8)
 - making Camden a safer place (Policy CS17)
21. Relevant areas within the Development Policies include:
 - supporting strong Centres and managing the impact of food, drink, entertainment and other town centre uses (Policy DP12)
 - managing the impact of development on occupiers and neighbours (Policy DP22)

CamdenSafe Strategy

22. The CamdenSafe strategy sets out how the Camden Community Safety Partnership will address crime and community safety issues over the next three years.
23. The strategy outlines Camden's strategic priorities, which include tackling antisocial behaviour, tackling key crime areas, and improving communication with the residents and local communities of Camden.
24. The areas of the Strategy particularly relevant to sex establishments are:
 - use data analysis and problem-solving approaches to get behind crime figures and understand where and why crime is committed, and what options there are to intercede
 - reduce the overall crime rate in Camden
 - create a greater sense of safety and community confidence across the borough
 - continue to share data and intelligence to inform the joint licensing enforcement operations, concentrating on high-risk premises
 - continue to tackle alcohol related disorder through the targeting of alcohol related violence hotspots, enhanced management in problem premises and active use of enforcement powers

Equality Act 2010

25. The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers, including licensing functions. The Council will be mindful of this duty when determining all licensing applications. In particular the Council will pay due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Camden's Equality Policy

26. Camden has an ambitious equality agenda to address the needs of people who have traditionally been disadvantaged or treated less favourably based on their race, gender, disability, age, sexual orientation or religion/belief.

27. Camden is committed to ensuring that:
- our services give satisfaction to all
 - our policies and procedures don't have any unintended adverse impacts
 - our workforce is representative at all levels
28. Camden's Equality Policy sets out clearly what stakeholders can expect from Camden as a:
- community leader and advocate
 - service provide
 - employer
 - procurer of goods and services
29. The areas of Camden's Equality Policy relevant to sex establishment licensing are:
- celebrating and respecting the diversity of our community
 - working with others to ensure that Camden is a safe place in which to live, work, study or visit
 - listening and responding to the views of our communities through appropriate and widespread consultation and participation mechanisms, which are accessible to all
 - ensuring that all those in the community are able to visit our public buildings and open spaces
 - consulting and involving all sections of our community in the development and monitoring of our policies and services in ways which enable people to participate

Crime and Disorder Act 1988

30. The Council is obliged to exercise its sex licensing functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment). The Council has had regard to this duty in formulating this Policy.

Human Rights Act 1998

31. The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. Decisions on licensing matters are actions of a public authority and must be compatible with Convention Rights. Consequently, the Licensing Authority must have regard to the rights contained in the Convention (particularly those set out below) when making decision on licensing matters:

a. Article 6: Right to a Fair Trial

In the determination of his 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.

b. Article 8: Right to Respect for Family and Private Life

Everyone has a right to respect for his or her private life, his home and correspondence.

c. Article 1 of the First Protocol: Protection of Property

Every natural or legal person is entitled to the peaceful enjoyment of his possessions, including a licence. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

d. Article 10: Freedom of Expression

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. 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 as are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of crime, for the protection of health and 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.

e. Article 14: Prohibition of Discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

32. Most Convention rights are not absolute and there are circumstances when an interference with a person's rights is permitted. However, any interference with any of the Rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate to the intended objective of the authority. The interference will not be justified if the means used to achieve the aim are excessive in the circumstances.

The Provision of Services Regulations 2009

33. The Provision of Services Regulations 2009, require that applications are processed as quickly as possible and, in any event, within a reasonable period. This period may be extended once, for a limited period, when justified by the complexity of the issue.
34. The Council aims to deal with applications within a period of three calendar months from the date of receipt of an application. This allows the Council to carry out consultation, consider any representations received, prepare documents for and arrange a hearing and determine the application.
35. Applications for sexual entertainment venues received during the transitional period 1 November 2011 to 1 November 2012 are governed by specific provisions set out in the section on Transitional Provisions later in this policy.
36. The Provision of Services Regulations specify that in the event of failure to process the application within this period, authorisation is deemed to have been granted by a competent authority, unless different arrangements are in place. Regulation 47 of the Provision of Services Regulations 2009 states that in respect of sex establishment licensing “different arrangements” apply. Therefore sex establishment licences shall not be deemed to have been granted where they have not been processed within the time limit specified above.
37. In circumstances where applications cannot be dealt with within three calendar months, the Council will notify the applicant of the reason for this and give a revised deadline by which it intends to have processed the application.

Principles to be Applied When Considering Applications

38. Specific mandatory grounds for refusing an application are laid out in the Act, namely:
 - I. that the applicant is aged under 18
 - II. that the applicant is for the time being disqualified from holding a sex establishment licence
 - III. that the applicant is not a body corporate, and is not resident or has not been resident in a European Economic Area state for six months immediately preceding the date of the application
 - IV. that the applicant is a body corporate which is not incorporated in a European Economic Area state
 - V. that the applicant has in the period preceding the 12 months of the date of the application been refused the 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.

39. In each of the circumstances above, the Council is required to refuse the application.
40. The Act also specifies discretionary grounds on which an application may be refused, namely:
- I. the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason
 - II. if the licence were to be granted, 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 of such a licence if he made the application himself
 - III. the number of sex establishments, or sex establishments of a particular kind, in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality
 - IV. the grant would be inappropriate, having regard:
 - i. to the character of the relevant locality;
 - ii. to the use to which any premises in the vicinity are put;
 - iii. to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.
41. In each of the circumstances above, the Council may refuse the application.

Limit on Appropriate Number of Sex Establishments

42. Policy consultation respondents were asked to comment on whether they believed certain locations were appropriate or inappropriate for sex establishments to be located. The only location in which a majority of respondents thought it may be appropriate for a sex establishment to be located was the West End (57%). Respondents offered the strongest negative response to residential areas (84%), cultural facilities (79%), places of worship (78%), hostels (83%), family leisure areas (81%), schools and colleges (87%) and youth facilities (87%). Mapping of these areas and a 250m radius around them showed there were no locations in the borough of Camden where it was appropriate for a sex establishment to be located. The Council has therefore considered the nature of its wards and determined that a presumption exists that any application for a sex establishment licence in any of Camden's wards shall be refused, save for in exceptional circumstances.
43. This number has been set taking into account the proximity of all areas of the borough to the premises types described at paragraph 46. Maps showing the location of these premises types are annexed to this Policy at Appendices A to C.

44. The presumption to refuse shall not apply to:
- the renewal or variation of an existing sex establishment licence; or
 - the grant of a new sex establishment licence during the transitional period 1 November 2011 to 31 October 2012 to operators that can demonstrate that during the 12 months prior to the commencement of the transitional period they have been regularly providing sexual entertainment in premises that previously fell to be licensed only under the Licensing Act 2003. The definition of an existing operator for the purposes of this section has been determined by the Council and is not the same as the definition of an “existing operator” set out in Section 6 (1)(b) of the Policing and Crime Act 2009 (Commencement No.1 and Transitional and Saving Provisions) (England) Order (SI 2010/722) described at Paragraph 57 of this policy.
45. The Council has decided that where the presumption to refuse does not apply, it does not follow that a sex establishment licence will automatically be granted. Each application will be considered on its merits. The Council wishes to ensure existing premises are well run and this is only possible by judging applications on their merits and not by granting a blanket exemption. In addition, the character of a locality may change with time, making the existing location of a sex establishment inappropriate.

Character of Locality and Use Nearby Premises Are Put To

46. The Council has discretion to refuse applications where the grant would be inappropriate having regard to the character of the relevant locality and the use to which any premises in the vicinity are put. In general, the Council will treat the ward in which the premises is situated as the relevant locality, although a different view may be taken following representations in individual cases, e.g. where the premises is close to a ward boundary. As for “vicinity”, this will be determined in the circumstances of each case, although as a general guideline a radius of 250 metres will be taken. In exercising its discretion on these grounds, the Council will take into account the following:
- schools or other facilities frequented by children such as playgrounds and playgroups
 - cultural facilities such as museums, theatres and cinemas
 - facilities frequented primarily by women such as well woman clinics
 - places of worship
 - public leisure facilities such as leisure centres, parks and open spaces
 - community buildings such as community centres, libraries and drop in centres
 - places used by vulnerable persons such as hostels and other adult social care facilities
 - residential premises
 - hospitals and other medical facilities
 - other sex establishments

47. The premises to be licensed will be considered to be “in the vicinity” of other premises where those other premises are situated within a 250m radius of the premises that are the subject of the application. Whether the premises are within 250 metres of sensitive premises or not, the Licensing Panel shall also consider the factors outlined in paragraph 52.

Suitability of Applicant - All Applications

48. Applicants will be required to obtain a Basic Disclosure CRB check on grant, renewal or transfer of a sex establishment licence and may be required to attend for an interview with Police and/or Council officers to enable a decision to be reached on their suitability to hold a sex establishment licence. Details of applicants’ private addresses and other sensitive information will not be published in public Committee documents.
49. Applicants will be expected to demonstrate that they have a good understanding of the conditions applicable to any licence granted to them through management competencies, presence and enforcement of rules internally.
50. Applicants for sexual entertainment will be expected to demonstrate that they will act in the best interest and welfare of their performers. Relevant consideration will be given to policies, facilities, protection for performers and physical and psychological welfare.
51. Applicants will be expected to demonstrate that they have a transparent charging system so users of the premises are completely clear as to the charges applicable for services and products inside the premises.

Other Considerations

52. In all cases, other factors the Council will consider when determining applications are:
- proximity to sensitive premises
 - the nature of any logo for the sex establishment
 - the nature of any external images or advertisements at the sex establishment
 - whether advertising inside the sex establishment can be viewed from outside
 - whether the name of the sex establishment clearly indicates the nature of the activities that take place there
 - whether the times the sex establishment is open coincide with the times relevant nearby premises are used
 - queuing arrangements for persons wishing to gain admission to the sex establishment
 - whether planning consent exists for the proposed use
 - whether there are any planned developments in the area that may render the locality unsuitable for a sex establishment
 - any comments received from persons about the grant of the licence

- whether the applicant has had any enforcement action taken against them by the Police, the Council or other bodies such as Her Majesty's Inspectorate of Revenue and Customs
- whether the applicant is able to comply with the standard conditions applicable to all sex establishments and any special conditions the Council may consider appropriate to apply to that particular sex establishment licence
- accessibility to the premises for disabled persons

Existing Premises

53. For the purposes of this section, existing premises are premises already licensed as sex establishments or those premises described in paragraph 44 of this policy. For existing premises, the Council will also consider whether there have been relevant complaints about the premises, whether the licence holder has complied with the conditions of their sex establishment licence and any licence granted to them under the Licensing Act 2003, and the general management history of the premises. This would include such factors as whether noise nuisance has been caused, whether there have been problems with dispersing customers from the premises, whether there has been touting for business outside the sex establishment and the way in which staff working at the premises are managed. In determining whether a complaint is "relevant", the Council will consider:

- how recently the complaint was made
- whether the complaint was justified, for example whether it was vexatious
- whether the complaint related to a complaint that had already been made and was still undergoing investigation
- the licence holder's willingness to resolve the complaint
- whether the complaint was substantiated
- whether the complaint was resolved
- whether the management of the premises has changed since the complaint was made

54. The Council may take other factors not listed into account when considering applications for sex establishment licences. No policy can anticipate every possible scenario, and other criteria may be used in judging whether the premises should be granted a licence depending on the individual circumstances.

Planning

55. All applicants should consider whether they meet relevant planning requirements before proceeding with an application for a sex establishment licence. Persons seeking a sex establishment licence are advised to contact the Planning Service for guidance on 020 7974 4444, by post to Planning Department, Camden Town Hall Extension, Argyle Street, London WC1H 8ND or by visiting our website at www.camden.gov.uk/planning.

Transitional Arrangements for Sexual Entertainment Venues

56. There are no “grandfather rights” for existing operators of sexual entertainment venues. Existing operators of sexual entertainment venues are not guaranteed to be granted a sex establishment licence.
57. “Existing operators” are defined in Section 6 (1)(b) of the Policing and Crime Act 2009 (Commencement No.1 and Transitional and Saving Provisions) (England) Order (SI 2010/722) as persons who, immediately before the First Appointed Day:
 - hold a licence under the Licensing Act 2003 allowing them to lawfully use the premises to provide relevant entertainment; or
 - are undertaking preparatory work to use the premises to lawfully provide relevant entertainment under the authorisation of a licence under the Licensing Act 2003.
58. The transitional arrangements for sexual entertainment venues consist of three stages. The *First Appointed Day* is the day the Council specified in its resolution that the provisions come into effect, i.e. 1 November 2011. The *Second Appointed Day* is the day six months after the First Appointed Day, i.e. 1 May 2012. The *Third Appointed Day* falls six months after that, i.e. 1 November 2012.
59. Existing operators as defined in Paragraph 57 may continue to use their premises to provide relevant entertainment until at least the Third Appointed Day (or until their application or appeal has been determined if they applied for a sex establishment licence before the Third Appointed Day). All applications made on or after the First Appointed Day, but on or before the Second Appointed Day, shall be considered by the Council together. This ensures applicants are given sufficient time to submit their application and all applications received on or before the Second Appointed Day are considered on their individual merits and not on a first come, first served basis.
60. Licences granted to existing operators as defined in Paragraph 57 before the Third Appointed Day do not come into effect until the Third Appointed Day. Until that time, those existing operators may continue to provide relevant entertainment under the terms and conditions of their existing Premises Licence or Club Premises Certificate granted under the Licensing Act 2003.
61. New operators are operators who wish to commence providing relevant entertainment after the First Appointed Day, but do not already have consent for this under the Licensing Act 2003, or premises who have such consent but who have not used that consent. New operators will not be able to provide relevant entertainment after the First Appointed Day unless they obtain a sex establishment licence.

62. Where a sex establishment licence is granted to a new operator during the transitional period, it will take immediate effect.

Advertisement of Applications

63. The Local Government (Miscellaneous Provisions) Act 1982 provides for statutory consultation to be carried out by the applicant for a licence, including a newspaper advertisement and the placing of notice of the application at the premises.
64. For newspaper advertisements, the advertisement must be placed in either the:
- Hampstead and Highgate Express; or
 - Camden New Journal
65. Any proposal to use an alternative local newspaper must be considered and accepted by the Council in writing in advance of any application being submitted to avoid the application being rejected by the Council.
66. The notice of application to be displayed at the premises must be at least A3 size and contain as a minimum the following information:
- the applicant's name and address
 - the date of the application
 - the category of licence being applied for, e.g. sex shop, sexual entertainment venue
 - the proposed hours during which the premises will be used as a sex establishment
 - the application type, e.g. grant, renewal, transfer, variation
 - the date of the application
 - the last date for receipt of objections
67. The notice must be printed on a white background in black type, using a minimum font size of 16pt Arial or Helvetica. It must be displayed in a position where it can be clearly seen by passers by in the street at all times and must remain displayed until the last date for receipt of objections has passed.
68. Additionally, the Council will carry out extra statutory consultation on applications by:
- displaying details of the application on its website
 - informing the local ward councillors for the premises and the ward councillors of adjoining wards, whether those wards are in Camden or an adjoining borough
 - consulting with neighbouring Councils where the premises are located close to a borough boundary.

Commenting on Applications

69. Comments on an application for a sex establishment licence must be made to the Council within 28 days of the date of the application. Comments may be provided in written form or electronically. Comments may not be made on moral grounds and must relate to one or more of the grounds set out in the Local Government (Miscellaneous Provisions) Act 1982 as described in the section entitled "Principles to be Applied When Considering Applications".
70. Those making comments on applications should state whether they consent to any of their details being disclosed to the applicant, and, if so, what details they consent to sharing, such as street name only. Details shall not be provided to the applicant for the licence of any person or organisation without consent.

Standard Conditions

71. The Council has passed regulations adopting certain standard conditions that will act as default conditions to be applied to sex establishment licences in its district. These conditions are appended to this policy for information. The conditions shall apply in all cases unless the Licensing Panel specifically excludes them or substitutes them with different conditions. These conditions may change from time to time and therefore applicants are advised to contact the Council to ensure they are familiar with the conditions in force at the time.
72. Where it is reasonable and necessary to do so, the Licensing Panel may impose additional conditions on a sex establishment licence or alter or omit some of the standard conditions from the sex establishment licence.

Sexual Entertainment Venues also Licensed Under the Licensing Act 2003

73. Any conditions on a Premises Licence or Club Premises Certificate granted to the premises under the Licensing Act 2003 which
 - relate expressly and exclusively to the regulation of relevant entertainment at the premises, or
 - are inconsistent with, and less onerous than, the conditions in the sex establishment licence granted under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 -

are to be treated as if deleted from the Premises Licence or Club Premises Certificate from the day on which the sex establishment licence granted under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 has effect.

Hearings

74. All applications for sex establishment licences shall be considered by a Licensing Panel, regardless of whether there have been objections to the grant, renewal, transfer or variation of the licence. The Licensing Panel shall consist of at least three elected Members of the Council who are also members of the Licensing Committee.
75. The Council shall determine applications for sex establishment licences in accordance with its Hearings Procedure for Sex Establishment Licences.
76. Licensing Panel decisions may not always be announced at the end of the hearing. In such cases, the Panel's decision and the reasons for it will be notified to the parties within 28 days of the date of the hearing.
77. Where the Licensing Panel refuses to grant an application, they shall provide their reasons for doing so in writing to the applicant within 28 days of the date of the hearing.
78. Those who have made comments on an application shall be invited to attend any hearing and state their case to the Licensing Panel but will only be permitted to speak on matters relevant to their written representation to the Council.

Duration of Licence

79. A sex establishment licence shall normally be granted for a period of one year, but may be issued for a shorter term if the Council deems it appropriate in the circumstances.

Appeals

80. There are no rights of appeal for persons who have objected to the grant of a sex establishment licence nor for other statutory authorities.
81. There is a right of appeal for applicants/licence holders in the following circumstances:
 - refusal to grant a new sex establishment licence
 - refusal to renew an existing sex establishment licence
 - refusal to transfer an existing sex establishment licence
 - refusal to vary an existing sex establishment licence
 - imposition of conditions on a sex establishment licence
 - revocation of a sex establishment licence

82. However, an appeal may not be lodged where the Council's decision has been made on the basis that:
- I. the number of sex establishments, or sex establishments of a particular kind, in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality
 - II. the grant is inappropriate, having regard:
 - i. to the character of the relevant locality
 - ii. to the use to which any premises in the vicinity are put
 - iii. to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.
83. Any appeal to the Magistrates' Court must be made within 21 days from the date on which the person is notified of the decision or became aware of the condition. Where the Licensing Panel have given an oral decisions with reasons at the end of a hearing, the time limit for lodging an appeal will start on that date.
84. Where an appeal is lodged, the sex establishment licence remains in force until such time that the appeal is determined or abandoned. Where an appeal is lodged against conditions applied to a sex establishment licence, the conditions are deemed not to come into force until the determination or abandonment of the appeal.
85. There is a further and final right of appeal from the Magistrates Court to the Crown Court. This may be brought by the applicant/licence holder or the Council. The Council are not obliged to give effect to any order of the Magistrates Court until the time limit for the bringing of an appeal to the Crown Court has expired and, if such an appeal is brought, until the abandonment or determination of the appeal.
86. If an applicant or other party is aggrieved by a decision made by the Council that cannot be appealed, the only course of remedy is to seek a judicial review of the Council's decision in the High Court. This would have to be on the basis that the Council had made an error of law, had acted perversely, had failed to take a material consideration into account, or had taken immaterial considerations into account when making its decision.

Revocation

87. The Council may revoke a sex establishment licence at any time on any of the grounds for refusing an application, excluding those relating to the character of the premises and locality or the number of sex establishments in a locality.
88. The Council may be prompted to revoke a sex establishment licence by the complaint of a third party, including a ward councillor, or may do so unilaterally on its own behalf.

89. However, the Council will not take steps to revoke a sex establishment licence without giving details of its reasons for considering revocation to the applicant at least 28 days before holding any hearing to consider the revocation of the licence.
90. The applicant shall in all cases be afforded the opportunity to appear before the Licensing Panel making the decision. Where the Council decides to revoke the sex establishment licence, it shall give the reasons for its decision to the licence holder in writing within 28 days of making its decision.

Burlesque

91. This Policy may apply to some forms of burlesque performances. A decision on whether or not the entertainment provided is relevant entertainment for the purposes of the Act shall depend on the content of the entertainment and not the name it is given. Therefore, any decision as to whether entertainment is relevant entertainment will be made on a case by case basis.

Premises 'Infrequently Used' for Sexual Entertainment

92. Premises providing sexual entertainment on not more than eleven occasions in a twelve month period, greater than one month apart and lasting for not more than 24 hours are exempt from the need to be licensed as sex establishments under the Local Government (Miscellaneous Provisions) Act 1982. These premises shall continue to be regulated under the Licensing Act 2003.
93. Venues licensed under the Local Government (Miscellaneous Provisions) Act 1982 as sex establishments shall be treated as such even where they are used infrequently, unless the licence holder returns their sex establishment licence to the Council together with a request that the sex establishment licence be cancelled. If the sex establishment licence is surrendered for any reason, any future application to license the same premises shall be treated by the Council as a new application.

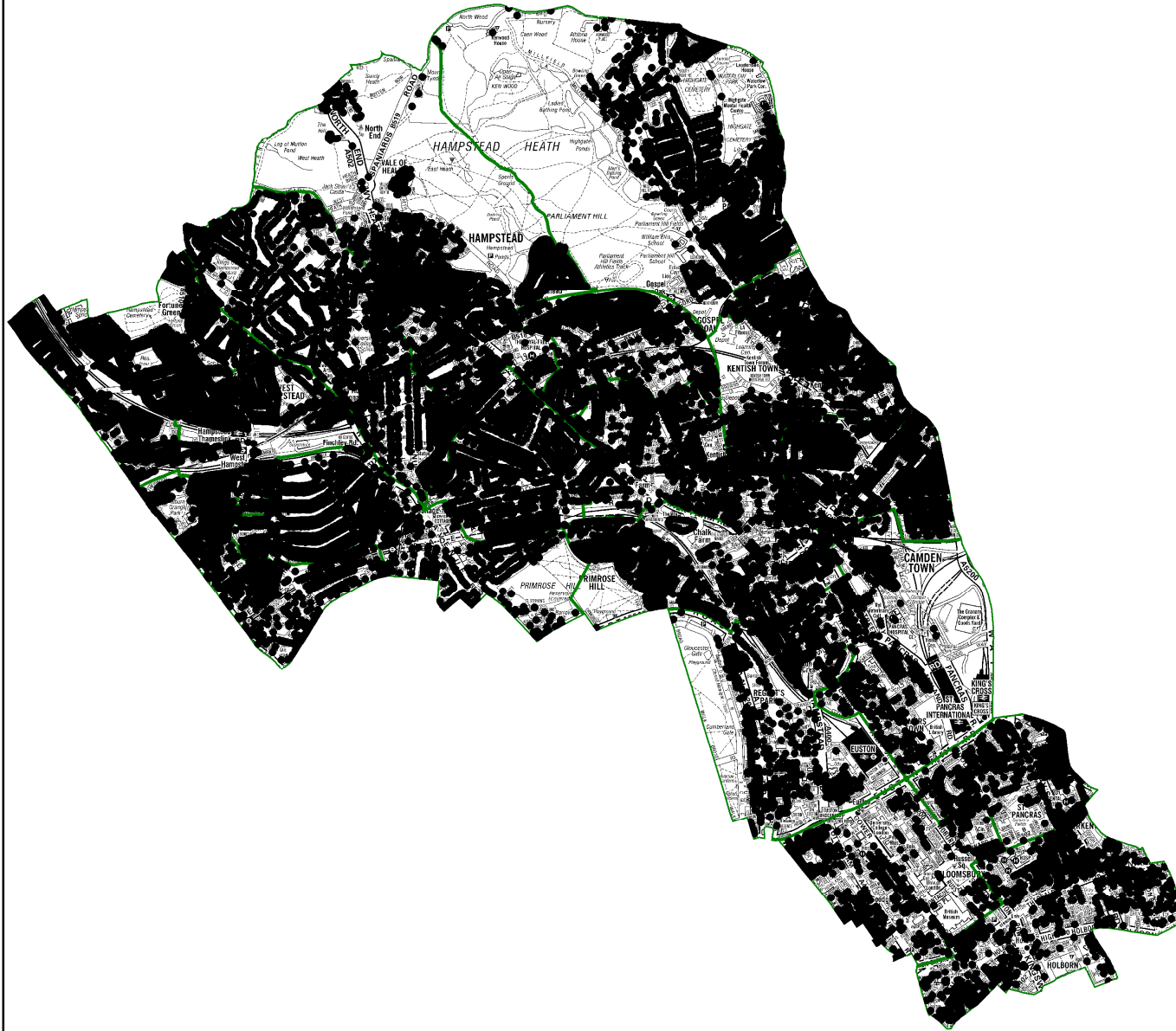
Policy Review

94. This Policy will be kept under review by the Council to incorporate changes and amendments to statute, guidance and policy development as appropriate.

Further Information

95. Information on sex establishment licensing, including guidance on making an online application and making a complaint can be found on the Council's website at www.camden.gov.uk. Persons wishing to make an application or make a complaint about a sex establishment may also contact the Council on 020 7974 4444 or visit our website.

APPENDIX A MAP SHOWING RESIDENTIAL PREMISES IN CAMDEN



Number residential addresses per ward

Ward Name	Count
Belsize	6,619
Bloomsbury	6,959
Camden Town with Primrose Hill	6,498
Canteloves	5,430
Fortune Green	5,612
Frogna and Fitzjohns	5,640
Gospel Oak	5,054
Hampstead Town	5,678
Haverstock	5,523
Highgate	5,197
Holborn and Covent Garden	7,872
Kentish Town	6,232
King's Cross	6,032
Regent's Park	6,331
St Pancras and Somers Town	5,802
West Hampstead	6,110
Swiss Cottage	6,915
Kilburn	6,473



SEV Locality Map - Residential Addresses



Reproduced from the O.S. map with the permission of the Controller of H.M.S.O. Licence no. LA100019726.

Information supplied by the GIS Team
7th Floor, Town Hall Extension
Argyle Street London WC1H 8EQ

Print Date: 25/10/11



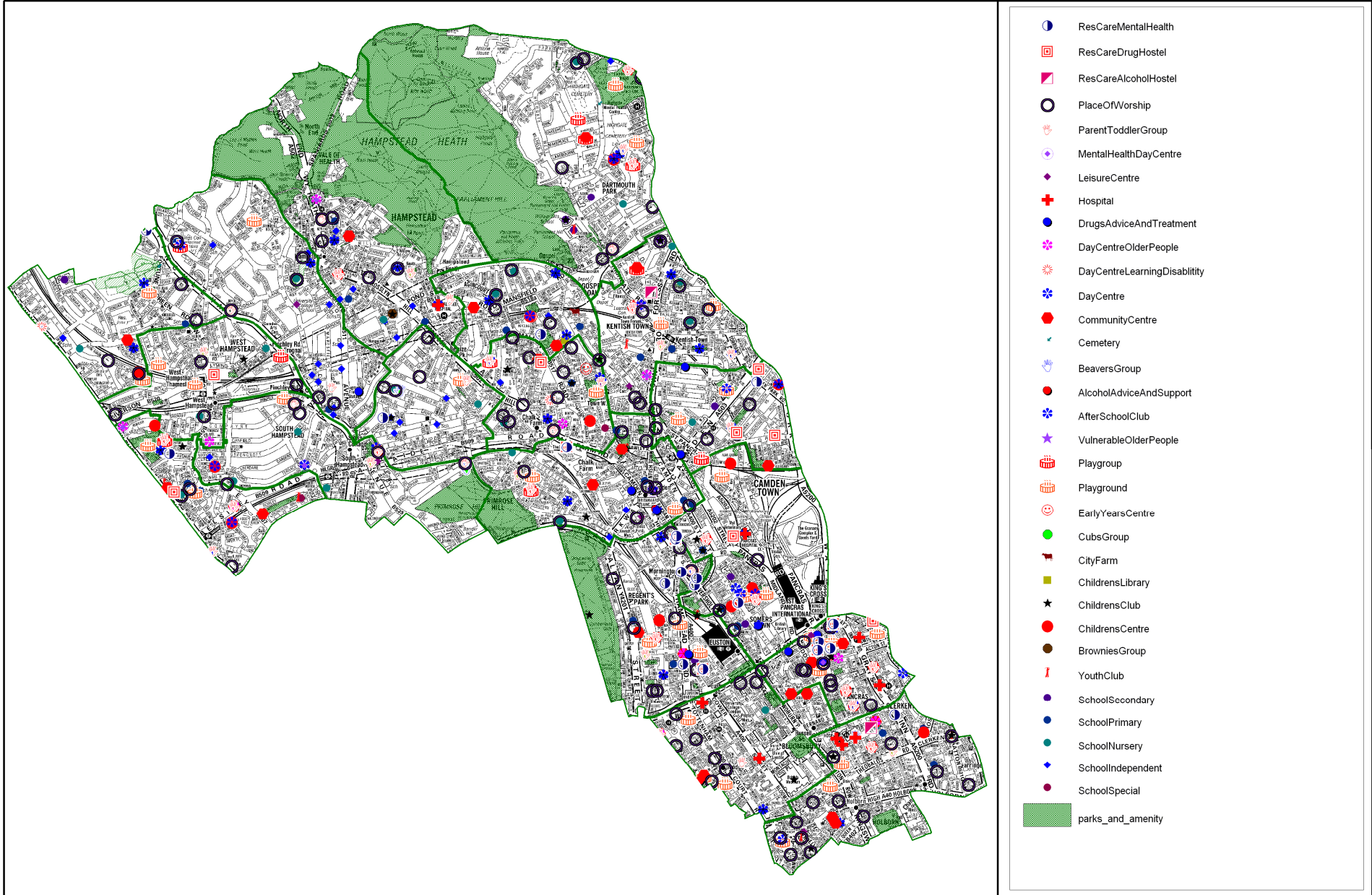
Scale 1:

#Map for Internal Use Only#

Printed By: Tony Hawkes

Map Ref No:

APPENDIX B MAP SHOWING LOCATION OF SENSITIVE PREMISES IN CAMDEN



SEV Locality Map



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Scale 1:

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Argyle Street London WC1H 8EQ

#Map for Internal Use Only#

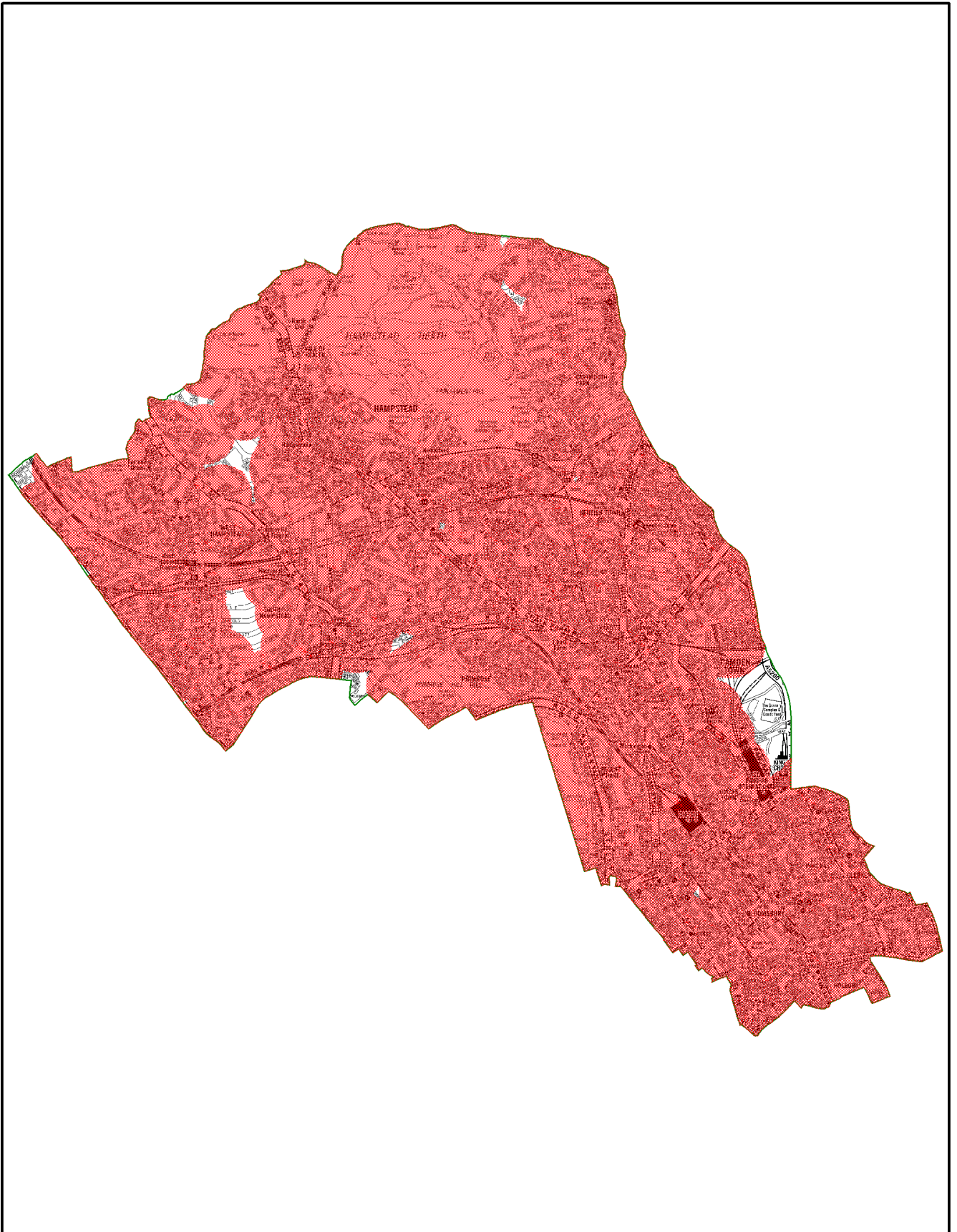
Print Date: 22/07/11

Printed By: Tony Hawkes



Map Ref No:

APPENDIX C MAP SHOWING 250M RADIUS AROUND SENSITIVE PREMISES IN CAMDEN



SEV Locality Map 250m Radius for Sensitive Premises



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Print Date: 24/10/11

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Camden

Map Ref No:

London Borough of Camden

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

Regulations Prescribing Standard Conditions for Sex
Establishment Licences



In these regulations, the expressions "sex cinema", "sex shop", "sex article", and "sexual entertainment venue" have the meaning ascribed to them in Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Police and Crime Act 2009. "The Council" means the Council of the London Borough of Camden. "Licence holder" means the person or organisation named as the holder of the sex establishment licence for the premises granted by the London Borough of Camden for the time being in force. "Licensed premises" means the premises licensed by the London Borough of Camden to be used as a sex establishment.

In the event of any conflict between these regulations and any special conditions contained in a licence relating to a sex establishment, the special conditions shall prevail.

General Conditions

1. The licence holder shall retain control over all portions of the premises as defined on the approved premises plan, and shall not let, license or part with possession of any part of the licensed premises.
2. The public shall not be permitted to have access to any part or parts of the licensed premises other than those which have been approved by the London Borough of Camden as per the plan submitted to the Council at the time the licence was granted.
3. No person under the age of eighteen shall be admitted to the licensed premises whilst the sex establishment licence is being used and prominent notices shall be displayed at each entrance to the premises to that effect.
4. No person aged under eighteen shall be employed to work at the licensed premises in any capacity, or allowed to work in the premises on a self-employed basis.
5. No part of the licensed premises shall be used by prostitutes for the purpose of solicitation or otherwise exercising their calling.

6. Where the licensee is a body corporate or an unincorporated body, any change of director, company secretary or other person responsible for the management of the body is to be notified in writing to the Council within 14 days of such change and such details as the Council may require in respect of any new director, secretary or manager are to be furnished within 14 days of any written request by the Council.
7. The premises layout shall allow all public parts of the premises to be easily supervised by premises management, staff and door supervisors at all times, save for public toilet areas which shall be checked at least at hourly intervals to ensure such areas are not being used for any improper purposes and are in a clean and useable condition.
8. No change of use of any portion of the licensed premises from that approved by the Council shall be made until the Council's consent in writing has been obtained.
9. No access shall be permitted through the licensed premises to any other premises adjoining or adjacent except in the case of emergency.
10. No alterations or additions, either internal or external, and whether permanent or temporary, shall be made to the structure, lighting or layout of the licensed premises except with the prior written approval of the Council.
11. The windows and openings of the licensed premises shall be of material or covered with material which will render the interior of the premises invisible to passers by.
12. The external doors to the licensed premises shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.
13. The licence holder shall ensure that the sex establishment licence or a certified copy shall be prominently exhibited at the premises in a position where it can be clearly seen by patrons of the premises. For the purposes of this section, a certified copy of the licence shall be a copy certified as a true copy by the holder of the licence or his solicitor and appropriately signed and dated with the date the copy was certified.

Touting for Business

14. There shall be no touting for business for the premises by way of flyer, persons holding advertising boards, branded vehicles or personal solicitation.

Premises Appearance

15. The Council shall not permit the display of any form of imagery or photographs that the Council believes could be construed as offensive to public decency.

16. No display or advertisement of the activities permitted by the sex establishment licence shall be exhibited so as to be visible from outside of the premises except:-
- any notice required to be displayed by law, by these regulations, or by any condition of the sex establishment licence granted by the Council
 - the name of the premises as specified in the sex establishment licence
 - the hours of opening of the premises
 - notice of any admission charge to the premises

unless the Council has given its prior consent in writing that such display or advertisement may be used.

CCTV Conditions

17. A CCTV system shall be installed and working to the satisfaction of the Police and the Council. The system shall cover the whole of the parts of the premises to which the public have access, with the exception of individual toilet cubicles. This shall include external areas of the premises including the area immediately outside any entrance to, or exit from, the premises.
18. CCTV monitors covering the premises shall be available in the foyer or reception area of the premises where they can immediately be viewed by Police and Council officers during an inspection of the premises. This condition does not preclude further monitors being located in other parts of the premises.
19. Notices shall be displayed at the entrance to the premises, and in prominent positions throughout the licensed premises, advising that CCTV is in operation.
20. The CCTV shall record continuously the entire time that any member of the public is present on the licensed sex establishment.
21. Recordings shall be of a sufficient quality to clearly identify persons on the recordings
22. Recordings shall be retained for a minimum period of 31 days.
23. Copies of the recordings shall be made available to the Police and the Council on request.
24. Any defect in the operation of the CCTV system shall be notified immediately to the Police Licensing Team and the Council in writing and by telephone, and the licence holder shall ensure that repairs to the CCTV system are effected as soon as reasonably practicable.
25. Where any part of the CCTV system is non operational, the licence holder shall comply with any direction from the Metropolitan Police or the Council not to use certain parts of the licensed premises for the purposes of the sex establishment licence.

Additional Conditions for Sex Shops

26. No sex articles shall be displayed in such a manner that they can be seen by persons outside the sex establishment.
27. The licensee shall ensure that no employee or any other person shall seek to obtain custom for the sex establishment by means of personal solicitation outside or in the vicinity of the premises.
28. Any change of staff employed at the licensed premises shall be notified in writing to the Council within 14 days of the change.
29. All sex articles and other things displayed within the licensed premises shall be clearly marked to show to persons who are inside the premises the respective prices being charged (inclusive of VAT).
30. All goods offered for sale, hire, exchange or loan shall be available for inspection prior to supply and a notice to this effect is to be prominently displayed within the premises.

Additional Conditions for Sexual Entertainment Venues

31. The layout of the premises shall be such that performers cannot be seen from outside the premises.
32. Performers may not stand in lobby, reception or foyer areas or outside the premises entrance for the purposes of greeting customers or encouraging customers to enter the venue.
33. The licence holder shall nominate a Duty Manager for the premises on each occasion they are open to the public and being used for the purposes of providing relevant entertainment.
34. The licence holder shall ensure the name of the Duty Manager is displayed in the foyer or reception of the premises so the name can easily be viewed by Police or authorised Council officers carrying out an inspection of the premises, or otherwise by persons using the venue.
35. The Duty Manager shall be responsible for ensuring the premises operate in accordance with the conditions applicable to the sex establishment licence.
36. The Duty Manager shall remain on the premises while they are on duty save in the event of an emergency situation.
37. Door supervisors registered with the Security Industry Authority shall be provided at the premises in sufficient numbers to ensure that:
 - each entrance and exit at the premises used by the public are manned by at least two door supervisors
 - all public areas of the premises are continually monitored to ensure the Dancers and Customers Codes of Conduct and any licence conditions are being complied with
 - persons breaching the Customers Code of Conduct or otherwise behaving in a disorderly manner can be safely ejected from the premises

Requirements for a Code of Conduct for Dancers

38. There shall be a Code of Conduct for Dancers in place at the venue that has been agreed in writing by the licence holder, the Council and the Metropolitan Police.
39. The Code of Conduct shall, as a minimum, contain the conditions set out in the section below entitled "Sexual Entertainment Venues - Code of Conduct for Dancers".
40. No change shall be made to the Dancer's Code of Conduct without the prior written consent of the Council and the Metropolitan Police.
41. The Dancers Code of Conduct must state that dancers who do not comply with the Code of Conduct will face disciplinary proceedings.
42. The licence holder shall require all dancers to sign an acknowledgement that they have received a copy of the Dancer's Code of Conduct and have read and understood its contents and shall comply with such Code of Conduct at all times they are working at the premises as dancers.
43. The licence holder shall retain original records showing that each dancer has signed to acknowledge receipt of the Dancer's Code of Conduct and Disciplinary Procedure as described above.
44. A copy of the sections of the Dancer's Code of Conduct relevant to customers shall be prominently displayed in each area of the premises to which the public have access, including toilet areas, and in any area used as a changing/dressing room for dancers.
45. The premises management and staff (including security staff) shall be aware of the content of the Dancer's Code of Conduct and shall ensure it is complied with.

Requirements for a Code of Conduct for Customers

46. There shall be a Code of Conduct for Customers in place at the venue that has been agreed in writing by the licence holder, the Council and the Metropolitan Police.
47. The Code of Conduct shall, as a minimum, contain the conditions set out in the section below entitled "Sexual Entertainment Venues - Code of Conduct for Customers".
48. The Code of Conduct for Customers shall be displayed in prominent positions throughout the premises where it is visible to all customers.
49. No change shall be made to the Customers Code of Conduct without the prior written consent of the Council and the Metropolitan Police.
50. The Customer's Code of Conduct must state that customers who do not comply with the Code of Conduct will be ejected from the premises.
51. The premises management and staff (including security staff) shall be aware of the content of the Customer's Code of Conduct and shall ensure it is complied with.

52. Where a customer breaches the Customers Code of Conduct, this shall be recorded in the incident log.
53. If management are made aware of a customer repeatedly breaching the rules of the Customers Code of Conduct, they shall eject that customer from the premises.

Disciplinary Procedure

54. A disciplinary procedure shall be in place to deal with dancers who breach the Dancer's Code of Conduct. The disciplinary procedure shall be detailed in writing and a copy of it provided to each dancer who works at the premises.
55. The licence holder shall require all dancers to sign an acknowledgement that they have been provided with a copy of the house Disciplinary Procedure and have read and understood its contents.
56. The Disciplinary Procedure shall not include provision to "fine" dancers or otherwise impose pecuniary penalties. Action taken may include verbal or written warnings, suspension of the dancer's right to perform at the premises, or revocation of the dancer's right to perform at the premises.

Sexual Entertainment Venues - Code of Conduct for Dancers

57. The Dancer's Code of Conduct shall include the following conditions as a minimum:
- a. Dancers may not intentionally touch a customer during a performance.
 - b. Dancers may not permit a customer to touch them during a performance.
 - c. Dancers may not straddle the customer.
 - d. If a customer attempts to touch or speak to a dancer inappropriately, the dancer shall stop the performance and advise the customer of the rules of the Code of Conduct. If the customer persists in inappropriate behaviour, the dancer shall stop the performance and inform premises management immediately.
 - e. Dancers may not intentionally touch the genitals, anus or breasts of another dancer, nor knowingly permit another dancer to touch their genitals, anus or breasts.
 - f. Dancers shall not solicit for gratuities or payment for sexual favours.
 - g. Dancers shall not engage in any act of prostitution, i.e. the receiving of gratuities or payment for sexual favours.
 - h. Dancers may not perform any act which simulates masturbation, oral sex or sexual intercourse, including the insertion of any object, including their own finger, in to the anus or vagina.
 - i. Dancers may not touch their own breasts, anus or genitals with their fingers, lips or tongue.
 - j. Dancers may not be in the company of a customer unless it is in an area of the premises that is open to the public.
 - k. Dancers shall not perform if under the influence of alcohol or drugs.
 - l. If a customer engages in acts of masturbation or other sexual behaviour, the dancer shall cease the performance immediately and inform the premises management.
 - m. Dancers shall use the dressing room facilities provided for their exclusive use to change for their performance.
 - n. Dancers shall only use the smoking area provided specifically for their use.
 - o. Dancers shall only use the sanitary facilities specifically provided for their use.
 - p. Dancers shall not leave the premises or otherwise be visible outside the premises, including for smoking breaks, unless dressed in suitable attire, e.g. outerwear consisting of coat or top and skirt or trousers so lingerie or other performance costume is not visible.
 - q. All dancers shall comply with this Code of Conduct. Any failure to adhere to the Code of Conduct shall render the dancer subject to the house Disciplinary Rules, a copy of which has been provided to each dancer.

Sexual Entertainment Venues - Code of Conduct for Customers

58. The Customers Code of Conduct shall include the following conditions as a minimum:
- a. Customers may not touch dancers during a performance.
 - b. Customers may not make lewd or offensive remarks to dancers.
 - c. Customers may not harass or intimidate dancers.
 - d. Customers may not ask dancers to perform any sexual favour.
 - e. Customers may not perform acts of masturbation or indulge in other sexual behaviour.
 - f. Any customer failing to adhere to the Customers Code of Conduct will be ejected from the premises.

Private Booths

59. Private booths shall not be provided at the licensed premises.

Dancers Private Work Areas

60. A designated dressing room area shall be provided for dancer's exclusive use. Such dressing room shall be secured so as not to be accessible to members of the public and shall be sufficient to enable dancers to change privately.
61. Dancers shall be provided with their own sanitary facilities separate from those used by customers.
62. A secure external area shall be provided for dancers to smoke without coming into contact with customers.

Dancers Welfare Policy

63. The licence holder shall have a Dancers Welfare Policy in place at the premises.
64. The Policy shall, as a minimum, state that
- any dancer concerned about the behaviour of a customer shall report the incident immediately to the Duty Manager who shall take immediate action to resolve the matter
 - staff members must constantly supervise the behaviour of customers at the premises and shall intervene where any customer is breaching the Code of Conduct for Customers or is otherwise causing alarm or distress to a dancer
 - any customer behaving inappropriately will be ejected from the venue
 - dancers shall be provided with free drinking water on request

General Provisions

65. The licence holder shall obtain a photocopy of the passport of each dancer that works at the premises and shall certify the copy as being a true copy by signing and dating the photocopy together with their name and job title.
66. The licence holder shall undertake reasonable checks to ensure each dancer is eligible to work in the United Kingdom and shall not allow dancers ineligible to work in the UK to work at the premises.

67. The licence holder shall maintain written records of all dancers working at the premises. The records shall show the dancer's full name, home address, date of birth and a certified photocopy of their passport and the date the dancer was provided with the Dancers Code of Conduct and Disciplinary Procedure. Such records shall be kept on the licensed premises and produced for inspection by Police and authorised Council officers on request. Any instances of the dancer breaching the Dancers Code of Conduct shall be recorded on the dancer's record showing the date and time of the incident and details of the breach that occurred.
68. Dancers under the age of eighteen shall not be permitted to work at the premises.
69. Dancers shall not be permitted to perform if they are clearly under the influence of alcohol or drugs.
70. The licence holder shall ensure that an incident log is maintained at the premises. The incident log shall, as a minimum, give details of:
- any ejections from the premises
 - any refused admissions
 - any refused sales
 - any inappropriate behaviour by guests
 - any failure in the CCTV system
 - any incidents of crime or disorder
 - any complaints made by the public, guests or dancers
71. The record shall show the date, the time of the incident, the name of the staff member reporting the incident, a brief description of the customer involved/name of dancer where appropriate and brief details of the incident and any action taken by the staff.
72. The incident log shall be completed as soon as reasonably practicable after any incident has occurred.
73. The incident log shall be kept in a place where it can be easily accessed by staff working at the premises and all staff shall be aware of the location of the incident log and the need to complete it in the case of any of the circumstances described above.
74. The licence holder shall ensure the incident log is checked periodically and at least at monthly intervals to ensure that staff are completing the incident log.
75. The incident log shall be made available for inspection to Police or authorised Council officers on request.

Additional Rules for Premises Used as Sex Cinemas

76. No film shall be exhibited unless:
- (i) it has been passed by the British Board of Film Classification as a U, PG, 12, 15, 18 or RESTRICTED (18) film and no notice of objection to its exhibition has been given by the Council, or
 - (ii) the film has been passed by the Council as U, PG, 12, 15, 18 or RESTRICTED (18) with the London Borough of Camden being the name of the Council.
77. If the licence holder is notified by the Council in writing that it objects to the exhibition of a film specifying the grounds of objection, such film shall not be exhibited.
78. Not less than 28 days notice in writing shall be given to the Council of any proposal to exhibit any film which has not been classified as specified above. Such a film may only be exhibited if consent has been obtained from the Council in writing and in accordance with the terms of any such written consent.
79. When the programme includes a film in the 12, 15 or 18 category no person appearing to be under the age of 12, 15 or 18 as appropriate shall be admitted to any part of the programme.
80. If the Council does not agree with the category of any film as passed by the British Board of Film Classification, it may alter the category or prohibit the showing of the film.
81. On notice of alteration of category being given by the Council to the licence holder, the film shall thereafter be treated as being in the altered category and the conditions applicable to the exhibition of films in the altered category shall be observed.
82. Immediately before each exhibition at the premises of a film (other than a current newsreel) passed by the British Board of Film Classification there shall be exhibited on the screen for at least 10 seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer, of the statement approved by the Board indicating the category of the film.
83. For a film passed by the Council, notices shall be conspicuously displayed both inside and outside the premises so patrons entering can easily read them. The notices shall state without the addition of any other words:

LONDON BOROUGH OF CAMDEN

(Here insert title of film)
has been passed by the London Borough of Camden as
(here insert the definition of the category and the category assigned)

84. Where a trailer is to be exhibited advertising a film passed by the Council, the notice shall state:

LONDON BOROUGH OF CAMDEN

*.....trailer advertising +.....film

(*Here insert the category of the trailer)

(+Here insert the category of the film)

85. Every poster, advertisement, photograph, sketch, synopsis or programme relating to a film (other than a current news-reel) exhibited, or to be exhibited at the *premises*, shall indicate clearly the category of the film.
86. The licence holder shall ensure that an incident log is maintained at the premises. The log shall, as a minimum, give details of:
- a. any ejections from the premises
 - b. any refused admissions
 - c. any refused sales
 - d. any inappropriate behaviour by guests
 - f. any failure in the CCTV system
 - g. any incidents of crime or disorder
 - h. any complaints made by the public or guests
87. The record shall show the date, the time of the incident, the name of the staff member reporting the incident, a brief description of the customer involved where appropriate and brief details of the incident and any action taken by the staff.
88. The incident log shall be completed as soon as reasonably practicable after any incident has occurred.
89. The incident log shall be kept in a place where it can be easily accessed by staff working at the premises and all staff shall be aware of the location of the incident log and the need to complete it in the case of any of the circumstances described above.
90. The licence holder shall ensure the incident log is checked periodically and at least on intervals of one month apart to ensure that staff are completing the incident log.
91. The incident log shall be made available for inspection to Police or authorised Council officers on request.