

Report for:	Licensing Health & Safety and Enforcement Sub-Committee
Date of:	
PART:	<b>AGENDA ITEM: 6</b>
If Part II,	<b>SUMMARY</b>



Title of report:	Local Government (Miscellaneous Provisions) Act 1982, as amended by the Policing and Crime Act 2009 – Application for Sexual Entertainment Venue: Images, 25 High Street, Hemel Hempstead Herts HP1 3AA
Contact:	Sally Taylor (Senior Assistant Licensing Officer).
Purpose of report:	To consider representations received in respect of an application for a Licence for a Sexual Entertainment Venue.
Recommendations:	To grant the Licence Or Refuse the Licence
Implications:	none
General Policies	Members of the Licensing Sub-Committee act in a quasi-judicial capacity under delegated powers, to decide Licensing matters on behalf of the Council.  The Council adopted the Sex Establishment Licensing Policy - February 2011 (copy at Annex E)
Key Policies:	All of the Council's key policies are relevant to its licensing function. Principal issues include: supporting the local economy; encouraging the provision of leisure facilities for people in Dacorum particularly where measures are taken to combat social exclusion, whilst at the same time minimising the impact (particularly crime, disorder and noise) of licensable activities on the local environment.

## 1. BACKGROUND

1.1 In 1984, Dacorum Borough Council adopted Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, so that it could licence sex shops. On 23<sup>rd</sup> February 2011, the Council adopted the same schedule, as amended by section 27 of the Policing and Crime Act 2009, so that it could also licence sexual entertainment venues in the Borough.

1.2 Prior to the adoption of the amended schedule 3, sexual entertainment venues were able to operate under the Licensing Act 2003. However, the scope for representations was limited to the four licensing objectives – these being the Prevention of Crime and Disorder, Public Safety, the Prevention of Public Nuisance, and the Protection of Children from Harm, and also the criteria for ‘interested parties’ under the Act. Adoption allows a wider range of people including residents/tenants associations, community associations, trade associations, Councillors and MEPs to make representations about sex shops and sexual entertainment venues, and the Police are a statutory consultee for all applications.

1.3 Following adoption, the transitional period for operators of sexual entertainment venues commenced on 4<sup>th</sup> April 2011, that being the “1st appointed day”. Six months from that date would be known as the “2nd appointed day”, and the day on which the transitional period ended would be known as the 3<sup>rd</sup> appointed day”. This was 4<sup>th</sup> April 2012. Existing operators who have a Premises Licence under the Licensing Act 2003 immediately prior to the 1<sup>st</sup> appointed day can continue to provide relevant entertainment until the 3<sup>rd</sup> appointed day, or until the determination of any application they have submitted before that time.

## **2. REQUIREMENT FOR A LICENCE**

2.1 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 entertainer” Relevant entertainment is defined in schedule 3 of the 1982 Act (as amended by section 27 of the 2009 Act) 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, i.e. in a private booth.

2.2 The following entertainment will generally be deemed to be “relevant entertainment”:-

- Lap dancing;
- Pole dancing;
- Table dancing;
- Strip shows;
- Peep Shows; and
- Live sex shows

## **3. GROUNDS FOR REFUSAL**

3.1 There are specific grounds for refusing sexual entertainment venue licences as set out in paragraph 12 of schedule 3 to the 1982 Act. They must be refused in certain circumstances, e.g. in relation to the applicant’s age or domiciliary status, and may be refused in certain circumstance as follows:

- In relation to the applicant’s criminal convictions if any;
- If the number of sexual entertainment venues in the relevant locality at the time the application is determined is more than considered appropriate by the Council for that locality;
- The character of the relevant locality;
- The use to which any premises in the vicinity are put, or
- The layout, character or condition of the premises.

With regard to “relevant locality” the following may also be taken into account:-

- The size of the neighbourhood;
- The impact of the thoroughfares;
- The density and proximity of residential accommodation;
- The proximity of parks and children's play areas;
- The nature, density and proximity of other retail units and their uses;
- The proximity of schools;
- The proximity of community buildings;
- The proximity of premises licensed for the sale by retail of alcohol and the provision of entertainment regulated under the Licensing Act 2003.

#### **4. GROUNDS FOR REVOCATION**

4.1 Licences can only be revoked in limited circumstances, which primarily relate to the applicant's domiciliary status, age, and whether they have had criminal convictions.

#### **5. THE APPLICATION**

5.1 An application has been made for a sexual entertainment venue licence by Images Bar and Nightclub Limited, Basement, 25 High Street, Hemel Hempstead, Hertfordshire HP1 3AA on 2<sup>nd</sup> March 2012. The application was served on the Chief Officer of Police, and advertised in accordance with the requirements of the Local Government (Miscellaneous Provisions) Act 1982. The closing date for representations was 2<sup>nd</sup> April 2012. A copy of the application is attached at Annex A.

5.2 Images Bar and Nightclub Limited have held a Premises Licence under the Licensing Act 2003 since 24<sup>th</sup> November 2005, when the Licensing Act came into force. A copy of the premises licence is attached as Annex B.

#### **6. REPRESENTATIONS RECEIVED**

The Council will not consider representations that are frivolous or vexatious, or which relate to moral grounds (these are outside the scope of the 1982 Act).

Chief Officer of Police: No objections to the application.  
Attached at Annex C

Persons objecting to the application:

18 objections were received within the 28 day period for submission of representations. Of these, 16 were considered to contain valid content. Those persons that had submitted invalid representations were advised in writing that their representation was not valid and the reasons why.

Valid comments set out in the representations are set out at Annexes D1 – D16. In compliance with paragraph 3.7.3 of Dacorum Borough Council's Sex Establishment Licensing Policy, names and addresses of persons making representations will not be disclosed to the applicant without the author's consent.

## **7. CONDITIONS ON SEXUAL ENTERTAINMENT VENUE LICENCES**

7.1 Appendix A of Dacorum Borough Council's Sex Establishment Policy (Annex E) sets out standard conditions for sexual entertainment venues which will be applied. Where it is reasonable, the Sub-Committee may impose additional proportionate conditions on licences.

## **8. LENGTH OF LICENCE**

8.1 Unless there are exceptional reasons otherwise, licenses will be granted for the maximum duration of one year in the interest of proportionality and to provide to certainty to those operating lawful businesses.

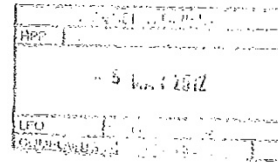
## **9. CONCLUSION**

The Sub-Committee is requested to consider all the information and representations before them and decide whether to:

- 1) Approve the licence application and consider if there are any additional conditions beyond the standard conditions that the Committee wish to apply or;
- 2) Refuse the licence application

The Sub-Committee should give clear reasons for its decision.





**Local Government (Miscellaneous Provisions) Act 1982, as amended by the Policing and Crime Act 2009**  
**Application for Sexual Entertainment Venue**

All answers are to be typewritten, or written in block capitals with black ink. Applicants are advised to read the Council's Sex Establishment Licensing Policy prior to submitting this application.

To: The proper officer of the Dacorum Borough Council

1. I (full name) \_\_\_\_\_

of (permanent address) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone No: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Or:

2. We (Name of Body) Images Bar and Nightclub Ltd

whose registered or principal office situated at (full address and postcode)

Basement - 25 High Street

Hemel Hempstead

Hertfordshire HP13AA

Telephone No. [REDACTED]

[and which company is registered in England and Wales [or in Scotland]\* under

7114965 [registration number] \*delete as appropriate

of which the full details of the Directors or other persons responsible for its management are as follows:

Surname	First names	Full private address
Blennerhasset	D [REDACTED]	[REDACTED] Hemel Hempstead Herts [REDACTED]
Taverner	M [REDACTED]	[REDACTED] Watford Herts. [REDACTED]

3. **HEREBY MAKE APPLICATION FOR** a licence for the use of the premises situated at

Basement 25 High Street  
Hemel Hempstead  
Hertfordshire HP1 3AA

**AND TO BE KNOWN BY THE BUSINESS NAME OF:**

Images Bar and Nightclub Ltd

as a Sexual Entertainment Venue, as defined in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009.

**Note:** if the application relates to a vehicle, vessel or stall, it must state where it is to be used as a sex establishment.

2009/01/01

4. Please describe what entertainment is to be provided:

Lap Dancing, Pole Dancing, Strip Shows

5. Give details of the proposed opening hours:

	From:	To:
Monday	19.00	02.00
Tuesday	19.00	02.00
Wednesday	19.00	02.00
Thursday	19.00	02.00
Friday	19.00	04.00
Saturday	19.00	04.00
Sunday	19.00	01.00

Will the premises require any seasonal or other variations e.g. Bank Holidays?

No

6. What advertising is proposed for the venue? Please provide examples.

Internet, Web page

7. What steps will be taken to prevent the interior of the premises being visible to passers-by?

It is a basement property with no windows for passers by to look in. Also any proposed notice or sign to be approved by the Council in line with sex entertainment venue policy.

8. What steps will be taken to prevent children under the age of 18 gaining entry to the premises?

Door Supervisors, Photographic proof of age if customer looks under 25. A notice approved by the Council will be displayed in accordance with Council's Sex Entertainment Policy.



Please provide details of all previous convictions against the body or company

Company N/A

Date of Conviction \_\_\_\_\_

Place of Conviction \_\_\_\_\_

Offence \_\_\_\_\_

Sentence (including any fine) \_\_\_\_\_

(Please continue on separate sheet where necessary)

11. Have you any reason to believe any prosecutions are pending against any persons/bodies named in Questions 1, 2 or 10? Give details:

N/A

12. Has any person named in this application been associated with an application for a sexual entertainment venue licence anywhere within the United Kingdom, including where an application for a licence was refused? Give full details:

Forename N/A

Surname \_\_\_\_\_

Address of premises \_\_\_\_\_

Local Authority Role in respect of premises \_\_\_\_\_

Is there any further information which the applicant would wish the Council to take into account when considering this Application?

We are a basement Property Without Windows for Passers by to look in. We have a CCTV System Installed Which retains all recordings for a minimum of 31 days.

Dated this 5<sup>th</sup> March day of 2012

Signed by: J Blennerhassett

Full name XXXXXXXXXX Blennerhassett

Director

If an authorised officer of a company, position with the company:

**The fee to accompany this application is £1800 and if approved a balance of £1200 is required.**

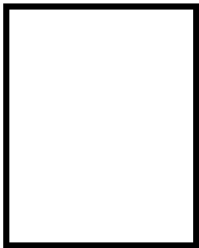
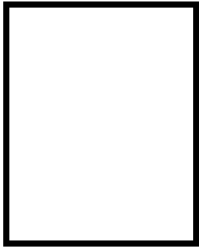
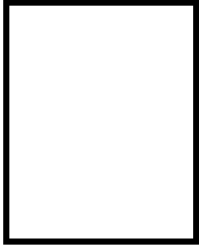
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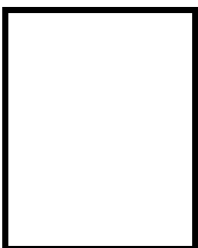
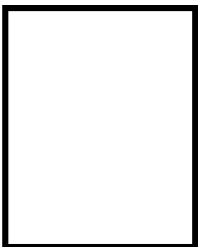
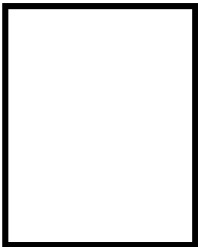
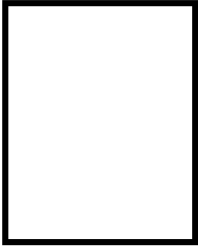
- (1) A copy of any application for a licence must be sent to the Superintendent, Hertfordshire Constabulary, Combe Street Hemel Hempstead Hertfordshire HP1 1HH, not later than seven days after the date of application.
- (2) The applicant must give public notice of the application by publishing an advertisement in a local newspaper circulating in the appropriate authority's area no later than 7 days after the date of the application.
- (3) Notice of the application must be displayed where it can be conveniently read by the public on the near the premises for a period of 21 days beginning with the date of the application. The notice must identify the premises, and in the case of a notice that relates to a vehicle, vessel or stall, where it is to be used as a sex establishment.
- (4) A plan at a scale of 1:100 of the interior of the premises to which an application relates must be submitted as part of the application.

# PREMISES LICENCE

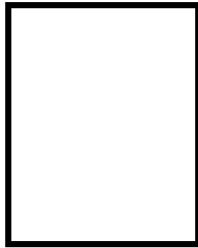
Licensing Act 2003

Premises Licence Number: DAC 008094









**Part 1 – Premises details**

<b>Postal address of premises, or if none, ordnance survey map reference or description:</b>			
<b>Address:</b>		<b>Images Bar and Nightclub Limited 25 High Street</b>	
<b>Post town:</b>	<b>Hemel Hempstead</b>	<b>Post code:</b>	<b>HP1 3AA</b>
<b>Telephone number:</b>	<b>233988</b>		

<b>Licensable activities authorised by the licence:</b> Sale by retail of alcohol The provision of late night refreshment Performance of live music Playing of recorded music Performance of Dance Provision of facilities for dancing
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**The opening hours of the premises:**

**MEMBERS OF THE PUBLIC WILL NOT BE PERMITTED ENTRANCE TO THE PREMISES AFTER 02:30 HOURS.**

Mondays 19.00 hours until 02.00 hours  
Tuesdays 19.00 hours until 02.00 hours  
Wednesdays 19.00 hours until 02.00 hours  
Thursdays 19.00 hours until 02.00 hours  
Fridays 19.00 hours until 04.00 hours  
Saturdays 19.00 hours until 04.00 hours  
Sundays 19.00 hours until 01.00 hours

New Years Eve 19.00 hours to 05.00

**Sale by retail of alcohol**

Mondays 19.00 hours until 01:30 hours  
Tuesdays 19.00 hours until 01:30 hours  
Wednesdays 19.00 hours until 01:30 hours  
Thursdays 19.00 hours until 01:30 hours

Fridays 19.00 hours until 03:30 hours  
Saturdays 19.00 hours until 03:30 hours  
Sundays 19.00 hours until 00:30 hours

### **The provision of late night refreshment**

Mondays 23.00 hours until 01.30 hours  
Tuesdays 23.00 hours until 01.30 hours  
Wednesdays 23.00 hours until 01.30 hours  
Thursdays 23.00 hours until 01.30 hours  
Fridays 23.00 hours until 03.30 hours  
Saturdays 23.00 hours until 03.30 hours  
Sundays 23.00 hours until 01.00 hours

### **Performance of live music**

Mondays 19.00 hours until 02.00 hours  
Tuesdays 19.00 hours until 02.00 hours  
Wednesdays 19.00 hours until 02.00 hours  
Thursdays 19.00 hours until 02.00 hours  
Fridays 19.00 hours until 04.00 hours  
Saturdays 19.00 hours until 04.00 hours  
Sundays 19.00 hours until 01.00 hours

### **Playing of recorded music**

Mondays 19.00 hours until 02.00 hours  
Tuesdays 19.00 hours until 02.00 hours  
Wednesdays 19.00 hours until 02.00 hours  
Thursdays 19.00 hours until 02.00 hours  
Fridays 19.00 hours until 04.00 hours  
Saturdays 19.00 hours until 04.00 hours  
Sundays 19.00 hours until 01.00 hours

### **Performance of Dance**

Thursdays 20:00 hours until 00:00 hours  
Fridays 20:00 hours until 00:00 hours  
Saturdays 20:00 hours until 00:00 hours

Performance of Dance up to a maximum of two a month

### **Provision of facilities for dancing**

Mondays 19.00 hours until 02.00 hours  
Tuesdays 19.00 hours until 02.00 hours  
Wednesdays 19.00 hours until 02.00 hours  
Thursdays 19.00 hours until 02.00 hours  
Fridays 19.00 hours until 04.00 hours  
Saturdays 19.00 hours until 04.00 hours

Sundays 19.00 hours until 01.00 hours

**Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:**

For consumption on the premises

**Part 2**

**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:**

Name: Images Bar and Nightclub Ltd  
Address: 25 High Street, Hemel Hempstead, Herts HP1 3AA

**Registered number of holder, for example company number, charity number (where applicable):**

Registration Number 07114965

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

Name: Mrs D Blennerhassett

Address:

Telephone Number:

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol:**

Licence Number:	DAC022553	Issuing Authority:	Dacorum Borough Council
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**Where the licence is time limited the dates:**

Change of address of Premises Licence Holder effective from 4<sup>th</sup> July 2007  
Variation of Licence to nominate Designated Premises Supervisor effective from 4<sup>th</sup> July 2007  
Variation of Licence to nominate Designated Premises Supervisor effective from 20<sup>th</sup> March 2008  
Variation of Licence to nominate Designated Premises Supervisor effective from 9<sup>th</sup> April 2008  
Transfer of Licence and variation to nominate Designated Premises Supervisor effective from 19<sup>th</sup> November 2008.  
Change of Premises name effective from 20<sup>th</sup> January 2010.  
Transfer of Premises Licence effective from 28<sup>th</sup> June 2010.  
Variation of Licence to nominate Designated Premises Supervisor effective from 27<sup>th</sup> July 2010  
Variation of Licence to submit amended drawing no LP01 effective from 1<sup>st</sup> August 2010.  
Minor variation of Licence effective from 1<sup>st</sup> February 2011.

Date issued: 21st November 2005

Signed \_\_\_\_\_

**Steven Baker**  
**Assistant Director**  
**(Legal, Democratic and Regulatory)**

## **NOTES**

This licence is issued subject to the provisions of the Licensing Act 2003 and subject to the attached conditions (including those in the Operating Schedule).

**POSSESSION OF THIS DOCUMENT DOES NOT GUARANTEE THAT THE LICENCE IS IN FORCE NOR DOES IT IMPLY THAT THE PREMISES ARE FIT FOR USE. ITS VALIDITY MAY BE ESTABLISHED BY REFERENCE TO THE COUNCIL'S LICENSING OFFICER.**

## **MANDATORY CONDITIONS**

### **Where licence authorises supply of alcohol**

(1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.

(2) The first condition is that no supply of alcohol may be made under the premises licence –

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

(4) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(5) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children –

(a) Games or other activities which require or encourage, or are designed to require or encourage, individuals to –

(i) Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) Drink as much alcohol as possible (whether within a time limit or otherwise);

(b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in Section 159 of the Act);

(c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) Provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on –

- (i) The outcome of a race, competition or other event or process, or
  - (ii) The likelihood of anything occurring or not occurring.
  - (e) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
  3. The responsible person shall ensure that free tap water is provided on request to a customer where it is reasonably available.

### **Smaller measures**

The responsible person must ensure that the following drinks if sold or supplied on the premises are available in the following measures:

- beer or cider - half pint
- gin, rum, vodka or whisky - 25ml or 35ml
- still wine in a glass - 125ml

As well as making the drinks available in the above measures, the responsible person must also make customers aware of the availability of these measures – for example, by making their availability clear on menus and price lists, and ensuring that these are displayed in a prominent place in the relevant premises (e.g. at the bar).

The above condition does not apply if the drinks in question are sold or supplied having been made up in advance ready for sale or supply in a securely closed container. For example, if beer is only available in pre-sealed bottles the condition to make it available in ½ pints does not apply.

### **Protection from Children from Harm – Age Verification Policy**

1. The Premises Licence Holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
2. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.”

### **Door Supervision**

- (1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.
- (2) But nothing in subsection (1) requires such a condition to be imposed –
  - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
  - (b) in respect of premises in relation to –
    - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
    - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- (3) For the purposes of this section –
  - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and

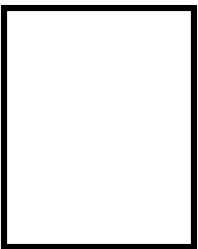
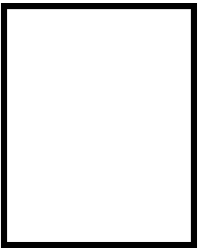
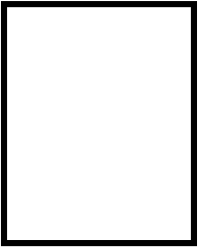
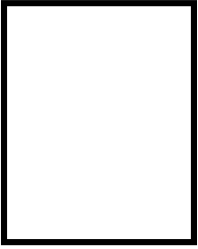
(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

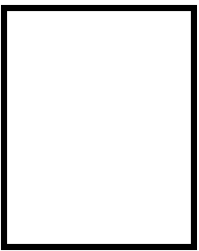
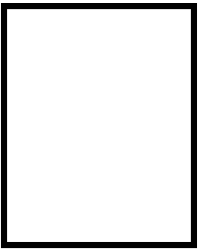
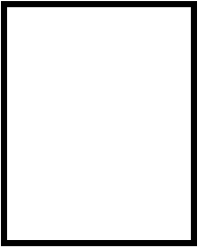
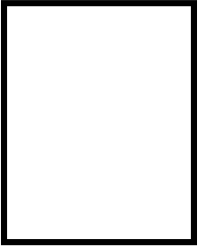
**PREMISES LICENCE**

**SUMMARY**

**Licensing Act 2003**

**Premises Licence Number: DAC 008094**







**Postal address of premises, or if none, ordnance survey map reference or description:**

<b>Address:</b>	Images Bar and Nightclub Limited 25 High Street	
<b>Post Town:</b>	Hemel Hempstead	<b>Post code:</b> HP1 3AA
<b>Telephone number:</b>	233988	

**Licensable activities authorised by the licence:**

Sale by retail of alcohol  
The provision of late night refreshment  
Performance of live music  
Playing of recorded music  
Performance of dance  
Provision of facilities for dancing

**The opening hours of the premises,**

**MEMBERS OF THE PUBLIC WILL NOT BE PERMITTED ENTRANCE TO THE PREMISES AFTER 02:30 HOURS.**

Mondays 19.00 hours until 02.00 hours  
Tuesdays 19.00 hours until 02.00 hours  
Wednesdays 19.00 hours until 02.00 hours  
Thursdays 19.00 hours until 02.00 hours  
Fridays 19.00 hours until 04.00 hours  
Saturdays 19.00 hours until 04.00 hours  
Sundays 19.00 hours until 01.00 hours

New Years Eve Premise open to the public :19.00 hours to 05.00 hours

**Sale by retail of alcohol**

Mondays 19.00 hours until 01:30 hours  
Tuesdays 19.00 hours until 01:30 hours  
Wednesdays 19.00 hours until 01:30 hours  
Thursdays 19.00 hours until 01:30 hours  
Fridays 19.00 hours until 03:30 hours  
Saturdays 19.00 hours until 03:30 hours  
Sundays 19.00 hours until 00:30 hours

**The provision of late night refreshment**

Mondays 23.00 hours until 01.30 hours  
Tuesdays 23.00 hours until 01.30 hours  
Wednesdays 23.00 hours until 01.30 hours  
Thursdays 23.00 hours until 01.30 hours  
Fridays 23.00 hours until 03.30 hours  
Saturdays 23.00 hours until 03.30 hours  
Sundays 23.00 hours until 01.00 hours

**Performance of live music**

Mondays 19.00 hours until 02.00 hours  
Tuesdays 19.00 hours until 02.00 hours  
Wednesdays 19.00 hours until 02.00 hours  
Thursdays 19.00 hours until 02.00 hours  
Fridays 19.00 hours until 04.00 hours  
Saturdays 19.00 hours until 04.00 hours  
Sundays 19.00 hours until 01.00 hours

**Playing of recorded music**

Mondays 19.00 hours until 02.00 hours  
Tuesdays 19.00 hours until 02.00 hours  
Wednesdays 19.00 hours until 02.00 hours  
Thursdays 19.00 hours until 02.00 hours  
Fridays 19.00 hours until 04.00 hours  
Saturdays 19.00 hours until 04.00 hours  
Sundays 19.00 hours until 01.00 hours

**Performance of Dance**

Thursdays 20:00 hours until 00:00 hours  
Fridays 20:00 hours until 00:00 hours  
Saturdays 20:00 hours until 00:00 hours

Performance of Dance up to a maximum of two a month.

**Provision of Facilities for Dancing**

Mondays 19.00 hours until 02.00 hours  
Tuesdays 19.00 hours until 02.00 hours  
Wednesdays 19.00 hours until 02.00 hours  
Thursdays 19.00 hours until 02.00 hours  
Fridays 19.00 hours until 04.00 hours  
Saturdays 19.00 hours until 04.00 hours  
Sundays 19.00 hours until 01.00 hours

**Where the licence authorises supplies of alcohol whether these are on and/ or off supplies:**

For consumption in the Premises

**Name, (registered) address of holder of premises licence:**

Name: Images Bar and Nightclub Ltd  
Address: 25 High Street Hemel Hempstead Herts HP1 3AA

**Name of designated premises supervisor where the premises licence authorises the supply of alcohol:**

Name: Mrs D Blennerhassett

**Where the licence is time limited the dates:**

Change of address of Premises Licence Holder effective from 4<sup>th</sup> July 2007  
Variation of Designated Premises Supervisor effective from 4<sup>th</sup> July 2007.  
Variation of Designated Premises Supervisor effective from 20<sup>th</sup> March 2008  
Variation of Designated Premises Supervisor effective from 9<sup>th</sup> April 2008  
Transfer of Premises Licence and variation to specify Designated Premises Supervisor effective from 19<sup>th</sup> November 2008.  
Change of name of premise effective from 20<sup>th</sup> January 2010.  
Transfer of Premises Licence effective from 28<sup>th</sup> June 2010.  
Variation of Designated Premises Supervisor effective from 27<sup>th</sup> July 2010.  
Variation of Licence to submit amended drawing no LP01 effective from 1<sup>st</sup> August 2010.  
Minor variation of Licence effective from 1<sup>st</sup> February 2011.

**Date issued:** 25th November 2005

**Signed:** \_\_\_\_\_

**Steven Baker**  
**Assistant Director**  
**(Legal, Democratic and Regulatory)**

**Licensing Act 2003**  
**Premises Operating Schedule Conditions**

**Premises:** Images Bar and Nightclub Limited  
**Premises Address:** 25 High Street Hemel Hempstead HP1 3AA  
**Licence number:** DAC 008094      **Date:** 25th November 2005

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**MEMBERS OF THE PUBLIC WILL NOT BE PERMITTED ENTRANCE TO THE PREMISES AFTER 02:30 HOURS.**

Mondays	19.00 hours until 02.00 hours
Tuesdays	19.00 hours until 02.00 hours
Wednesdays	19.00 hours until 02.00 hours
Thursdays	19.00 hours until 02.00 hours
Fridays	19.00 hours until 04.00 hours
Saturdays	19.00 hours until 04.00 hours
Sundays	19.00 hours until 01.00 hours

New Years Eve 19.00 hours to 05.00

**SALE BY RETAIL OF ALCOHOL**

Mondays	19.00 hours until 01:30 hours
Tuesdays	19.00 hours until 01:30 hours
Wednesdays	19.00 hours until 01:30 hours
Thursdays	19.00 hours until 01:30 hours
Fridays	19.00 hours until 03:30 hours
Saturdays	19.00 hours until 03:30 hours
Sundays	19.00 hours until 00:30 hours

**THE PROVISION OF LATE NIGHT REFRESHMENT**

Mondays	23.00 hours until 01.30 hours
Tuesdays	23.00 hours until 01.30 hours
Wednesdays	23.00 hours until 01.30 hours
Thursdays	23.00 hours until 01.30 hours
Fridays	23.00 hours until 03.30 hours
Saturdays	23.00 hours until 03.30 hours
Sundays	23.00 hours until 01.00 hours

**PERFORMANCE OF LIVE MUSIC**

Mondays	19.00 hours until 02.00 hours
Tuesdays	19.00 hours until 02.00 hours
Wednesdays	19.00 hours until 02.00 hours
Thursdays	19.00 hours until 02.00 hours
Fridays	19.00 hours until 04.00 hours
Saturdays	19.00 hours until 04.00 hours
Sundays	19.00 hours until 01.00 hours

## **PLAYING OF RECORDED MUSIC**

Mondays 19.00 hours until 02.00 hours  
Tuesdays 19.00 hours until 02.00 hours  
Wednesdays 19.00 hours until 02.00 hours  
Thursdays 19.00 hours until 02.00 hours  
Fridays 19.00 hours until 04.00 hours  
Saturdays 19.00 hours until 04.00 hours  
Sundays 19.00 hours until 01.00 hours

## **PERFORMANCE OF DANCE**

Thursdays 20:00 hours until 00:00 hours  
Fridays 20:00 hours until 00:00 hours  
Saturdays 20:00 hours until 00:00 hours

Performance of Dance up to a maximum of two per month

## **PROVISION OF FACILITIES FOR DANCING**

Mondays 19.00 hours until 02.00 hours  
Tuesdays 19.00 hours until 02.00 hours  
Wednesdays 19.00 hours until 02.00 hours  
Thursdays 19.00 hours until 02.00 hours  
Fridays 19.00 hours until 04.00 hours  
Saturdays 19.00 hours until 04.00 hours  
Sundays 19.00 hours until 01.00 hours

## **GENERAL STATEMENT OF LICENSING OBJECTIVES**

MEMBERS OF THE PUBLIC WILL NOT BE PERMITTED ENTRANCE TO THE PREMISES AFTER 02:30 HOURS.

The premises will be managed to produce a pleasant and safe drinking environment with staff trained to ensure that all local and national legislation is strictly observed.

Staff hours will be altered to ensure there is no undue pressure brought about by the extended hours and it will be our policy to pay attention to the licensing objectives of the council and to update ourselves and staff of policies on a regular basis.

## **THE PREVENTION OF CRIME AND DISORDER**

Staff are effectively trained to ensure no under age drinking and will, in the event of doubt, refuse service. Drunkenness will not be tolerated on the premises, nor will drugs, and police will be told of any suspicion of sale or use. We are members of pubwatch and employ licenced doorstaff.

There is sufficient lighting both inside & outside of the premises.

There will be a licence holder and designated premises supervisor.

## **PUBLIC SAFETY**

Staff are aware of occupancy capacity and doorstaff are instructed to refuse admission over this number.

The premises is fully fire certificated and fully electrically certified. One member of staff will be a 'first aider'.

There is not, nor will be the use of any pyrotechnics or other equipment or machinery that could cause harm. Fire drills will be held.

## **THE PREVENTION OF PUBLIC NUISANCE**

Staff are trained to avoid all aspects of incidents of public nuisance.

There are arrangements for collection and disposal of litter inside and outside the premises.

Noise levels are monitored.

Ventilation systems are regularly checked.

Door staff are trained to control any possible nuisance both inside and outside the premises.

### **THE PROTECTION OF CHILDREN FROM HARM**

Children are not permitted on the premises under any circumstances.

#### **The following conditions are attached as part of a previous licence:**

*Limit as to numbers allowed to resort to premises*

No greater number of persons (excluding staff and attendants) than those specified on the licence or any appendix to these conditions will be allowed to resort to the premises.

*Premises run to good order*

- (a) The Licensee shall ensure that the premises are kept and conducted in a decent and orderly manner.
- (b) The Licensee must ensure that music provided at the premises will not cause a nuisance to nearby residents and any form of amplification must be so controlled by the Licensee as to prevent such a nuisance.
- (c) Performances involving danger to the public must not be given.

*Responsible person to be in charge*

- (a) The Licensee or some responsible person or persons nominated by him in writing, not being a person under 18 years of age, must be in charge of, and present in, the premises at all times when the public are on the premises. The persons in charge must not be engaged on any duties which will prevent them from exercising general supervision.
- (b) The Licensee, or the person in charge of the premises must ensure that sufficient adequately trained attendants are on duty the whole time members of the public are on the premises. Attendants present must be familiar with all exit routes and evacuation procedures, location and use of fire appliances, and the method of summoning the Fire Service. A member of the staff so instructed must remain within any stage area during the whole time the public are on the premises and the stage is in use.

*Attendants*

- (a) Unless agreed by the Council in writing there shall be provided the following attendants:

A minimum of two attendants on each floor level of the premises to which the public are admitted.

Two attendants for attendances of below 250 persons with an additional attendant for every additional 250 persons or part thereof.

Attendants must not be engaged in any other duties that may hinder their responsibilities in the event of an emergency.

- (b) The following attendants are required for events wholly or mainly organised for children under the age of sixteen years:  
One for every 100 children.  
Plus one attendant at every exit from the auditorium.
- (c) Attendants must not be engaged in any duties which involve serving customers using trays or similar equipment during periods of subdued lighting.
- (d) All attendants must have attained the age of sixteen and must be easily identifiable.
- (e) All door supervisors (persons working as either security or door staff inside or at the entrance and exits of the premises) employed in premises open beyond the hours in Condition 3 and 4 or where the capacity exceeds 250 persons shall be registered with the Council and comply with the Rules for Door Supervisors currently in force.

*Performers and arrangements for performers*

- (a) The number of performers or contestants shall not exceed the number for which, in the opinion of the Council, the dressing, washing and sanitary accommodation is adequate.
- (b) Temporary dressing rooms must not be provided except with the consent of the Council.
- (c) Dressing Rooms shall not be left unattended while the premises are open to the public.

*Arrangements for emergency egress*

The means of escape provided for all persons on the premises shall be maintained unobstructed and immediately available at all times that the premises are open to the public.

*Exits to be free from hazards*

All gangways and exitways and the treads of steps and stairways must be maintained with non-slip surfaces. Floor coverings must be secured and maintained so they will not be a source of danger. The nosings of all steps and stairways within the areas to be used by the public must be distinctly coloured.

*Availability of exits*

All exit doors shall be available for egress during the whole time that the public are on the premises. Parking in close proximity to the exits shall not be permitted if it is likely to impede the egress of persons leaving the premises.

*Doors etc. open*

Any exit door or gate shall open in the direction of

<i>in the direction of escape</i>	egress and must be hung so as not to obstruct when open, any gangway, passage, staircase or landing. All doors or gates must be free from fastenings other than those approved by the Council. Doors fitted with panic bars must have on the internal face the words 'PUSH BAR TO OPEN' in conspicuous lettering.
<i>Removal of securing devices</i>	Any removable fastenings permitted by the Council for securing exit doors when the public are not on the premises must be removed before the public are admitted to the premises. A safe system to the satisfaction of the Council must be provided to ensure such fastenings are removed.
<i>Arrangements for curtains over doors</i>	Any curtain hung over doorways or across corridors shall be made to part in the centre, to hang so as to be readily drawn aside, not to trail on the floor and be so arranged as not to conceal 'EXIT' notices.
<i>Flame spread of wall and ceilings</i>	All internal walls and ceiling linings must achieve the standard of flame spread classification required by the Council.
<i>Fire resisting/ smoke stop doors shall not be held open</i>	All fire resisting doors and smoke doors must be maintained self-closing and must not be secured open.
<i>Requirements for safety curtain</i>	The stage area must be separated from the auditorium by a safety curtain of a type a by the Council. Compliance with this regulation will not be required if the accommodation for the public is on one floor level only at or near ground level and is for not more than 500 persons.
<i>Exit signs to be provided</i>	All doors and openings for the purpose of from the premises must be clearly indicated by the word 'EXIT'. In premises where more that 200 persons are permitted 'EXIT' signs must be illuminated by both the general and emergency lighting system at all times when the public are on the premises.
<i>Seating plan to be provided</i>	Prior to the premises being used for purposes requiring a seated audience, a seating plan must be prepared for the approval of the Council. On receiving approval, the plan must be kept on the premises and produced for inspection when required.
<i>Requirement for gangways</i>	Gangways must be so arranged as to free and ready access direct to the exits from the auditorium and must be of adequate width for the number of seats served, but must in no case be less than 1.1 metres wide. There must be no projections which will diminish the clear width of the gangway and the end seats of all rows must be so aligned as to maintain a uniform width of gangway throughout its length.



All seatways must be at least 300 mm in depth measured between perpendiculars, between the back of one seat and the front of the seat immediately behind. If seats are made to tip up automatically, this measurement should be taken when the seat is in the raised position.

*Number of seats  
in a row*

The number of seats in a row must not exceed :

- (a) seven seats where there is a gangway at one end only. Longer rows up to eleven seats may be permitted, subject to the seatway being increased 25 mm for each additional seat over seven.
- (b) fourteen seats where there is a gangway at each end. Longer rows up to twenty-one seats with a gangway at each end may be permitted subject to the gangway being increased by 25 mm for each additional seat or pair of seats over fourteen.

Note: Longer rows than twenty-one seats may be permitted, subject to further precautions as the Council may require.

*Seating to be  
fixed to the floor*

In the case of premises used regularly for a seated audience, all seats must be firmly fixed to the floor.

*Seats to be  
secured together*

In premises not regularly used for a closely seated audience -

- (a) all chairs or other single seats, except for chairs in boxes or other approved enclosures, must be secured together in lengths of not fewer than four seats.
- (b) where seating for more than 400 persons is to be provided and this arrangement is to be used by the public on two consecutive days or more, then floor fixing points must be provided for the rows of seats flanking the front, back and cross gangways. Such floor fixing requirements will not be required for seating layouts of less than 400 unless the arrangements are to be used for more than seven consecutive days.
- (c) in cases where floor fixing is required and securing to the floor is not practical, then floor bars with cambered top surfaces will be permissible.

*Persons not  
allowed to sit  
in aisles*

No persons may be permitted to sit or stand in any gangway except with the permission of the Council which will stipulate the space allowed for standing and the number of persons permitted to stand.

*Arrangements  
for persons  
with mobility*

Adequate facilities must be made for the safe evacuation of wheelchair users.

- difficulties*
- (a) They must be accompanied by an able-bodied person who must remain immediately adjacent to the chair throughout the performance.
  - (b) Wheelchair users are required to remain within their chairs whilst in the auditorium.

*Flameproofing of curtains decorations etc*

All scenery, artificial floral decoration, curtains and all fabric decoration to be used on stage or in other part of the premises must be of inherently non-flammable materials or treated with a flame retarding solution. In circumstances where it is impracticable to flameproof certain items, a person familiar with First Aid Firefighting techniques and suitably equipped must remain in the stage area during the whole time the premises are open to the public.

- Use of real flame prohibited unless approved*
- (a) Real flame or smoking must not be used in entertainment unless -
    - (i) the written consent of the Council is obtained, and
    - (ii) in the opinion of the Council -
      - (A) the use of the real flame is essential to the action as distinct from the atmosphere of the entertainment or its effective presentation, and
      - (B) an electric substitute cannot be used.
  - (b) Application for the Council's consent to the use of real flame must be made by the licensee, in writing, at least fourteen days before the first performance of the entertainment and must give full details of the proposed use of real flame and date and time of any rehearsal.
  - (c) Pyrotechnics, explosives or highly flammable substances must not be used, except with the written consent of the Council.

*Smoking prohibited.* 28. Smoking must be prohibited except in areas approved by the Council.

*Adequate fire fighting equipment* 29. Suitable fire fighting equipment to the satisfaction of the Council must be provided in all parts of the premises to be used by the public, performers and staff. Such appliances and equipment shall be regularly maintained and always available for use and inspection.

*Fire warning to be provided* 30. Where considered necessary by the Council a suitable fire alarm system must be provided in the premises. The installation to be to the satisfaction of the Council in consultation with the Fire Authority.

*Electrical* 31. The electrical installation must be installed and

*installation*

maintained in accordance with the current edition of the regulations for electrical installations issued by the Institution of Electrical Engineers and a certificate to this effect from a competent electrical engineer must be produced when required by the Council.

*Arrangements for general lighting*

32. The premises must at all times be provided with adequate general lighting.

*Emergency lighting to be provided*

33. In addition to the general lighting, a system of emergency lighting sufficient to enable the public, performers and staff to see their way off the premises without assistance from the general lighting, must be provided -

(a) in the auditorium and all other parts of the premises to which the public, performers and staff are admitted, including the sanitary accommodation.

(b) to all passages, courts, ramps and stairways to which the public, performers and staff have access.

33. (c) for the illumination of all notices or signs indicating exits from any part of the premises to which the public are admitted. Such emergency lighting, unless otherwise agreed by the Council must conform to BS 5266:PART 1:1975.

*Batteries to be fully charged before public admitted*

34. The emergency lighting must be operative throughout the time when the public are on the premises.

*Maintenance of luminaires etc.*

35. Where the system of emergency lighting consists of self contained luminaries, they must be under the regular supervision of a responsible person who must arrange for the self contained escape lighting luminaries to be periodically inspected and tested by a competent engineer, or such other person as the Council may approve, to ensure that they are in a satisfactory working condition. These luminaries must be tested to ensure that -

(a) the automatic changeover devices are operating correctly, and

(b) the batteries are in good working order and capable of supplying the emergency lighting for the approved duration time and level of illumination.

Once a month the responsible person shall ensure that each luminary and each exit sign is energised from its battery for a period of approximately ten minutes by simulation of the failure of the normal lighting supply.

The results of the battery inspections must be recorded in a log kept on the premises which must be available on request to authorised officers of the Council.

*Maintenance of central batteries of emergency lighting*

36. Where the emergency lighting system consists of a central battery, the apparatus must be under regular supervision of a responsible person who must arrange for the battery to be periodically inspected by a firm of accumulator manufacturers or a competent engineer to ensure that it is maintained in satisfactory working condition. In addition, the automatic devices must be frequently tested to ensure their correct operation.

*Emergency lighting to be kept illuminated*

37. The emergency lighting must be kept switched on at all times when the public are on the premises. Any switch controlling the emergency lighting must not be within easy reach of the public.

*Arrangements for failure of emergency lighting*

38. In the event of failure of the general system of lighting, the public must be required to leave the building after one hour and not readmitted until the lighting from the system has been restored and the batteries fully recharged.

*Competent person for stage electrics*

39. The stage electrical installation must be in the charge of a competent person during the whole time that the public are on the premises.

*RCD requirements for temporary electrical equipment*

40. Socket outlets for use with temporary or portable electrical equipment on any stage area must be of the type protected by a Residual Current Device (RCD) having a 30 mA tripping current.  
Note: 'Plug-In' types will not be acceptable.  
The RCD must be tested once in every period of three months and a record of the tests kept.

*No alterations without consent*

41. No alterations or additions, whether permanent or temporary, must be made to the structure, the lighting, heating or ventilation installations or to the agreed seating layouts except with the written approval of the Council. Notice of such alterations or additions must be accompanied by an adequate specification and by all necessary plans. Work must not commence until the consent of the Council has been obtained. Approval need not be obtained for the routine maintenance of the premises. Where any extension of the premises represents an increase in size of 15 per cent or more of the original area, a new application must be made to the Council in accordance with Item 1 & 2 of the Regulations.

*Ceilings to be inspected and certified*

42. All ceilings in those parts of the premises to which the public are admitted must be inspected when the Council require, by a competent person appointed by, or on behalf of, the licensee of the premises and a certificate concerning the condition of the ceilings must after each

inspection be forwarded to the Council by, or on behalf of, the licensee.

- Arrangements for heating and ventilation* 43. Suitable and sufficient heating must be provided to the satisfaction of the Council. Portable heaters must not be used without prior consent. Adequate ventilation must be provided. If prolonged dancing is encouraged, areas provided for cooling down must be maintained.
- Sanitary provisions to be adequate* 44. Cloakroom and sanitary accommodation for each sex must be provided as the Council may consider necessary. Potable water must be freely available without charge to the public at all times.
- Availability of telephone* 45. Arrangements for access to a telephone must be made. Where a telephone is not available on the premises a notice detailing the location of the nearest public telephone must be displayed in a prominent position.
- Regulations may be varied* 46. These regulations may be waived or modified by the Council in any exceptional circumstances, or when consideration is being given to an application for an occasional licence.
- Copy of Licence to be displayed* 47. A copy of the licence must be displayed in a prominent position. A copy of the licensing conditions shall be kept on the premises and must be made available to hirers and others having reason to request them.
- Arrangements for inspection by authorised officers* 48. The premises must be open to inspection by any duly authorised officer of the Council at all reasonable hours and also at any time when in use under the terms of the licence.
- Prohibition of hypnotism etc. except by consent* 49. No exhibition of hypnotism for public entertainment must be given without the express consent in writing of the Council. Application must be made on a prescribed form (available from the Licensing Officer) giving one months notice.
- Current BS or equivalent to apply* 50. Any reference in these regulations to a specified British Standard will be deemed to include any British Standard or equivalent European or International standard, amending, modifying or replacing the specified British Standard.
- Arrangements in the event of revocation* 51. In the event of the revocation of licence, it must immediately be returned to the Licensing Officer.

The number of persons allowed to resort to the premises to be limited to 110;

Whilst licensable events take place at the premises all:

- a. windows to be kept closed
- b. doors to be kept closed except to permit necessary access and egress;

Notices to be prominently displayed in the premises highlighting the need for patrons to keep noise levels down when leaving the premises

The installation and use of a noise limiting device for the purpose of controlling the level of amplified music (set at a level agreed in advance by the Head of Public Protection)

There be no use of speakers located in the vicinity of the patio at the rear of the premises for the transmission of any sound at any time while licensable events take place at the premises and no licensable event or element thereof is to take place outside at the premises

The number of licensable events shall be limited to 22 events for the period of the licence

Sally Taylor

---

**From:** Glen.Hill@herts.pnn.police.uk  
**Sent:** 09 March 2012 11:00  
**To:** Sally Taylor GCSX Mailbox  
**Cc:** Linda.Holliday@Herts.pnn.police.uk; Deborah.Latto@Herts.pnn.police.uk  
**Subject:** RE: Application for sexual entertainment venue ~ Images Bar & Nightclub Ltd

Sally,  
we have no objections to this application and for your information the nominated Directors of the company:-

- Mrs D [REDACTED] BLENNERHASSETT (nee' ~ CLARK)
- Mrs M [REDACTED] TAVERNER (nee' ~ BLENNERHASSETT)

They do not have any previous criminal convictions.

Kind regards..... Benny

PC 1321 Glen Hill ("Benny")  
Licensing Enforcement & ASB Support Officer ~ Dacorum CSP  
Hertfordshire Constabulary

☎ Phone: 01442 271601  
☎ Internal: 1601  
☎ Fax: 01442 271604  
✉ E-mail: [glen.hill@herts.pnn.police.uk](mailto:glen.hill@herts.pnn.police.uk)  
✉ Mail: Community Safety Unit, County Police Station,  
Combe Street, Hemel Hempstead,  
Herts. HP1 1HL.

**From:** Sally Taylor GCSX Mailbox [<mailto:sally.taylor@dacorum.gcsx.gov.uk>]  
**Sent:** 05 March 2012 16:13  
**To:** HILL, Glen 1321; HOLLIDAY, Linda 7165  
**Subject:** Application for sexual entertainment venue

Good afternoon

For your information!

Regards

Sally Taylor  
Licensing Support Officer  
Regulatory Services  
Tel: 01442 228470

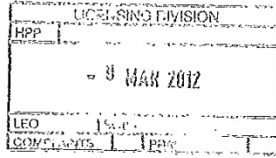
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[Redacted]  
Hemel Hempstead  
Hertfordshire  
[Redacted]

08 March 2012

Dear Sir/Madam,

Re: OBJECTION TO- Notice of Application for a Sexual Entertainment Venue Licence at 'Images Bar & Nightclub Ltd', Old Town High Street

I am writing to object to the plans to use the above night club for lap dancing, strip shows and pole dancing. My biggest concern is the potential for crime to increase in the immediate and surrounding area of the club. [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

In addition, there are a number of vacant shops on the High Street. [Redacted]  
[Redacted]  
[Redacted] I am concerned that we are attracting exactly the wrong type of business to our streets.

The Old Town has the potential (if the 'Portas Pilot' is awarded and includes all that Hemel has to offer) to attract visitors from outside of the Borough. It has a unique charm, some interesting but alas not enough shops. The overall character of the High Street I believe will be changed for the worse if it hosts entertainment of this type.

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]

I trust that you will take all of my family's concerns into account whilst considering this application, and will make a clear decision to reject it.

Yours faithfully

[Redacted]



**Denise Wills**

---

**From:** [REDACTED]  
**Sent:** 22 March 2012 09:02  
**To:** Licensing Mailbox  
**Subject:** Licensing application in the High Street

Dear Sir / Madam

I would like to strongly express my views against the application for a lap dancing and adult entertainment club in the Old Town High Street. This sort of premises is rarely appropriate but in a prime historical location in Hemel Hempstead that the council is committed to enhancing – this application is certainly not appropriate. In the council's own statement, it wants to " Enhance the historic character of the Old Town". A sex club does not fit in with these commitments.

Furthermore, the location is passed everyday by hundreds of school children and many families and visitors walk through the old town at the weekends and evenings – including going to performances at the Town Hall. A sex club will attract the wrong type of customer and deter the vital visitors to the sustain other retail and entertainment businesses in the area. Old Town residents already suffer enough through the night life and takaway outlets in the High Street and it seems very unfair to make life more difficult and reduce property prices.

I trust all these factors will be taken into account. The council has a responsibility to existing Old Town residents and businesses and the population of Hemel who enjoy the character of Hemel's so called Jewel in the Crown. I would be very surprised if any other regional Old Towns have allowed this type of license.

Thank you for your attention.

Regards

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
Tel: [REDACTED]  
Mob: [REDACTED]  
[REDACTED]



Member of the Chiltern Communications Group  
[www.chilterncommunicationsgroup.com](http://www.chilterncommunicationsgroup.com)  
Before printing this email, think about the environment

CORPORATE SUPPORT  
22 MAR 2012

Dacorum Borough Council  
Civic Centre  
Marlowes  
Hemel Hempstead  
Herts,  
HP1 1HH

[Redacted signature block]

21/03/2012

Dear Sir/Madam

RE: Complaint against the proposal for a "Sexual entertainment venue".

I am a resident of the Old Town and I am deeply concerned about the application for a strip bar to be opened in the high street. As you can see from my address, not only will this bar be in the Old Town, but it will be next door to me, [Redacted]. I already put up with the noise from pubs, which I find manageable as I know they have to turn off their music at 11.30pm, but a strip bar whose application includes opening times are 7 days a week and will open until 4am is completely unacceptable. The Old Town is a residential area as well as a High Street, and to have such a bar is completely out of the question as are its opening times. Residents live above the designated property, with children, who frankly are doomed if such a bar is to be opened there. [Redacted]

[Redacted text block]

While I appreciated the need for income into the economy, I, and many others are not prepared to put up with such [Redacted] noise until these hours in the morning. [Redacted]

[Redacted text block]

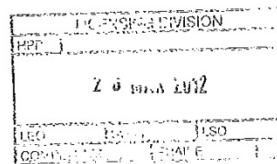
[Redacted text block]

I look forward to hearing from you.

Yours sincerely

[Redacted signature block]

Name: [REDACTED]  
 Address: [REDACTED], Hemel Hempstead, [REDACTED]  
 Email address: [REDACTED]  
 Telephone number: [REDACTED]



### **"Promoting Civic Pride & an Active Community"**

I am writing to voice my objection to the granting of a sex entertainment licence to 25 High Street Hemel Hempstead, with reference to the Council's **Sex Establishment Licensing Policy Statement**.

Section 4.2.2 states that applications for licences may be refused in certain circumstances, including 'that the grant or renewal of the licence would be inappropriate having regard to the character of the relevant locality'. The policy statement goes on to say 'in considering the question of "relevant locality" the Council may also take into account the following:

- The size of the neighbourhood;
- The impact of thoroughfares;
- **The density and proximity of residential accommodation;**
- **The proximity of parks and children's play areas;**
- **The nature, density and proximity of other retail units and their uses;**
- **The proximity of schools;**
- **The proximity of community buildings;**
- The proximity of premises licensed for the sale by retail of alcohol and the provision of entertainment regulated under the Licensing Act 2003.

It is with reference to the statements in bold that I would like to make my objection.

#### **1. The density and proximity of residential accommodation.**

The Old Town is a residential area. Families live, work and enjoy their recreation here.

#### **2. The parks and children's play areas;**

25 High Street is extremely close to Gadebridge park, which is described on the Dacorum Borough Council's website as a key attraction of the Old Town:  
<http://www.dacorum.gov.uk/default.aspx?page=3187>.

The establishment opening time will be 7.00pm. I will have to walk past the establishment and it's clientele with my grandchildren when returning from Gadebridge park as many other people looking after young children will have to do.

#### **3. The nature, density and proximity of other retail units and their uses;**

The establishment opening time will be 7.00pm. My daughters will have to walk past the establishment and it's clientele on their way home from work, or from shopping in the town centre. In addition, my family will have to walk past the establishment and it's clientele when visiting local restaurants or pubs.

In reference to this point I would like to refer to a section on the Dacorum Borough Council's website (<http://www.dacorum.gov.uk/default.aspx?page=3060>) that states:

*'The High Street has a community atmosphere and is a unique shopping experience featuring many speciality shops and services. Visitors and can soak up the Victorian, Georgian and Tudor architecture in a street described as "the prettiest street in Hertfordshire".*

*The Old Town of Hemel Hempstead boasts a diverse selection of specialist shops including fine art, antiques, gentleman's outfitters, dolls houses, quality giftware, furniture, Christian book shop, angling supplies, soft furnishing, bicycles and hair and beauty salons.*

*You can also drink in the atmosphere of the Old Town in any of the period pubs and enjoy the varied menus that cater for all palates in the numerous restaurants, bistros and cafes along the High Street.'*

The opening of a sexual entertainment venue in the Old Town will directly impact on the community atmosphere and nature of other retail units in the area.

**4. The proximity of schools;**

25 High Street is just a three minute walk from George Street Primary School:  
<http://g.co/maps/v2w2b>.

**5. The proximity of community buildings;**


There are a number of buildings used by the community in the Old Town.

- St Mary's Church, which is described on the Dacorum Borough Council's website as a key attraction of the Old Town: <http://www.dacorum.gov.uk/default.aspx?page=3187>.
- St Mary's Church Hall, which is frequently used for children's parties. It also hosts a Parent and Toddler Group every Tuesday (<http://www.hertsdirect.org/your-community/comvol/child2y/edpres3y/edpptod4y/todddhemp/13242536>)
- The Quaker Meeting House is a very short walk away (<http://g.co/maps/q94uk>) and regularly hires out its hall for the use of various community groups.

I sincerely hope the Council do take into account the "relevant locality". The opening of a Sexual Entertainment Venue in 25 High Street Hemel Hempstead is completely out of keeping with the historic old town, which is promoted as a heritage area. I quote again from the Dacorum Borough Council's website:

*'The High Street has a community atmosphere and is a unique shopping experience featuring many speciality shops and services. Visitors and can soak up the Victorian, Georgian and Tudor architecture in a street described as "the prettiest street in Hertfordshire".'*

Yours sincerely

  
Old Town resident

**Denise Wills**

---

**From:** [REDACTED]  
**Sent:** 26 March 2012 19:27  
**To:** Licensing Mailbox  
**Subject:** lap dancing club High Street Hemel hempstead

Have noticed a licensing application for the former club in High Street Old Town Hemel Hempstead and I feel strongly that this should be refused.

This historical area does not lend itself to such a venue and the proposed hours of trading will lead to nothing but a nuisance factor for all residents and shop keepers such as myself. I run a shop from 99 High Street and will not I believe attract the clientele needed to generate business for the unique individuals shops and businesses within this beautiful part of Hemel Hempstead.

Given the proposals to re generate this part of Hemel regarding the new one way system and the desire to hold more events etc this sort of venue will put people off and this is the last thing that I or the other businesses need.

I await to receive an acknowledgment in due course .

[REDACTED]

Denise Wills

---

From: [REDACTED]  
Sent: 28 March 2012 11:18  
To: Licensing Mailbox  
Subject: Objection

OBJECTION :IMAGES NIGHT CLUB, HIGH STREET, HEMEL HEMPSTEAD

I would like to object to the application for a Sexual Entertainment License for which the Images night Club has applied.

This night club is the conservation area of the Old Town of Hemel Hempstead. It is bad enough that there should be a night club in this area – perhaps it should have been situated in the new town – and I am objecting to the application, sighting the arguments laid out in Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.

Specifically sections 4.2.2 and 4.2.3. Based on these facts, I do not believe the license should be allowed.

Thank you for your time in considering this objection.

Regards  
[REDACTED]

**Sally Taylor**

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**Subject:** FW: Proposed Lap Dancing Club

**From:** Feedback Mailbox  
**Sent:** 29 March 2012 11:30  
**To:** Sarah Turner  
**Subject:** FW: Proposed Lap Dancing Club

**From:** [REDACTED]  
**Sent:** 29 March 2012 10:33  
**To:** Feedback Mailbox  
**Subject:** Proposed Lap Dancing Club

I wish to register my objection to the proposal for a lap-dancing club in the High Street.

[REDACTED]. That it would change the character of the area is undeniable and the potential nuisance for residents is unacceptable. [REDACTED]

[REDACTED]

~~XXXXXXXXXX~~  
~~XXXXXXXXXX~~  
Hemel Hempstead  
Herts ~~XXXXXXXXXX~~

30<sup>th</sup> March 2012

To Whom It May Concern:

Re: Lap Dancing in Old Hemel High Street – Improvements at the Old Town Hall

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Lap dancing will bring trade to the Old High Street?????

A trade which will destroy the pleasure and the history of the Old High Street.

~~XXXXXXXXXX~~ Whilst it is clearly, is naturally thinking of profits for her patrons, ~~XXXXXXXXXX~~  
~~XXXXXXXXXX~~ Wouldn't lap dancing/pole dancing be better in a larger Town Centre than Hemel Old Town, because the Old High Street is the GEM of Hemel Hempstead and doesn't need this kind of entertainment ~~XXXXXXXXXX~~

~~XXXXXXXXXX~~ management of the Old Town Hall and find the Old Town Hall planned improvements every position. ~~XXXXXXXXXX~~ Let's hope the Council do not get confused and ~~XXXXXXXXXX~~ and up shutting down the Old Town Hall the way they did with the Pavilion which was left in Hemel Hempstead without the other concert hall for quite a few years ~~XXXXXXXXXX~~. Please Councillors for once show some common sense in both cases.

Yours truly,



~~XXXXXXXXXX~~

2 - APR 2012



Denise Wills

---

**From:** [REDACTED]  
**Sent:** 30 March 2012 17:10  
**To:** Licensing Mailbox  
**Subject:** Objection to Images night club license application  
**Importance:** High

Dear Sir /madam

As both an Old Town resident and business owner of [REDACTED] I strongly object to granting Images night club a sexual entertainment license

I have already encountered previous problems regarding my business when the illegal brothel was trading in the alley between Images and Heath Hairdressing last year

[REDACTED] I thought many people in the Old Town High Street looking for this brothel and hanging around thinking [REDACTED] I hope that they were looking for and I guarantee the same problems occurring if a license is granted

The Old Town is an area to be nurtured and the town council should be more concerned with regenerating the area than encouraging this application which brings with it increased opening hours and disturbance to the residential area

[REDACTED] I have just moved my business for a further 5 years and would not have done so if I had known of this application

Yours faithfully

[REDACTED]

[REDACTED]

Denise Wills

From: [Redacted]
Sent: 01 April 2012 20:11
To: Licensing Mailbox
Subject: Objection to licence application - Images Bar & Nightclub Ltd

Dear Sir

I am objecting to the licencing application by Images Bar & Nightclub Ltd for a licence to open a lap dancing club in the Old High Street on the following grounds.

1 Such an establishment is out of keeping for the area.

The Old High Street is picturesque. It contains many lovely restaurants frequented by families in the evenings. The park is also nearby which is again frequented by families until quite late in the evening in the summer months. [Redacted] It is also a residential area where children and young children live.

[Redacted]
[Redacted]
[Redacted]
[Redacted]

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

[Redacted]

[Redacted]

Hemel Hempstead

Herts

[Redacted]

To Whom it may concern,

I am extremely opposed to the idea of having a strip club in the Old Town. [REDACTED]  
[REDACTED] I would love to have the cake shop (next door to the club) with my partner. We have not done it  
[REDACTED] as we would have to do it, this is a prime site, it is really just a bad idea to have a strip club.

I am most disappointed to hear of these plans as I have always found the Old Town to be very picturesque and quiet which is the reason I moved here.

[REDACTED] The pub next door is a really good business, they don't play their music too loud and they  
[REDACTED] are not too loud, we have enjoyed it since the early 90s, the strip club is a really good business, it is  
[REDACTED] in the alleyway where we live (between the Milk and the Cake Shop) it is a really good business,  
[REDACTED] it is the only house of the morning. [REDACTED] This house is a really good business, it is a really good business,  
[REDACTED] it is a really good business, it is a really good business, it is a really good business, it is a really good business,  
[REDACTED] it is a really good business, it is a really good business, it is a really good business, it is a really good business,  
[REDACTED] if the club next door is opened, regardless of whether it is a strip club or not, their proposed open hours  
are way beyond those of the other pubs so there will be a lot more people, even later, being even  
noisier. [REDACTED] The club next door is a really good business, it is a really good business, it is a really good business,  
[REDACTED] it is a really good business, it is a really good business, it is a really good business, it is a really good business.

Aswell as this, I am opposed to the idea of having a strip club because I really don't believe it will bring 'business' to the area. [REDACTED]  
[REDACTED] and would be a strip bar and degrade themselves for a living, or that they come in there and degrade  
[REDACTED] themselves.

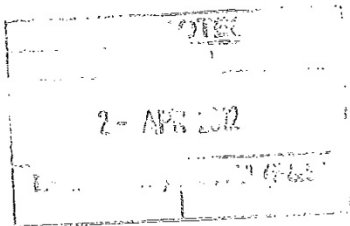
[REDACTED] I would not be humiliated by this happening and would be too embarrassed to have visitors  
[REDACTED] to my home because they would know the strip club is next door.

[REDACTED] I have struggled with anxiety disorders and having become accustomed to my routine since moving  
[REDACTED] and dealing with drunk people that stand outside my home is already a pain, I am petrified to encounter  
[REDACTED] more, so much so that I am sure I will have to go back to my doctors for more medication if this plan  
[REDACTED] goes into fruition because I don't think I could cope.

[REDACTED] I have spoken to friends and colleagues who are also opposed to the idea, as many people believe it  
[REDACTED] will bring the strip bar to the area and that is not what we want.

I sincerely hope that you will see the light and realise how detrimental this would be to our community. [REDACTED]  
[REDACTED] I would love to see the cake shop and the strip club next door, but I would love to see the cake shop and the strip club next door,  
[REDACTED] I would love to see the cake shop and the strip club next door, but I would love to see the cake shop and the strip club next door,  
[REDACTED] I would love to see the cake shop and the strip club next door, but I would love to see the cake shop and the strip club next door,  
[REDACTED] I would love to see the cake shop and the strip club next door, but I would love to see the cake shop and the strip club next door.

Kind regards,  
[REDACTED]  
[REDACTED]  
[REDACTED]









- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED] (applicable to places of entertainment for removal of refuse)

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED] 1999 [REDACTED] 2406 [REDACTED] (11-17-91)

- [REDACTED]

[REDACTED] 1996 [REDACTED]

- [REDACTED]
- [REDACTED]

[REDACTED] 1999 [REDACTED]

- [REDACTED]

[REDACTED]  
[REDACTED]  
HEMEL HEMPSTEAD  
March 31<sup>ST</sup> 2012  
[REDACTED]

2 - APR 2012  
[REDACTED]

Licensing Dept  
Civic Centre  
Hemel Hempstead

RE: LAP DANCING OLD HIGH ST.

I oppose the license for the following reasons

1) There are already too many late night establishments in the high St. causing noise & nuisance to residents.

2) [REDACTED]  
[REDACTED] with the type of drinks this would [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]

3) The Old High St. is the Jewel in the Crown of Hemel & its abience is being destroyed.

4) This type of club seems to make over [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]

Further to this I already have a neighbour who goes to night club & thinks its ok to [REDACTED]



[Redacted]  
[Redacted] back with her to extend the  
[Redacted] for [Redacted] to [Redacted] deeping  
[Redacted]  
[Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted]  
[Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted]  
[Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted]  
[Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted]

Yours sincerely

[Redacted]

I agree with the above

[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

PLANNING AND REGENERATION	02 APR 2012	FILE
COMMENTS		

5 APR 2012	MEMEL HAMPSHIRE MARKETS
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[REDACTED]  
 Memel Hampshire  
 Markets  
 [REDACTED]

Dear Sir/Madam,

[REDACTED]

In one breath the old town is being championed as a place to spend an evening with nice restaurants and the old town hall theatre venue.

Now a lap dancing club - Memel (and in particular the old town) doesn't need it. It may well "boost trade" for one tenant but im sure it will loose trade for many others.

Memel needs to think about its image more carefully. We have enough of the type of pubs around that the average person doesn't want to frequent because of their roudy nature and to move a lap dancing club into Memel is only going to attract more of the same.

[REDACTED]

[REDACTED]



No planning app found - is this a licensing app??

RECEIVED IN BUILDING  
2/4/12

NOF	OP	DC	EN	ENF	CON	REG	RES
Rscr'd		03 APR 2012					
Comments							
PLANNING AND REGENERATION							

[Redacted]  
Hemel Hempstead  
Herts [Redacted]

[Redacted]  
[Redacted]

[Redacted]

Dear Sirs,

Re Planning Application for Lap Dancing Club in Old Town High Street.

Having lived just off the High Street for over 30 years and being an active and interested person I am very concerned about the proposed opening of a lap dancing club in the High Street

We have as a group of residents protested about a number of issues, from, planning changes to buildings, to signage and by and large you have taken our views into consideration.

My objection to the allowing of such a club is one of "it not being suitable for the area" it is incompatible with what has been described in many handbooks as

"The finest High Street vista in Hertfordshire"

"A wealth of old buildings all and each different in its beauty"

"The very best of differing buildings from 16C to 19C all fitting nicely for the eye to behold"

Such views will quickly be ruined by this proposal, no matter what the owners say the club will extend out into the street, its signage will lead the way. It will bring large numbers of people spilling out on to that street making a serious noise etc. in the early hours; local business will not be aided as the clubs hours are outside of their operations.

[Redacted]

The Old Town High Street needs better, it can support diverse activities and has become the place to eat in Hemel with mixed success, and the local pubs that are left are also meeting local needs. But this club is a step to far and I believe will ultimately lead to a rapid deterioration of the area by parking, litter, noise and reputation issues, driving away other business that do not wish to be associated to it.

Please turn this application down as being incompatible with the local area needs.

Yours sincerely

[Redacted]  
[Redacted]  
[Redacted]

PC
4-10211
10/4/12



## DACORUM BOROUGH LICENSING AUTHORITY

# SEX ESTABLISHMENT LICENSING POLICY

<b>AUTHOR</b>	Sally Taylor, Licensing Support Officer.
<b>RESPONSIBLE OFFICER</b>	Rita McGinlay, Group Manager (Regulatory Services)

<b>Date of Publication</b>	February 2011	<b>Date of Last Version</b>	n/a
<b>Version No.</b>	One	<b>Date of Expiry</b>	February 2014
<b>Associated Documents</b>			

<b>Committing to Excellence</b>	<b>Promoting Civic Pride &amp; an Active Community</b>	<b>Creating a Clean, Tidy &amp; Safe Environment</b>	<b>Providing Affordable Housing while Protecting Green Space</b>	<b>Ensuring a Sustainable Local Economy &amp; Jobs</b>
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## **1. INTRODUCTION**

1.1 Dacorum Borough Council adopted schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (“the 1982 Act”) in 1984 so that it could licence sex shops. Adoption of the same schedule (as amended by section 27 of the Policing and Crime Act 2009 (“the 2009 Act”)), enables it also to licence sexual entertainment venues in the Borough.

1.2 The Council makes no moral judgment in this matter and recognises that Parliament has made it lawful to operate sex shops and sexual entertainment venues, and that such businesses are a legitimate part of the retail and leisure industries. The role of the Council as a licensing authority is to administer the licensing regime in accordance with the law.

1.3 Both the 1982 Act and the 2009 Act can be viewed on the Home Office website [www.opsi.gov.uk](http://www.opsi.gov.uk).

1.4 This policy was consulted upon between 10<sup>th</sup> January 2011 and 9<sup>th</sup> February 2011.

1.5 Consultation was conducted with local residents, workers and businesses, and the police through the Dacorum Borough Council website and local press.

1.6 In producing this policy, relevant provisions of the following pieces of legislation have been taken into account in addition to the provisions of the 1982 Act:-

- The Crime and Disorder Act 1998 (e.g. Section 17);
- The Regulators’ Compliance Code (made under the Legislative and Regulatory Reform Act 2006);
- The Provision of Services Regulations 2009.

## **2. THE BOROUGH OF DACORUM**

2.1 Situated in west Hertfordshire, Dacorum is a borough with a mixture of strong urban and rural identities. It includes the towns of Hemel Hempstead, Berkhamsted and Tring as well as a number of villages, from Long Marston in the west to Flaunden in the south-east. Over a third of the Borough’s 210.2 square kilometres have been designated as part of the Chilterns Area of Outstanding Natural Beauty, while most of the rest has high landscape quality and potential.

2.2 The Council’s priorities are set by its ten key ambitions for its communities. They will help to drive corporate improvement plans and enable the Council to deliver, with its partners, against the key themes of the Dacorum Sustainable Community Strategy: “Towards 2021”. The ten key ambitions will also help in delivering sustainable development and creating cohesive communities to enhance the quality of life for citizens and customers.

The priorities are:-

- Encouraging community involvement;
- Meeting the needs of children and young people;
- Meeting the needs of older people;
- Improving social care and health;
- Reducing crime and creating a safer Dacorum;
- Creating a cleaner and healthier environment;
- Delivering lifelong learning;
- Encouraging business and local employment;
- Promoting culture, arts, leisure and tourism;
- Meeting housing need.

The Council's New Vision is "Working in partnership, to create a Borough which enables the communities of Dacorum to thrive and prosper through: Affordable Housing, Regeneration, Safe and Clean Environment and Building Community Capacity (in terms of External Focus).

2.3 At the time of considering this policy, the Council licences one sex shop under the 1982 Act. There is currently one other premises in the Borough authorised under the Licensing Act 2003 to provide entertainment which will require licensing as a sexual entertainment venue following the adoption of the 1982 Act as amended by the 2009 Act.

2.4 Potential operators need to take into consideration the Borough Local Plan and the emerging Local Development Framework (through the Council's Spatial Planning Team or on our website [www.dacorum.gov.uk](http://www.dacorum.gov.uk)) for details about the local planning authority's approach to granting planning permission for developments where such activities may take place.

### **3. LICENCE APPLICATIONS**

3.1 Unlike some other licensing regimes (such as for the sale of alcohol, provision of regulated entertainment such as live music, or gambling), a wide range of people can make representations about sex shop and sexual entertainment venue licences. The police are a statutory consultee for all applications.

3.2 The Council will take the following approach when deciding applications:

- Each case will be decided upon its merits. The Council will not apply a rigid rule to its decision making;
- Persons making representations can include residents/tenants associations, community associations and trade associations. Councillors and MEPs can also make representations. Elected councillors can represent interested parties, providing they do not also sit on the sub-committee determining the application in question;
- The Council will give clear reasons for its decisions.

3.3 The Council will not consider representations that are frivolous or vexatious, or which relate to moral grounds (as these are outside the scope of the 1982 Act). Decisions on whether representations *are* frivolous or vexatious will be made objectively by the Council's officers and not on the basis of any political judgement. Where representations are rejected a written reason will be provided. A report will be made to the sub-committee determining the application (if appropriate), indicating the general grounds of the representation and the reason it was rejected.

3.4 A vexatious representation is reasonably described as one which is unduly repetitive, likely to cause unjustified distress, disruption or irritation, or is otherwise obsessive or manifestly unreasonable. A frivolous representation is generally taken to be one that is lacking in seriousness.

3.5 Representations will be considered by a sub-committee under delegated powers.

3.6 Representations will need to:-

- Be made in writing to the local authority;
- Indicate the name and address of the author of the representation;
- Indicate the premises to which the representation relates;
- Indicate the reasons for making the representations (and in the case of objections would usefully refer specifically to one or more of the legal grounds for refusal mentioned in sections 4.2 and 5.2, and without including moral grounds, which cannot be considered under the legislation).

It would also be helpful if representations indicated the proximity of the premises to the person making the representation. A sketch map or plan might be helpful to show this.

### 3.7 Exchange of Information

3.7.1 The Council may from time to time 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.

3.7.2 Details of applications and the anonymised contents of representations referred to the sub-committee for determination will be published in reports which will be made publicly available in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000.

3.7.3 The names and addresses of persons making representations will not be disclosed to the applicant without the author's consent. The information will, however, be shared with the councillors sitting on the relevant sub-committee.

## 4. SEXUAL ENTERTAINMENT VENUES

### 4.1 Requirement for a Licence

4.1.1 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".

4.1.2 "Relevant entertainment" is defined in schedule 3 of the 1982 Act (as amended by section 27 of the 2009 Act) 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.

4.1.3 Each case will be judged on its own merits, but the following entertainment will generally be deemed to be "relevant entertainment":-

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

4.1.4 Adult entertainment not classed as "relevant entertainment" may still require licensing under the Licensing Act 2003.

### 4.2 Grounds for Refusal/Revocation

4.2.1 There are some specific grounds for refusing sexual entertainment venue licences set out in paragraph 12 of schedule 3 to the 1982 Act.

4.2.2 Applications for licences **must** be refused in certain circumstances, e.g. in relation to an applicant's age or domiciliary status and **may** be refused in certain circumstances, e.g. in relation to an applicant's criminal convictions, or where:-

- (a) The number of sexual entertainment venues, or of sexual entertainment venues of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the Council considers appropriate for that locality;
- (b) 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
- The layout, character or condition of the premises.

4.2.3 “Relevant locality” means, in relation to premises, the locality where they are situated.

In considering the question of the “relevant locality” the Council may also take into account the following:-

- The size of the neighbourhood;
- The impact of thoroughfares;
- The density and proximity of residential accommodation;
- The proximity of parks and children’s play areas;
- The nature, density and proximity of other retail units and their uses;
- The proximity of schools;
- The proximity of community buildings;
- The proximity of premises licensed for the sale by retail of alcohol and the provision of entertainment regulated under the Licensing Act 2003.

4.2.4 The legislation also covers a vehicle, vessel or stall.

4.2.5 Licences may also be revoked, subject to certain procedural requirements and due consideration, on most of the grounds set out above.

### **4.3 Length of Licence**

4.3.1 Unless there are exceptional reasons otherwise, licences will be granted for the maximum duration of one year at a time in the interests of proportionality and to provide certainty to those operating lawful businesses.

### **4.4 Waiver**

4.4.1 While the Council do not consider it would normally be appropriate to grant a waiver from the requirement to hold a sexual entertainment venue licence, it will consider any request for a waiver on its own merits and take those merits fully into account, as well as the fact that the legislation allows relevant entertainment on an infrequent basis of no more than 11 occasions falling wholly or partly within a 12 month period, providing such entertainment itself does not last more than 24 hours and no such occasion has begun within the period of 1 month beginning with the end of any previous occasion on which relevant entertainment has been so provided (whether or not that previous occasion falls within the applicable 12 month period).

### **4.5 Applications**

4.5.1 Application packs including a standard application form and public notice information are available from the Licensing Division on request.

### **4.6 Licence Conditions**

4.6.1 Standard conditions will be proposed for sexual entertainment venues as set out at Appendix A. Where it would be reasonable to do so, the relevant sub-committee will impose additional proportionate conditions on licences.

### **4.7 Fees**

4.7.1 Fees will be set each year, and details are available from the Licensing Division on request.

## 5. SEX SHOPS

### 5.1 Definition

5.1.1 Licences for sex shops are required where 18R films are sold, or where there is a “significant degree” of “sex articles” for sale. The phrase “sex articles” is defined in the 1982 Act as:-

a) anything made 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; and

b) any article containing or embodying matter to be read or looked at or anything intended to be used, either alone or as one of a set, for the reproduction or manufacture of any such article; and

c) to any recording of vision or sound, which:-

(i) is concerned primarily with the portrayal of, or primarily deals with or relates to, or is intended to stimulate or encourage, sexual activity or acts of force or restraint which are associated with sexual activity; or

(ii) is concerned primarily with the portrayal of, or primarily deals with or relates to, genital organs, or urinary or excretory functions.

5.1.2 The phrase a “significant degree” is not defined. When considering whether or not a business is selling a significant degree of sex articles and needs a licence, the Council 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;
- the nature of the displays in the business;
- turnover generated by sales of sex articles;
- the format of any literature, publicity or advertising materials;
- other factors which appear to be materially relevant.

### 5.2 Grounds for Refusal/Revocation

5.2.1 There are some specific grounds for refusing sex shop licences set out in paragraph 12 of schedule 3 to the 1982 Act.

5.2.2 Applications for licences **must** be refused in certain circumstances, e.g. in relation to an applicant’s age or domiciliary status and **may** be refused in certain circumstances, e.g. in relation to an applicant’s criminal convictions, or where:-

- a) The number of sex shops in the relevant locality at the time the application is determined is equal to or exceeds the number which the Council considers appropriate for that locality;
- b) 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
- The layout, character or condition of the premises.

5.2.3 “Relevant locality” means, in relation to premises, the locality where they are situated.

In considering the question of the “relevant locality” the Council may also take into account the following:-

- The size of the neighbourhood;
- The impact of thoroughfares;
- The density and proximity of residential accommodation;
- The proximity of parks and children's play areas;
- The nature, density and proximity of other retail units and their uses;
- The proximity of schools;
- The proximity of community buildings;
- The proximity of premises licensed for the sale by retail of alcohol and the provision of entertainment regulated under the Licensing Act 2003.

5.2.4 The legislation also covers a vehicle, vessel or stall.

5.2.5 Licences may also be revoked, subject to certain procedural requirements and due consideration, on most of the grounds set out above.

### **5.3 Length of licence**

5.3.1 The Council will, unless there are exceptional reasons otherwise, grant licences for the maximum duration of a year at a time in the interests of proportionality and to provide certainty to those operating businesses.

### **5.4 Waivers**

5.4.1 While the Council will not consider it would normally be appropriate to grant a waiver from the requirement to hold a sex shop licence, it will consider any request for a waiver on its own merits and will take those merits fully into account.

### **5.5. Application form**

5.5.1 The Council have a standard application form, including public notices, which are available on request from the Licensing Division.

### **5.6 Licence conditions**

5.6.1 The Council have adopted, and amended, standard conditions for the operation of sex shops as set out at Appendix B. Where it is reasonable to do so, the sub-committee will impose additional proportionate conditions on a licence.

### **5.7 Fees**

5.7.1 Fees are set each year and details are available from the Licensing Division on request.

### **5.8. Appropriate numbers of Sex Shops**

5.8.1 No table of indicative numbers of sex shops in specific localities is included, as the Council has licensed one or more sex shops since adoption of the 1982 Act for that purpose in 1984.

## **Appendix A**

### **STANDARD CONDITIONS FOR SEXUAL ENTERTAINMENT VENUES**

1. In these Regulations, unless otherwise stated, the following expressions shall have the following meanings:

- i. "Sex Establishment" and "Sexual Entertainment Venue" shall have the meanings ascribed to them in the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982, as amended by Section 27 of the Policing and Crime Act 2009.
  - 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 Sexual Entertainment Venue 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 and "Approve", "Approved" and "Approving" shall be construed accordingly.
  - iv. "The Council" means Dacorum Borough Council.
2. In the event of a conflict between these Regulations and any special conditions contained in a licence relating to a Sexual Entertainment Venue, the special conditions shall prevail.
3. The granting of a licence for a Sexual Entertainment Venue 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 (as amended).
4. Where the Licensee is a body corporate or 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 written details as the Council may require in respect of any new director, secretary or manager are to be furnished in writing within 14 days of a notice in writing from the Council.
5. The Licensee or a responsible person nominated by him or her in writing for the purpose of managing the Sexual Entertainment Venue in his or her absence, and of whom details (including photographs) have been supplied to and Approved by the Council, shall be personally responsible for, and present in, the part of the Premises used as a Sexual Entertainment Venue during the whole time it is open to the public.
6. The names of both the Licensee and the person nominated by him or her to be responsible for managing the Sexual Entertainment Venue in his or her absence shall be prominently displayed within the Premises so as to be readily visible to any person visiting the Sexual Entertainment Venue.
7. The Licensee or the person nominated by him or her to be responsible for managing the Sexual Entertainment Venue in his or her absence shall maintain a daily register. It must record the name and address of the person who is to be responsible for managing the Sexual Entertainment Venue that day and the names and addresses of those employed and present on that day. The register is to be completed each day within one hour of the Sexual Entertainment Venue's opening for business and is to be available for inspection by the Police and by authorised officers of the Council.
8. The Licensee shall retain control over the part of Premises used as a Sexual Entertainment Venue and shall not sell, let, sub-let, licence or otherwise part with possession or occupation of any part of the Premises and the Licensee shall ensure that the Council is notified immediately, in writing, in the event that any part of the Premises is affected by the termination of a lease or any other event affecting the Licensee's occupation or control of the Sexual Entertainment Venue.
9. The Licensee shall maintain good order in the Premises.
10. No person under the age of 18 years shall be admitted to the Sexual Entertainment Venue and persons who appear to be under the age of 25 years shall be required to provide photographic proof of age prior to admission and a notice to this effect, of a size and in a

form and position to be Approved by the Council, shall be displayed at all times on the outside of the Premises.

11. The Licensee shall ensure that the public are not admitted to any part or parts of the Premises other than those which have been Approved for such access by the Council.
12. No part of the Premises shall be used by prostitutes (male or female) for the purposes of solicitation or of otherwise exercising their calling.
13. The Licensee shall ensure that neither he or she nor any other person shall seek to obtain custom for the Sexual Entertainment Venue by means of personal solicitation anywhere in the Borough of Dacorum.
14. The Licensee shall comply with all applicable statutory provisions and any regulations made there under.
15. The copy of the licence and the copy of these Regulations 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 the copy of these Regulations shall be displayed in a manner and position Approved by the Council.
16. No change of use of any part of the Premises from that Approved by the Council shall be made without the Consent of the Council and, for the avoidance of any doubt, a change from a Sexual Entertainment Venue to a Sex Shop shall not be effected without the Consent of the Council.
17. Any individual employed on the Premises to conduct activities of a security operative (within the meaning of Part 1 of Schedule 2 to the Private Security Industry Act 2001) must be licensed by the Security Industry Authority.
18. The Licensee shall ensure that a suitable number of trained staff are employed and present to supervise the interior of the Premises ("floor supervisors") at all times whilst performances are being given under this licence.
19. The Licensee shall ensure that, during the hours the Sexual Entertainment Venue is open for business, every floor supervisor wears a badge of a type Approved by the Council indicating his or her name and that he or she is a floor supervisor.
20. Performers shall be aged not less than 18 years. The Licensee shall maintain adequate records of the names, addresses and dates of birth of performers, including adequate identity and age checks.
21. No display, advertisement, word, letter, model, sign, placard, board, notice, device, design, representation, decoration, pattern, picture, photograph, writing, symbol, object or any matter or thing (whether illuminated or not) shall be exhibited so as to be visible from outside the Premises except:
  - i. Any notice of a size and in a form and position Approved by the Council which is required to be displayed so as to be visible from outside the Premises by law, or by any condition or special condition of a licence granted by the Council.
  - ii. Such display, advertisement, word, letter, model, sign, placard, board, notice, device, design, representation, decoration, pattern, picture, photograph, writing, symbol, object or any matter or thing (whether illuminated or not) as shall have been Approved by the Council.

22. No external loudspeakers shall be used or installed at the Premises without the Approval of the Council.
23. No exterior lighting shall be used or installed at the Premises without the Approval of the Council.
24. The Licensee shall ensure to the Council's satisfaction (including, where required, obtaining planning or building control consents) that the interior of the part of the Premises used as a Sexual Entertainment Venue is not visible from the outside of the Premises or from any other part of the Premises used for a purpose other than that of a Sexual Entertainment Venue. At no point may performers be visible from outside the Premises or from any other part of the Premises used for a purpose other than that of a Sexual Entertainment Venue.
25. The Premises shall be maintained in good repair and condition.
26. Bright lighting in all parts of the Premises, in positions and in a form and of a level of luminance Approved by the Council, shall be in operation continuously during the whole of the time the Sexual Entertainment Venue is open to the public.
27. The number, size and position of all doors or openings provided for the purpose 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 to the Premises.
28. The Licensee shall make provision in the means of access both to and within the Sexual Entertainment Venue for the needs of members of the public visiting the Sexual Entertainment Venue who are disabled.
29. Alterations or additions, whether 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.
30. All parts of the Premises' fixtures, fittings and displays shall be kept in a clean and seemly condition to the satisfaction of the Council.
31. The Licensee shall take all appropriate precautions for the safety of the public and employees.
32. Where the Council has specified a capacity figure in writing, the Licensee shall ensure that that figure is not exceeded at the premises at any time whilst sexual entertainment is taking place.
33. Performers shall only perform on the stage area, or in such other areas of the licensed Premises as may be Approved in advance by the Council and shall only perform to seated customers.
34. Performers shall remain clothed in public areas and all other areas except while performing in areas specified by the Council as where sexual entertainment may be provided.
35. Performers shall dress fully at the end of each performance.

36. Performers shall not accept any telephone number, e-mail address, address or contact information from any customer, except in the form of a business card which must be surrendered to the Licensee or his or her representative before leaving the Premises.
37. A Performer is never to be alone in the company of a customer except in an area open to the public within the Premises.
38. The Licensee shall ensure a sufficient number of staff are employed inside the Premises whilst sexual entertainment is provided to supervise the Performers and manage customers.
39. No Performer shall perform nude or semi-nude dancing of any description unless in an approved area and with a floor supervisor present within five metres of the Performer.
40. Performers are never to be in the company of one or more customers except in an area open to the public within the Premises.
41. The Licensee shall ensure that during the performance of a table dance:-
- i. Customers are seated in an upright position against the back of the booth or seat with their hands by their sides or on a table in front of them before a Performer can start a table dance;
  - ii. Customers remain seated during the entire performance of the dance;
  - iii. For the purpose of restraint only, Performers only touch a customer above the customer's chest with their hands only;
  - iv. Performers do not sit next to, or on, or straddle, the customer;
  - v. Performers do not place their feet on the seats.
42. The Licensee shall ensure that during performances to which this licence relates: -
- i. Performers do not perform any act that clearly simulates any sexual act;
  - ii. Performers do not intentionally touch a customer any time during the performance (i.e. any contact shall only be entirely accidental or entirely due to a third party);
  - iii. Performers do not use inappropriate, suggestive or sexually graphic language at any time;
  - iv. Performers do not intentionally touch the genitals or breasts of another performer or knowingly permit another Performer intentionally to touch their genitals or breasts;
  - v. Performers do 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;
43. The Licensee shall ensure that during performances to which this Licence relates:-
- i. Customers do not dance at any time except in areas Approved by the Council as being separate from areas for sexual entertainment;
  - ii. Customers remain appropriately clothed at all times.
44. The Licensee shall ensure that CCTV is installed and maintained in working order and in use at all times to the satisfaction of Hertfordshire Constabulary, and that any images are both retained for a period of at least 31 days and made available on request to a police officer or authorised officer of the Council.
45. The Licensee shall provide promptly copies of any documents required by a police officer or by an authorised officer of the Council in relation to compliance with this Licence.

## **Appendix B**

### **REGULATIONS PRESCRIBING STANDARD CONDITIONS APPLICABLE TO LICENCES FOR SEX SHOPS**

#### **Definitions**

1. In these Regulations, unless otherwise stated, the following expressions shall have the following meanings:
  - i) "Sex Shop" and "Sex Article" shall have the meanings ascribed to them in the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982.
  - 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 Shop 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 and "Approve", "Approved" and "Approving" shall be construed accordingly.
  - iv) "The Council" means Dacorum Borough Council.

#### **General**

2. In the event of a conflict between these Regulations and any special conditions contained in a licence relating to a Sex Shop, the special conditions shall prevail.
3. The granting of a licence for a Sex Shop 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.
4. The headings inserted in these Regulations are inserted for the purpose of convenience only and shall not affect in any way the meaning or construction thereof.

#### **Times of Opening**

5. Except with the previous Consent of the Council, a Sex Shop shall not be open to the public before 9 am and shall not be kept open after 6 pm.
6. Except with the previous Consent of the Council, a Sex Shop shall not be open on any Sunday or any public holiday.

#### **Conduct and management of Sex Shops**

7. Where the licensee is a body corporate or 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 written details as the Council may require in respect of any new director, secretary or manager are to be furnished in writing within 14 days of a notice in writing from the Council.
8. The licensee or a responsible person nominated by him or her in writing for the purpose of managing the Sex Shop in his or her absence and of whom details (including photographs) have been supplied to and Approved by the Council shall be personally responsible for, and present at, the Premises during the whole time they are open to the public.



9. The names of both the licensee and the person nominated by him or her to be responsible for managing the Sex Shop in his or her absence shall be prominently displayed within the Premises so as to be readily visible to any person visiting the Sex Shop.
10. The licensee or the person nominated by him or her to be responsible for managing the Sex Shop in his or her absence shall maintain a daily register. It must record the name and address of the person who is to be responsible for managing the Sex Shop that day and the names and addresses of those employed and present that day in the Sex Shop. The register is to be completed each day within one hour of the Sex Shop's opening for business and is to be available for inspection by the police and by authorised officers of the Council.
11. The licensee shall retain control over all parts of the Premises and shall not sell, let, sub-let, licence or otherwise part with possession or occupation of any part of the premises and the licensee shall ensure that the Council is notified immediately, in writing, in the event that any part of the Premises is affected by the termination of a lease or any other event affecting the licensee's occupation or control of the Premises.
12. The licensee shall maintain good order in the Premises.
13. No person under the age of 18 years shall be admitted to the Sex Shop and persons who appear to be under the age of 25 years shall be required to provide photographic proof of age prior to admission and a notice to this effect, of a size and in a form and position to be Approved by the Council, shall be displayed at all times on the outside of the Premises.
14. The licensee shall ensure that the public are not admitted to any part or parts of the Premises other than those which have been Approved for such access by the Council.
15. No part of the Premises shall be used by prostitutes (male or female) for the purposes of solicitation or of otherwise exercising their calling.
16. The licensee shall ensure that neither he or she nor any other person shall seek to obtain custom for the Sex Shop by means of personal solicitation anywhere in the Borough of Dacorum.
17. The licensee shall comply with all applicable statutory provisions and any regulations made there under.
18. The licensee shall ensure that during the hours the Sex Shop is open for business every employee wears a badge of a type Approved by the Council indicating his or her name and that he or she is an employee.
19. The copy of the licence and the copy of these Regulations 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 the copy of these Regulations shall be displayed in a manner and position Approved by the Council.
20. No change of use of any part of the Premises from that Approved by the Council shall be made without the Consent of the Council.
21. No change from a Sex Shop to a Sex Cinema shall be effected without the Consent of the Council.

### **Goods available in Sex Shops**

22. All Sex Articles and other things displayed for sale, hire, exchange or loan within the Sex Shop shall be clearly marked to show to persons who are inside the Sex Shop the respective prices to be charged.
23. 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 Shop so as to be readily visible to any person visiting the Premises, provided that this condition does not require films or video films to be exhibited (played).
24. No film or video film shall be exhibited, sold, hired, exchanged or loaned unless it has been passed by the British Board of Film Censors and bears a certificate to that effect and is a reproduction authorised by the owner of the copyright of the film or video film so certified.
25. The licensee shall, without charge, display and make available in the Sex Shop such free literature on counselling on matters related to sexual problems, on AIDS and on sexually transmitted diseases as may be published by the Family Planning Association and/or by other similar organisations as may be specified by the Council. Such literature is to be displayed at all times in a prominent position adjacent to all payment points in the Sex Shop so as to be readily visible to any person at any such payment point.

### **External Appearance**

26. No display, advertisement, word, letter, model, sign, placard, board, notice, device, design, representation, decoration, pattern, picture, photograph, writing, symbol, object or any other matter or thing (whether illuminated or not) shall be exhibited so as to be visible from outside the Premises except:
  - i) Any notice of a size and in a form and position approved by the Council which is required to be displayed so as to be visible from outside the Premises by law, or by any conditions or special condition of a licence granted by the Council.
  - ii) Such display, advertisement, word, letter, model, sign, placard, board, notice, device, design, representation, decoration, pattern, picture, photograph, writing, symbol, object or any other matter or thing (whether illuminated or not) as shall have been Approved by the Council.
27. A door control system shall be fitted and maintained in use at all times so as to prevent the external door and the internal (lobby) door from being opened at the same time. Guidance should be sought from the Fire Officer so as to ensure that suitable emergency access can be maintained. The entrance to the Premises shall be of a material, or covered with a material, which will render the interior of the Premises invisible to passers-by and a sample of such material shall be submitted to, and Approved (which shall include Approving the colour and design) by, the Council.
28. Suitable and sufficient vertical blinds shall be fitted to the interior aspect of the front windows of the Premises and shall be kept closed at all times so as to ensure that the interior of the Premises is permanently obscured from the view of passers-by. Details of the positioning, material, colour and design of such blinds, with a sample, shall be submitted to, and Approved by, the Council.
29. No external loudspeakers shall be used or installed at the Premises without the Approval of the Council.
30. No exterior lighting shall be used or installed at the Premises without the Approval of the Council.

## **Condition and layout of the Premises**

31. The Premises shall be maintained in good repair and condition.
32. Bright lighting in all parts of the Premises, in positions and in a form and of a level of luminance Approved by the Council, shall be in operation continuously during the whole of the time the Sex Shop is open to the public.
33. The number, size and position of all doors or openings provided for the purpose 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 to the Premises.
34. The licensee shall make provision in the means of access both to and within the Sex Shop for the needs of members of the public visiting the Sex Shop who are disabled.
35. Any facility for previewing a film, video recording or similar material shall be physically separated from the display area of the Sex Shop in such a manner that no material being displayed by way of preview shall be visible or audible outside the preview area.
36. No fastenings of any description (other than any fastening necessary to secure the facility specifically referred to in the immediately preceding condition) shall be fitted upon any booth or cubicle within the Sex Shop, nor shall more than one person (including any employee) be present in any such booth or cubicle at any time.
37. Alterations or additions, whether 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.
38. All parts of the Premises' fixtures, fittings and displays shall be kept in a clean and seemly condition to the satisfaction of the Council.

## **Safety**

39. The Licensee shall take all appropriate precautions for the safety of the public and employees.
40. The Licensee shall ensure that CCTV is installed and maintained in working order and in use at all times to the satisfaction of Hertfordshire Constabulary, and that any images are both retained for a period of at least 31 days and made available on request to a police officer or authorised officer of the Council.
41. The Licensee shall provide promptly copies of any documents required by a police officer or by an authorised officer of the Council in relation to compliance with this Licence.