

AGENDA

Meeting: Western Area Licensing Sub Committee

Place: Online meeting

Date: Wednesday 13 October 2021

Time: 10.30 am

Please direct any enquiries on this Agenda to Lisa Pullin, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713015 or email committee@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Peter Hutton
Cllr Stewart Palmen

Cllr Tim Trimble

Substitutes:

Cllr Daniel Cave

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AGENDA

1 **Election of Chairman**

To elect a Chairman for the meeting of the Sub Committee.

2 **Apologies for Absence/Substitutions**

To receive any apologies for absence and to note any substitutions.

3 **Procedure for the Meeting** (*Pages 5 - 10*)

The Chairman will explain the attached procedure for the members of the public present.

4 **Chairman's Announcements**

The Chairman will give details of the exits to be used in the event of an emergency.

5 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

6 **Licensing Application** (*Pages 11 - 16*)

To consider and determine an Application for a Sexual Entertainment Venue – Venom Nightclub, Quartermaster Road, West Wilts, Trading Estate, Westbury made by Mr Barrie White. The report of the Public Protection Officer (Licensing) is attached.

6a **Appendix 1 - Wiltshire Council Sex Establishment Policy** (*Pages 17 - 26*)

6b **Appendix 2 - Application for a Sexual Entertainment Venue** (*Pages 27 - 36*)

6c **Appendix 3 - Premises Licence for Players and Venom Nightclub** (*Pages 37 - 40*)

6d **Appendix 4 - Dancers Welfare Policy** (*Pages 41 - 42*)

6e **Appendix 5 - Code of Conduct for Customers** (*Pages 43 - 44*)

6f **Appendix 6 - Location Maps** (*Pages 45 - 46*)

6g **Appendix 7 - Internal Plan of Premises** (*Pages 47 - 48*)

This internal plan of the premises was provided by the Applicant just prior to the hearing.

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**LICENSING COMMITTEE
PROCEDURAL RULES FOR THE HEARING OF APPLICATIONS
UNDER SCHEDULE 3 OF THE LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1982
SEXUAL ENTERTAINMENT VENUES**

1 Purpose

- 1.1 These procedural rules have been prepared to facilitate proper consideration by the Licensing Committee and its Sub Committees of applications for sexual entertainment venues under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.
- 1.2 The rules set out a framework for how applications are to be heard and explain the role of the participants at the Hearing.

Definitions

- 2.1 The following definitions describe the participants at and the subject matter of a Hearing:

Applicant means the applicant for the grant, renewal, or transfer of a licence as appropriate.

Application means an application for one or more of the following, as the case may be:

- a) grant of a licence;
- b) transfer of a licence;
- c) renewal of a licence;

Committee includes a Sub Committee

Hearing means a meeting of the Licensing Committee during which an application for a licence under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 is being considered and includes virtual hearings.

Objector means any person who has given Notice of Objection in accordance with Paragraph 10 (15) of the Schedule 3 the 1982 Act.

Parties means the Applicant(s) and any Objector(s) to the grant of the application.

The Council means Wiltshire Council.

The 1982 Act means the Local Government (Miscellaneous Provisions) Act 1982.

3 Key Principles

- 3.1 The Hearing will be conducted in accordance with the principles of natural justice, and fairness.
- 3.2 This will include that:
 - 3.2.1 All Parties have an opportunity to make representations before a decision is made;
 - 3.2.3 All Parties have an adequate opportunity to consider and respond to any submissions made other parties to the Hearing;
- 3.3 It is also fundamental that there is an orderly presentation of submissions at a Hearing so that the relevant issues are properly understood, evidence is tested and that oral statements made at the Hearing are accurately recorded.
- 3.4 Ultimately the Chairman determines the application of these rules, having regard to any submissions being made by those present and in particular the Committee Lawyer.

4 The Hearing

- 4.1 The hearing shall take place as a virtual hearing via Microsoft Teams. Those who are a party to the hearing will be invited to attend the virtual hearing by an email link and members of the public will be able to watch the hearing as it takes place being streamed to the internet or watch the hearing at a later date. Subject to the exceptions below, the Hearing shall take place in public (will be live streamed/recorded).
 - 4.1.1 The Committee may exclude the public from all or part of the Hearing where it considers it to be in the public interest to do so and in accordance with S100A Local Government Act 1972, as amended. Public includes a party and any person assisting or representing a party.
 - 4.1.2 The Committee may require any person attending the Hearing who, in its opinion, is behaving in a disruptive manner, to leave the Hearing and may:
 - a refuse to permit them to return to the virtual hearing; or
 - b permit them to return to take part in the virtual hearing on only such conditions as the Committee may specify;
 - 4.1.3 In the event that a person is required to leave a Hearing that person may, before the end of the Hearing, submit to the Committee in writing any information which they would have given orally.
- 4.2 Prior to the Hearing commencing, the Chairperson shall advise the parties of the procedure it proposes to follow at the Hearing.

- 4.3 Where a party has previously requested permission for a person(s), other than their representative, to appear at the Hearing then the Committee shall consider whether to permit that request.
- 4.4 The Committee will allow the parties an equal maximum period of time in which to exercise their rights.
- 4.5 This equal maximum time may have been notified in advance of the Hearing.
- 4.6 Where there is a multiple of Parties who have attended the Hearing to make the same or similar representations then the Committee would normally require that a spokesperson be appointed by them to make the representations on behalf of all of those Parties.

5 Presentation of Submissions

- 5.1 The Chairman will introduce the Application.
- 5.2 Submissions shall be made in the following order unless the Chairman directs otherwise:
 - 5.2.1 The Licensing Officer will orally present the Committee Report and will in particular advise the Committee as to:
 - a the options available to it;
 - b the considerations that are relevant in reaching its decision.
 - 5.2.2 The Applicant (or the Applicant's Representative) will orally present its submission which may include:
 - a presenting their case in accordance with the papers, which will have been circulated with Agenda papers;
 - b confirming key information and answer pertinent questions; and
 - c calling witnesses in support of the Application (see paragraph 4.3).
 - 5.2.3 Objectors will orally present their representations in turn which shall include:
 - a the grounds of the objection to the Application; and
 - b if appropriate, any condition(s) that the Objector would wish to see imposed on the Licence if it were to be granted

6 Questioning of Submissions

- 6.1 The Chairman will regulate the order in which questions are asked by Members.
- 6.2 The Chairman and Members may question any Party following the completion of their submission.
- 6.3 The Chairman will normally then permit the Applicant and the Objectors to ask questions of the other parties.
- 6.4 The Chairman may direct that questions which are not relevant to the Application are not formally put or answered.

7 Documentation

- 7.1 No party shall present new documentation to the Committee at the Hearing other than with the consent of the Committee having taken into account any comments by the other parties and any advice given by officers. Where a party is given consent to present new documentation, they shall provide sufficient copies for the Committee, officers and the other parties present.

8 Intervention

The Chairman shall permit the following interventions at any point in the Hearing:

- 8.1 The Committee Lawyer to advise the Committee on issues of law, procedure and relevant considerations on decision making. If necessary, the Chairman may adjourn the Hearing and require the Committee, the Committee Lawyer and the Committee Manager to leave the Hearing so that advice can be given.
- 8.2 The Committee Manager to advise the Committee on procedure generally, or to request that statements made are repeated for reasons of clarity and so that they can be properly recorded.
- 8.3 The Licensing Officer to seek to clarify statements that have been made in light of information held on their file.

9 Failure of Parties to Attend Hearing

- 9.1 If a Party has informed the Licensing Officer that it does not intend to attend or be represented at a Hearing, the Hearing may proceed in its absence.
- 9.2 If a Party has not indicated that it does not intend to attend or be represented at a Hearing and fails to attend or be represented at the Hearing then the Committee may:

9.2.1 where it considers it be necessary in the public interest, adjourn the Hearing generally or to a specified date; or

9.2.2 hold the Hearing in the Party's absence.

9.3 Where the Licensing Authority holds a Hearing in the absence of a Party, it shall consider at the Hearing the application, representations made by that Party.

10 Closing Submissions

10.1 The Chairman shall allow, first the Objectors to make a closing oral submission(s) and secondly the Applicant or the Applicant's Representative to make an oral closing submission in support of the Application.

11 Decision

11.1 Following the closing submissions by all parties the Committee shall adjourn. The Committee members, the Committee Lawyer and the Committee Manager, shall retire so that the decision may be considered in private, and to consider any legal issues raised by the Members. At this point the Chairperson will give an indication of the time that the meeting will resume for the announcement of the decision and all parties to the hearing will be asked to indicate if they intend to return for the announcement of the decision.

11.2 The decision, and reasons for the decision, of the Committee shall be communicated orally by the Chairman to the parties after the Committee has deliberated in private on the Application.

11.3 Written reasons shall be provided soon after the deliberations of the Application and in any event within the statutory time limits.

Hearing Procedure Summary

1. The Democratic Services Officer will request nominations for a Chairman for the Hearing.
2. The Chairman welcomes all those present and introduces the Application.
3. The Chairman introduces the Members of the Sub Committee and invites all parties present (Applicant, Objectors and Officers) to introduce themselves.
4. The Chairman outlines the Hearing Procedure as set out in the Agenda, makes any relevant announcements and asks for any declarations of interest.
5. The Licensing Officer is asked to present their Committee Report.
6. The Applicant/their representative is invited to address the Sub Committee.
7. Questions to the Applicant by Members of the Sub Committee.
8. Questions to the Applicant by Objectors which are to be directed through the Chairperson.
9. Those who have made an objection to the application are invited to address the Sub Committee. .
10. Questions to Objectors by Members of the Sub Committee.
11. Questions to Objectors by the Applicant which are to be directed through the Chairperson.
12. Closing submissions by the Objectors in reverse order.
13. Closing submissions by the Applicant.
14. Sub Committee retires with the Committee Lawyer and Committee Manager to consider its decision.
15. Sub Committee returns and the Lawyer gives a summary of any legal advice that may have been given to the Sub Committee.
16. The Chairman either gives the decision with reasons or advises that it will be released in writing with reasons within the statutory time limits.

WILTSHIRE COUNCIL

WESTERN AREA LICENSING SUB COMMITTEE

13th OCTOBER 2021

**Application for Sexual Entertainment Venue
Venom Nightclub, Quartermaster Road, West Wilts Trading Estate, Westbury,
Wiltshire, BA13 4JT**

1. Purpose of Report

- 1.1 This report provides information for Members about an application made for a sexual entertainment venue (SEV) licence under the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Policing and Crime Act 2009, to assist them in determining the outcome of the application
- 1.2 All applications for the grant of a new licence will be determined by the Licensing Committee, irrespective of whether objections are received. At the hearing all parties will have the opportunity to address the Committee and ask factual questions of other parties. The Licensing Committee may also ask questions of all parties that they feel relevant to determine the application.

2 Recommendations

- 2.1 Having considered the application the Sub-Committee may:
 - grant a licence in accordance with the application
 - grant a licence subject to additional and/or varied conditions
 - reject the application
- 2.2 It is Recommended that a sexual entertainment licence be granted for Venom Nightclub, Quartermaster Road, West Wilts Trading Estate, Westbury.

3. Summary

- 3.1 This report outlines an application for a new sexual entertainment venue for Venom Nightclub, Quartermaster Road, West Wilts Trading Estate, Westbury, Wiltshire, BA13 4JT. It also refers to Wiltshire Council's policy on Licensing Sexual Entertainment Venues and provides other pertinent information specific to this application.

4. Application

- 4.1 An application for a Sexual Entertainment Licence (SEV) was received on 28th August 2021 from Mr Barrie White for Venom Nightclub, Quartermaster Road, Westbury. A copy of the application is attached as Appendix 2.
- 4.2 The Licence, if granted is to provide the following forms of 'relevant entertainment', lap dancing, stage strip-tease and strip shows with full nudity.

The hours applied for are as follows:

Day	Hours
Monday	Closed
Tuesday	Closed
Wednesday	21:00 to 06:00
Thursday	21:00 to 06:00
Friday	21:00 to 06:00
Saturday	21:00 to 06:00
Sunday	Closed

- 4.3 Mr White already holds a premises licence under the Licensing Act 2003 for the premises concerned. The application under consideration is separate to the regime imposed by the 2003 Act. A copy of the current premises licence is attached as Appendix 3
- 4.4 The application was accepted by the Licensing Authority, as being served correctly, with all the required documentation and fees.
- 4.5 The applicant is required to serve a copy of their application on the Chief Officer of Police and to inform other interested parties by way of a notice on site and in the local newspaper.
- 4.6 These requirements have been satisfied for this application, with copies of the adverts sent into the Licensing Authority.
- 4.7 Mr White provided the Licensing Authority with additional supporting material: A Dancers welfare policy and customers code of conduct these are attached as Appendices 4 and 5.
- 4.8 Under Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 a premises can hold entertainment nights without a licence, providing that they do not exceed one a month. The Venom Nightclub have been operating similar nights to that applied for on an infrequent basis for a number of years.

Neither the Council or Wiltshire Police have received any complaints to date regarding the nature of, or activities that take place at the premises.

5. Representations

- 5.1 No representations have been received from any commercial businesses, schools, churches or other organisations in relation to this application.
- 5.2 No objections or representations have been received from the Police.
- 5.3 For information, the licensing authority consulted the Town Council and Democratic Councillor neither of which objected or made representations.

6. Suitability of Applicants

- 6.1 The Council's Policy on Licensing Sexual Entertainment Venues refers to the suitability of applicants. The Council may refuse an application if it considers that the applicants are unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason.
- 6.2 An applicant must be a fit and proper person to hold a licence. In determining suitability for a new licence or a transfer the Council will take the following into account:
 - (a) previous relevant knowledge and experience of the applicant;
 - (b) any evidence of the operation of any existing or previous licence held by the applicant, including any licence held in any other council area;
 - (c) any report about the applicant and management of the premises received from statutory objectors

7. Location of premises

- 7.1 The Council's Policy on Licensing Sexual Entertainment Venues deals with the locality of premises to be licensed as SEVs.
- 7.2 The policy also sets out the areas that are considered inappropriate to locate SEV's in having regard to:
 - (a) the character of the relevant locality;
 - (b) the existence of other similar businesses within the locality;
 - (c) the use to which any premises in the vicinity are put;
 - (d) the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

Inappropriate Proximity

- 7.3 Wiltshire Council's Policy states no new sex establishment will be permitted if it will be situated within "inappropriate proximity" to locations listed below:

- (a) near to housing;
- (b) near, or near to access routes to and from schools, play areas, nurseries, children's centres or similar premises;
- (c) in shopping centres;
- (d) near places of worship;
- (e) near a community facility or public building, including but not limited to swimming pools, leisure centres, public parks, youth centre's/club and sheltered housing;
- (f) near historic buildings or tourist attractions.

"Inappropriate proximity" is defined as a distance of 200m in direct line of sight between the proposed establishment and any locations listed above, or 100m distance if there is no direct line of sight.

7.5 Officers have noted that the premises is located in an industrial area on the periphery of Westbury and is not situated within in appropriate proximity to the locations listed at (a) to (f) listed in paragraph 7.3 above.

7.6 Location plans are attached as Appendix 6.

8. Conditions

8.1 Wiltshire Council's policy states that standard conditions will apply to all Sexual Entertainment Venues. The current standard conditions are set out in as Appendix 1 to the policy (Attached as Appendix 1).

8.2 The Licensing Committee may decide to impose additional conditions when it determines the application.

9. Legal Implications

9.1 On 13 July 2011, Wiltshire Council resolved that the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by section 27 of the Policing and Crime Act 2009 be adopted and shall apply within the Council's boundaries.

9.2 On 6 February 2012, the Licensing Committee resolved to adopt and implement the policy and regulations prescribing conditions for Sex Establishments from 1st March 2012

'Sexual Entertainment Venue' is defined within Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended) ('the Act') as "any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer." 'Relevant Entertainment' means "any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of an audience (whether by verbal or other means)."

9.3 Paragraph 12 of Schedule 3 of the Local Government (Miscellaneous

Provisions Act 1982) sets out the grounds for refusing an application for the grant, renewal or transfer of a licence.

A licence must not be granted:

- i. To a person under the age of 18;
- ii. To a person who is for the time being disqualified due to the person having had a previous licence revoked in the area of the appropriate authority within the last 12 months;
- iii. To a person, other than a body corporate, who is not resident in an European Economic Area (EEA) State, or was not so resident throughout the period of six months immediately preceding the date when the application was made; or
- iv. To a body corporate which is not incorporated in an EEA State; or
- v. To a person who has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal

A licence maybe refused where:

- vi. The applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- vii. If the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;
- viii. The number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality;
- ix. That the grant or renewal of the licence would be inappropriate, having regard:
 - to the character of the relevant locality; or
 - to the use to which any premises in the vicinity are put; or
 - to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made

There is no right of appeal against a refusal to grant a licence for the reasons identified in paragraph viii or ix above.

10. Appeal

10.1 Refusal on any other grounds can be appealed to the Magistrates Court within 21 days. A decision to refuse a licence must be relevant to one or more of the above grounds and the decision must be necessary and proportionate.

10.2 Any conditions that are imposed must also be non-discriminatory, necessary and proportionate. They should not duplicate or contradict any conditions that appear on a licence issued under the Licensing Act 2003.

Report Author: Emma Hyde - Licensing Officer

Date of report 29 September 2021

Background Papers Used in the Preparation of this Report

- **Local Government (Miscellaneous Provisions) Act 1982**
- **Policing and Crime Act 2009**
- **Wiltshire Council Sex Establishment Licensing Policy**

Appendices

- 1 Wiltshire Council Sex Establishment Policy**
- 2 Application for Sex Entertainment Venue**
- 3 Premises Licence issued to Venom**
- 4 Dancers Welfare Policy**
- 5 Code of Conduct for Customers**
- 6 Location maps**



Wiltshire Council

Policy and Regulations

Licensing of Sex Establishments

May 2009

To come into effect 29 June 2009

LICENSING OF SEX ESTABLISHMENTS

Contents

1. Introduction
 2. Definitions
 3. The Application Process
 4. Consideration of the Application
 5. Determination of Applications
 6. Grant of a Licence
 7. Hearing Procedure
- Annex A – Standard Conditions

1. Introduction

Wiltshire is a predominantly rural county in the south-west of England. Covering 325534 hectares, it has a population of 433,000, nearly all of whom live in towns or villages with fewer than 5,000 people. Bigger concentrations of population can be found in the cathedral city of Salisbury, the county town of Trowbridge, and Wiltshire's many market towns. The Armed Forces have a significant presence particularly in the south of the County.

The Policy

This documents states Wiltshire Council's policy on the regulation of Sex Establishments

The Law

The Local Government (Miscellaneous Provisions) Act 1982 introduced a licensing regime to control sex establishments. Wiltshire Council has adopted schedule 3 of the Act by virtue of being as successor authority to the four district councils who adopted the Act. This means that the Council can control and regulate the operation of certain kinds of Sex Establishment within its area. No sex establishment can operate unless it has obtained a licence from the Council. Any such licence will contain conditions that will restrict how that premises may trade.

2. Definitions

In these Regulations the following expressions shall have the meanings:-

"The Act" - means the Local Government (Miscellaneous Provisions) Act 1982.

"The Council" - means Wiltshire Council

- “The licensed premises” - means any premises, vehicle, vessel or stall licensed under the Act.
- “Licence holder” - means a person who is the holder of a Sex Establishment licence.
- “Permitted hours” - means the hours during which the licensed premises are permitted under Regulations 2 and 3 hereof to be open to the public.
- “Sex Establishment licence”- means a licence granted pursuant to Schedule 3 of the Act.

In these Regulations the following expressions that is to say “Sex Establishment”, “Sex Shop”, “Sex Cinema”, “Sex Article” and “Vessel” shall have the meanings respectively assigned to them by Schedule 3 of the Act. Included below:

“Sex Establishment” means a “Sex Cinema” or a “Sex Shop”

“Sex Cinema” means any premises, vehicle, vessel or stall used to a significant degree for the exhibition of moving pictures, by whatever means produced, which

- (a) are concerned primarily with the portrayal of, or primarily deal with or relate to, or are intended to stimulate or encourage –
- i) sexual activity; or
 - ii) acts of force or restraint which are associated with sexual activity; or

(b) are concerned primarily with the portrayal of, or primarily deal with or relate to, genital organs or urinary or excretory functions, but does not include a dwelling-house to which the public is not admitted.

“Sex Shop” means any premises, vehicle, vessel or stall used for a business which consists to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating –

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

“Sex Article” means – 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

- (a) anything to which the sub-paragraph below applies.

This sub-paragraph applies –

- a) to 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
- (b) 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.

3. The Application Process

The application form and relevant documentation for the new licence, renewal or transfer must be completed and returned with the appropriate fee as set in the Council's fees and charges.

A copy of the application form and supporting documentation must be forwarded to the Chief Officer of Police within 7 days.

A notice of the application will need to be advertised both on or near the premises and in a newspaper circulating within the area of the premises. The notice must clearly identify the premises to which it relates.

The notice on or near the premises shall be displayed for 21 days beginning with the date of the application and in a place where it can be conveniently read by the public.

The notice in the newspaper shall be published no later than 7 days after the date of the application.

The Council will carry out a consultation process where views are sought from: Wiltshire Police, Wiltshire Fire and Rescue Service, Council Ward Members for the area of the premises, The Council's Planning Department

Objections to the application for the grant, renewal or transfer of a licence shall be given in writing, stating the terms of the objection no later than 28 days after the date of the application.

Where notice of objection is received by the Council they will give notice in writing to the applicant of the general nature of the objection before it is given due consideration.

4. Consideration of the Application

The Council will consider every application on its merits, following the appropriate consultation and in accordance with this policy.

The Act specifies a number of issues that should be considered:

- a) Under the legislation a Council cannot have regard to the morality of sex establishments. Its approval or disapproval of sex establishments is not a matter which can be considered.
- b) Straightforward objections on the grounds that sex establishments should not be allowed, will not be taken into account in assessing applications for such premises.
- c) That the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason.
- d) That if the licence was to be granted, renewed or transferred, the business to which it relates will be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he/she made the application himself/herself.
- e) That the grant or renewal of the licence would be inappropriate having regard to: The character of the relevant locality, **The existence of other similar businesses within the locality**, or The use to which any premises in the vicinity are put; or The layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.
- f) No new licensed sex shop will be permitted if it will be situated within "Inappropriate proximity" to:
 - 1. Near to housing.
 - 2. Near, or near to access routes to and from, schools, play areas, nurseries, children's centres or other similar premises.
 - 3. In family shopping areas.
 - 4. Near places of worship
 - 5. Near a community facility or public building, including but not limited to swimming pools, leisure centres, public parks, youth centre's/club and sheltered housing
 - 6. Near historic buildings or tourist attractions.

Note: "inappropriate proximity" is defined as a distance of 200m in direct line of sight between the proposed establishment and any locations list above, or 100m distance if there is no direct line of sight.

- g) Fitness of the applicant – an applicant must be a fit and proper person to hold a license. In determining suitability for a new licence or a transfer the Council will take the following into account:
 - 1. Previous relevant knowledge and experience of the applicant.
 - 2. Any evidence of the operation of any existing or previous licence held by the applicant, including any licence held in any other council

area

3. Any report about the applicant and management of the premises Received from statutory objectors.

5. Determination of Applications

Each application will be considered on its own merits following the appropriate consultation and in accordance with this policy.

Any sex establishment licence may be granted subject to conditions imposed by the Council; therefore an application should not be refused if conditions could adequately address any area of concern.

All licences will be subject to the Council's Standard Conditions for Sex Establishments as in Annex A.

In event of conflict between standard conditions and special conditions contained in a Sex Establishment licence the special conditions shall prevail.

Licences are generally issued on an annual basis but can be issued for a shorter term if deemed appropriate.

6. Grant of a Licence

All applications for the grant of a new licence will be determined by the Licensing Committee or a Licensing Sub Committee, irrespective of whether objections are received.

Renewal or Transfer of an Existing Licence

Where no valid objections or observations have been received, the application will be considered under officer delegated powers.

If the officer is minded to refuse such an application it will be referred to the Licensing Committee or a Licensing Sub Committee.

Where valid objections or observations are received the application will be determined by a Licensing Committee or a Licensing Sub Committee.

At a Licensing Committee or Licensing Sub Committee hearing the applicants and any objectors/observers will be given an opportunity to address the committee.

7. Hearing Procedure

Where the Council is required to determine an application by reference to a Licensing Committee or a Licensing Sub Committee, the Applicant and objectors/observers will be advised of the date, time and venue of the hearing.

In preparation for the hearing, all parties will receive a copy of the Licensing Officer's report prior to the hearing. The report will contain a summary of the application, representations and any other relevant information.

At the hearing, all parties will have the opportunity to address the Licensing Committee or a Licensing Sub Committee and ask factual questions of other parties. The Licensing Committee or a Licensing Sub Committee may also ask questions of all parties that they feel relevant to determine the application.

The Licensing Committee or a Licensing Sub Committee will communicate their decision at the end of the hearing and all parties will receive written confirmation within 7 days.

Annex A

Standard Conditions Regulations

These regulations are made under the conferred powers of paragraph 13 of the Third Schedule of the Miscellaneous Provisions Act 1982.

- 1) The grant of a licence for a Sex Establishment shall not be deemed to convey any approval or consent which may be required under any enactment bye-law order or regulation other than the Third Schedule of the Miscellaneous Provisions Act 1982 as amended.
- 2) The licensed premises shall be closed throughout Good Friday, Christmas Day and every Sunday, except from 10am – 4pm on the two Sundays preceding Christmas Day. The premises may be open only during the permitted hours prescribed in these regulations.
- 3) The permitted hours of opening, unless varied by special condition, shall be as follows:-

Mondays	9:00 am to 9:00 pm
Tuesdays	9:00 am to 9:00 pm
Wednesdays	9:00 am to 9:00 pm
Thursdays	9:00 am to 9:00 pm
Fridays	9:00 am to 9:00 pm
Saturdays	9:00 am to 9:00 pm

- 4) The licensed premises shall not be used for any purpose other than the business of a sex establishment.
- 5) The licensed premises shall not be open for the purposes for which a sex establishment licence is granted on any occasion when the Council may signify in

writing to the licence holder, occupier or other person having at the time the care and management of the premises, that the same should not be open.

- 6) No person who is or appears to be under the age of 18 or is known by the licence holder or any servant or agent of his/her present on the licensed premises to be under that age shall be admitted to or shall be permitted to remain on the licensed premises.
- 7) The licence holder:-
 - a) shall display on the licensed premises in a conspicuous position, conveniently read, his/her sex establishment licence;
 - b) shall exhibit on those premises such notices in such form and in such position as may be prescribed;
 - c) shall comply with any prescribed restriction with respect to the exhibiting of other written matter or of signs of any description on the licenses premises.
- 8) No facilities shall be provided in a sex shop for:
 - a) seeing any television broadcast or the replaying of any video tape, DVD, film or other like matter, other than a television set for the simultaneous reception and exhibition of television programmes broadcast by the British Broadcasting Corporation or non subscription channels.
 - b) hearing any sound broadcast, record, tape or other like matter e.g. mini-disc, other than facilities for the reception of any radio programmes broadcast by the British Broadcasting Corporation or the Independent Broadcasting Authority.
- 9) No music, dancing or other entertainment whether of a like kind or not shall be provided or permitted, other than as permitted by these Regulations and no refreshment of any kind shall be served on nor shall any facilities for the taking of such refreshment be provided upon the licensed premises, except to staff.
- 10) The licence holder shall exhibit on the exterior of the licensed premises in a position visible to persons outside the premises a notice, in addition to his/her name, in not more than one place, in characters not exceeding three inches in height and consisting only of the words "licensed sex shop" or "licensed sex cinema" (as the case may be) and such indication, if any, as he/she thinks fit to give of the times at which the licensed premises are open. No other notices, unless pursuant to these Regulations, may be exhibited.
- 11) The licence holder shall exhibit in a conspicuous manner and in some conspicuous place inside the licensed premises and at the point of access to the licensed premises a notice stating that persons under the age of eighteen years are not admitted on the premises.

- 12) The licence holder shall not display in any position visible to persons outside the premises any matter which does not comply with the Indecent Displays (Control) Act 1981.
- 13) The licence holder shall not permit any person other than persons employed by him, his servant or agent, statutory undertakers or, if applicable, his landlord to enter upon any part of the premises which are not available to the public in connection with the display, sale, hire, exchange, loan or demonstration of sex articles.
- 14) The licence holder shall not display any advertisement which is visible to persons outside the premises except as permitted by these Regulations or under the Act and no advertisements shall be displayed wherever visible which depict any sex article as defined.
- 15) The licence holder shall ensure that the interior of the sex establishment shall not be visible to persons outside the premises.
- 16) The exterior of the licensed premises shall be of a design and materials approved by the Council. The exterior of the premises shall consist of material and colours of a discreet nature appropriate to the character of the locality and shall be in keeping with the appearance of other premises in the vicinity. Detailed proposals for the external appearance of the premises shall be agreed with the Council's Delegated Officer within 14 days of the notification of the determination of the grant of an application for a new premises licence; the approval shall be subject to ratification by the Council's Licensing Committee or Sub Committee. The interior and exterior of the licensed premises shall be kept in good repair and condition.
- 17) No illuminated signs or exterior lights shall be affixed to the licensed premises unless approved by the Council's Delegated Officer and shall be subject to ratification by the Council's Licensing Committee or Sub Committee.
- 18) The holder of a sex cinema licence shall observe such regulations and conditions as may be approved by the Council from time to time for cinemas having a licence under the Licensing Act 2003.

No Fastenings of any description shall be fitted upon booths set aside for the display of films.

- 19) The licence holder shall not knowingly allow the licensed premises to be the habitual resort or meeting place of a reputed prostitutes, whether the object of their so resorting or meeting is or is not prostitution.
- 20) If the Council notifies the licence holder, occupier or other person having at the time the care and management of the premises in writing by delivering notice at the licensed premises that any particular sex article, advertisement or matter shall not be displayed, sold or supplied the same shall be withdrawn from display, sale or supply forthwith.

- 21) No film, video or DVD material shall be kept, sold or supplied at the sex establishment except such film, video or DVD material that bears a reproduction of the Certificate of the British Board of Film Censors/Certification.
- 22) The external doors of the licensed premises shall be fitted with self-closing mechanisms and such mechanisms shall be maintained in good order. Doors and openings, other than exits, which lead to parts of the premises to which the public are not permitted to have access shall be clearly marked "Private".

No access shall be permitted through the premises to any other premises adjoining or adjacent.

No external door shall be fixed in the open position at any time during the permitted hours.

- 23) A police officer or an authorised officer of the Council or the Police may at any reasonable time enter and inspect any premises in respect of which a sex establishment licence is for the time being in force or an application for the grant of a new licence has been served.
- 24) The licence holder or some responsible person, being 21 years of age or over, nominated by him/her in writing shall be in attendance at the premises at all such times as the premises are open to the public and any nomination shall be produced to any police officer or authorised officer of the Council or the police and give the name and address of the person nominated.
- 25) A closed circuit television system shall be installed in the place licensed to the satisfaction of the Council's Licensing Officer. The system shall efficiently record the operation of the place licensed and shall automatically indicate the date and time of the events recorded to a standard that would be acceptable as evidence in the Courts. All closed circuit television recordings shall be securely retained for a minimum of 28 days and shall be made available at the place licensed for inspection by a police officer or an authorised officer of the Council or the police.
- 26) The licensee shall produce and maintain a list of all stock carried at the place licensed and shall make it available to a police officer or authorised officer of the Council or the police on demand.
- 27) All merchandise shall be clearly marked so as to show persons inside the premises the purchase price of each item.

Wiltshire Council

Where everybody matters

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
APPLICATION FOR A LICENCE FOR A SEX ESTABLISHMENT

1. NATURE OF APPLICATION

Please state type of application you are applying for:	Grant Renewal Transfer	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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2. PREMISES TO BE LICENSED

Business name of Premises:	Comus leisure ltd	
Address of Premises:	26a Quartermaster road Westbury Wiltshire BA13 4JT	

3. APPLICANT DETAILS

Full Name:	Barrie white	
Current Residential Address: (If a Body Corporate/Unincorporate please give name of Body and address of Registered Office)		
Telephone Number:		
Mobile Number (optional):		
Have you held a Licence for a Sex Establishment in the 12 months immediately preceding the date of this application? If YES, please give address of premises	NO	
Has the Licence been revoked?	NO	
Have you been refused a Licence in respect of the premises that are the subject of this application within the 12 months immediately preceding the date of this application?	NO	

4. IF APPLYING AS AN INDIVIDUAL PLEASE COMPLETE THE FOLLOWING QUESTIONS

Date of Birth:	
Are you resident in the UK?	YES/NO
Have you been resident in the UK for the 6 months immediately preceding the date of this application?	YES/NO

5. OTHER PERSONS RESPONSIBLE FOR MANAGEMENT

Provide details of all Directors/Other Persons responsible for management	Name	Address	Capacity	Date of Birth

6. DETAILS OF PREMISES	
Is the premises: <ul style="list-style-type: none"> • A building or other permanent structure • A vehicle • A vessel • Other 	YES NO NO NO (please describe the premises)
Full postal address of premises:	26a Quartermaster road West wilts trading estate Westbury Wiltshire BA13 4JT
Telephone numbers (s) of premises:	01373 825700
What name is the premises to be known by?	Venom
Is the whole of the premises to be used under the licence?	YES If NO, please describe how each part of the premises is to be used (include reference to plan)
Are the premises currently authorised under the Licensing Act 2003?	YES If YES, please provide a copy of the Licence.
Is relevant planning consent in place enabling the premises to operate as a sexual entertainment venue?	NO If YES, please provide a copy of the consent. If NO, please give reasons why and provide any evidence of current lawful use of the land or action being taken to remedy the lack of consent.
Is customer access to the premises: <ul style="list-style-type: none"> • From the street or a public thoroughfare? • From other premises? 	YES If YES, please identify the street or thoroughfare if different from the premises address. NO .
Is each customer access to be supervised by appropriately registered door staff at all times the premises are open to the public?	YES .

7. OPERATION OF THE PREMISES			
Provide details of the times during which the premises will be open to the public. (please use 24 hour clock)	Monday		
	Tuesday		
	Wednesday	21.00pm-06.00	
	Thursday	21.00 06.00	
	Friday	9pm 06.00	
	Saturday	9pm 06.00	
	Sunday		
Please provide details of the times during which it is proposed relevant entertainment will be provided. (please use 24 hour clock)	Monday		
	Tuesday		
	Wednesday	21.00pm-06.00	
	Thursday	21.00pm-06.00	
	Friday	21.00pm-06.00	
	Saturday	21.00pm-06.00	
	Sunday		
What age restrictions are to be applied in respect of admission to the premises and how are these to be enforced?	Over 18s only SIA registered Doorstaff		
What are the arrangements for CCTV: <ul style="list-style-type: none"> Monitoring; Access by authorised bodies to CCTV images; Retention of images; Production of removable images for Police or authorised officers of the Licensing Authority. 	We have a full cctv system that saves to a hard drive the images are kept for 28 days and can be accessed by the authorities whenever requested		
Please indicate the relevant entertainment that is proposed to be carried out in the venue and then indicate YES or NO to full nudity:	Lap Dancing	x	yes
	Pole Dancing	*	NO
	Stage Strip-tease	*	yes
	Table Dancing		
	Strip Shows	x	yes
	Live Sex Shows		
	Other		
Please indicate if the premises is to be used as a Sex Cinema			NO

8. GENERAL MANAGEMENT OF THE PREMISES	
Describe the system in place for training in respect of the Code of Conduct for Performers, and for monitoring and enforcing compliance.	there is a full training and risk assessment and a code of conduct that all entertainers must read sign and adhere to at all times this will be monitored by the management of the venue
Describe the system for notifying customers of the Rules for Customers, and for the monitoring and enforcing compliance.	The house rules will be displayed at all times around the venue and on cards given to the customers on entrance it will be enforced by the management and SIA registered security

9. TO BE COMPLETED IF THE BUSINESS IS TO BE MANAGED BY OR CARRIED ON FOR THE BENEFIT OF A PERSON OTHER THAN THE APPLICANT				
Name	Address	Status	Date of Birth (if applicable)	Share holding if a Corporate Body
Has the above held a Licence for a Sex Establishment in the 12 months immediately preceding the date of this application?				YES/NO
If YES, please give details:				
Has the Licence been revoked?				YES/NO
Has the above been refused a Licence in respect of the premises that are the subject of this application within the 12 months immediately preceding the date of this application?				YES/NO
Has the above been convicted of a criminal offence?				YES/NO
If YES, please give full details:				
If the above is an individual are they resident in the UK?				YES/NO
Has the above been a resident in the UK for the 6 months immediately preceding the date of this application?				YES/NO
If the above is a Body Corporate is it incorporated in the UK?				YES/NO

10. FURTHER DETAILS – to be completed in relation to a sex shop application only	
What articles are to be offered for sale?	
If this application relates to a Sex Shop, are any part of the premises to be used for displaying films, videos or other moving pictures?	YES/NO
What advertisements or displays are to be exhibited?	
Please give details:	

CHECKLIST

- Fee has been made or enclosed (**non-refundable**)
- Enclosed Birth Certificate (if individual)
- Enclosed Certificate of Incorporation (if Corporate Body)
- Three passport size photographs of the applicant and any person responsible for management of the premises at any time (applicable to sex shop application only)
- A plan or plans of the premises to the scale of 1:50 or thereabout with details of layout

Please Note: The following must be supplied to the Council within 10 days of this application.

- A copy of the publication containing Notice of this application
- A copy of the Notice exhibited outside the premises

DECLARATIONS

Any person who, in connection with an application for the grant, renewal or transfer of a Licence for a Sexual Entertainment Venue, makes a false statement which he/she knows to be false in any material respect of which he does not believe to be true shall be liable to prosecution under Paragraph 21 of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and on summary conviction shall be liable to a fine of up to £20,000.

The following declaration must be signed in all cases:

- If the applicant is an individual, by that individual
- If the applicant is a partnership, by all individuals who are partners
- If the applicant is a Company, by a Director or the Company Secretary
- In any other case, by a duly authorised officer of the applicant

I/we enclose the requisite fee.

I/we acknowledge that I/we must serve a copy of this application on the Chief of Police within 7 days of the application being submitted to Wiltshire Council.

I/we acknowledge that I/we must ensure that a Notice publicising this application will be displayed for 21 days beginning with the date of the application, on or near the premises and in a place where it can conveniently be read by the public.

I/we acknowledge that I/we must publish a Notice of Application in a newspaper circulating in the local area not later than seven days after the date of application.

I/we agree to forward a complete copy of the Notice of Application to the Council within seven days of the date of application.

I/we certify to the best of my/our knowledge and belief that the information provided in connection with this application is complete and correct in every respect.

I declare my answers to the above questions to be true and complete to the best of my knowledge and belief.

	Barrie white1.	2.	3.	4.
Signature:				
Print Name:	B white			
Capacity:	Managing Director			
Date:	23/08/2021			

Wiltshire Council

Where everybody matters

STATUTORY DECLARATION OF CONVICTIONS FOR THE GRANT / RENEWAL / TRANSFER OF A SEXUAL ENTERTAINMENT VENUE LICENCE

TO BE COMPLETED BY THE APPLICANT, DIRECTORS OF ANY COMPANY APPLYING FOR A LICENCE AND ANY OTHER PERSONS WHO WILL BE RESPONSIBLE FOR THE MANAGEMENT OF THE LICENSED PREMISES.

APPLICANT DETAILS	
Full Name:	Barrie White
Position Held:	Managing Director
Date of Birth:	
Place of Birth:	Bristol
Permanent Address:	
If not resident at the above address for 5 years, please provide relevant address history	

DETAILS OF PREVIOUS CONVICTIONS AND/OR CAUTIONS			
<i>Please give details of any "unspent" convictions or cautions (see overleaf)</i>			
Date of Conviction	Court of Conviction	Nature of Offence	Sentence
N/A			

* Please photocopy this sheet for each declaration required as part of the application.

CONVICTIONS TO BE DECLARED IN RESPECT OF APPLICATIONS FOR SEX ESTABLISHMENT VENUES

If you have been convicted of any of the following offences and they are “unspent” they must be declared on the **Statutory Declaration of Convictions** form: -

- Sexual offences;
- Offences involving obscenity;
- An offence involving the use, possession or supply of any drug;
- An attempt, incitement or conspiracy to commit any of the above offences.

The Rehabilitation of Offenders Act 1974 provides that after a certain period of time, convictions for offences are to be regarded as “spent”. Set out below are some examples of when convictions become “spent”. Please note, it is from the date of **conviction** that the time commences. The periods of time which must elapse in other cases before the conviction becomes “spent” may vary considerably according to the nature of the offence and other circumstances. The rehabilitation period may, for example, be extended by the commission of a further offence during the rehabilitation period.

Sentence	Rehabilitation Period
2 ¹ / ₂ years (30 months) imprisonment and over whether sentence suspended or not.	Never spent.
Imprisonment or detention in a young offender institution (youth custody) between 6 months and 30 months whether sentence was suspended or not.	10 years.
Imprisonment or detention in a young offender institution (youth custody) of 6 months or less whether sentence suspended or not.	7 years.
Dismissal from the Armed Forces	5 years
A fine, compensation, community service order or detention.	5 years
Conditional discharge, bound over or probation order, including fit person, supervision and care orders.	1 year or period of probation sentence whichever is longer.
Absolute discharge.	6 months.
Disqualification, disability or prohibition.	Period of sentence unless a longer period as above (e.g. disqualification and a fine 5 years).
Remand Home / Approved School / Attendance Centre Orders	1 year after order expires.
Hospital Order under Mental Health Acts.	5 years, or 2 ¹ / ₂ years after the order expires (whichever is the longer)

NB: if the sentence was received while under the age of 18 years, the rehabilitation period should be halved.

GUIDANCE NOTES FOR APPLICANTS

THE APPLICATION

- All questions must be answered and documentation and fees provided. The application will not be accepted if questions are left unanswered and relevant documentation and fees are not provided.
- The 'Statutory Declaration of Convictions' must be completed by each of the individuals named in questions 3, 5 and 9 of the application form. These must be submitted with the application.
- The application must be served on Wiltshire Police at:

The Licensing Officer
Wiltshire Police
Trowbridge Police Station
Polebarn Road
Trowbridge
BA14 7EP

This should be done within 7 days of submitting the application to Wiltshire Council.

THE PLAN

The layout plan must show:

- The layout of the premises including any stage, bar, cloakroom, toilets, performance areas and dressing rooms.
- The boundary of the premises outlined in red.
- Public areas outlined in blue.
- Fixed furniture and structures.
- Access in and out of the premises.
- Position of CCTV cameras.
- The position of steps, stairs or lifts and disabled access ramps.
- Fire safety and other safety equipment.
- Location of emergency exits.

PUBLIC NOTICES

A notice must be displayed at the premises to which the application relates for a period of 21 days, from the day following the submission of the application to Wiltshire Council.

If the premises covers an area of more than 50 square metres, a further notice must be displayed every 50 metres along the external perimeter of the premises.

Please see overleaf for example public notice.

Example Notice:

<p style="text-align: center;">NOTICE OF APPLICATION FOR A SEX ESTABLISHMENT LICENCE</p> <p><i>Applicant Name</i>, is applying for the grant of a *Sexual Entertainment Venue / *Sex Shop / *Sex Cinema (*delete as appropriate) for: <i>insert full address of the premises.</i></p> <p>The licence, if granted, is to allow the following relevant entertainment to take place:</p> <p><i>In respect of sex establishment licence only, for example:</i></p> <ul style="list-style-type: none">• <i>Lap Dancing</i>• <i>Pole Dancing</i>• <i>Stage Strip-tease</i>• <i>Table Dancing</i>• <i>Strip Shows</i>• <i>Live Sex Shows</i> <p>Any persons wishing to make representation in relation to this application may do so in writing to the Licensing Team, <i>please insert relevant area office from the list below covering the area in which the premises for licence is situated).</i></p> <p>Representations may be made up to 28 days from the date of this notice.</p>
--

- Chippenham:** **Wiltshire Council, Monkton Park, Chippenham, Wiltshire, SN15 1ER**
(This office deals with all applications relating to Chippenham, Calne, Corsham and Wootton Bassett as well as the rest of the old North Wiltshire District Council Area)
- Devizes:** **Wiltshire Council, Browfort, Bath Road, Devizes, Wiltshire, SN10 2AT**
(This office deals with all applications relating to Devizes, Pewsey, Marlborough and Tidworth as well as the rest of the old Kennet District Council Area)
- Salisbury:** **Wiltshire Council, 27/29 Milford Street, Salisbury, SP1 2AP**
(This office deals with all applications relating to Salisbury, Amesbury, Downton, Mere, Hindon and Tishead as well as the rest of the old Salisbury District Council Area)
- Trowbridge:** **Wiltshire Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD**
(This office deals with Trowbridge, Bradford-on-Avon, Melksham, Warminster and Westbury as well as the rest of the old West Wiltshire District Council area)

Licensing Act 2003
Premises Licence Summary

LN/000011850

ISSUING LOCAL AUTHORITY



PART 1 – PREMISES LICENCE SUMMARY & LICENCE HOLDER DETAILS

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

Players and Venom Night Club, Quartermaster Road, West Wilts Trading Estate, Westbury, Wiltshire, BA13 4JT

NAME, (REGISTERED) ADDRESS AND CONTACT DETAILS OF HOLDER OF PREMISES LICENCE

Comus Leisure Ltd
Venom Night Club, Quartermaster Road, West Wilts Trading Estate, Westbury, Wiltshire, BA13 4JT
Tel: 01373 825700,

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER

Not Applicable

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Mr Barrie White

ISSUING AUTHORITY AND PERSONAL LICENCE NUMBER HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

LN/15999 (previously West Wilts District Council 05/00609/LAPERIN)

WHERE THE LICENCE IS TIME LIMITED - THE DATES AND TIMES

Not Applicable

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

On & Off Sales

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Where applicable the provisions of Section 145 of the Licensing Act 2003 apply

PART 2 – LICENSABLE ACTIVITIES & TIMINGS

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE						
Licensable activities	Location	Day	Time From	Time To	Time From	Time To
Alcohol Sales	ON and OFF Sales - Venom	Sunday	00:00	00:00		
		Monday	00:00	00:00		
		Tuesday	00:00	00:00		
		Wednesday	00:00	00:00		
		Thursday	00:00	00:00		
		Friday	00:00	00:00		
		Saturday	00:00	00:00		
Non Standard Timings & Seasonal Variations	24 Hours					
Live Music Recorded Music Perform Dance Similar to any Music or Dance	Venom	Sunday	00:00	00:00		
		Monday	00:00	00:00		
		Tuesday	00:00	00:00		
		Wednesday	00:00	00:00		
		Thursday	00:00	00:00		
		Friday	00:00	00:00		
		Saturday	00:00	00:00		
Non Standard Timings & Seasonal Variations	24 Hours					
Late Night Refresh	Venom	Sunday	23:00	05:00		
		Monday	23:00	05:00		
		Tuesday	23:00	05:00		
		Wednesday	23:00	05:00		
		Thursday	23:00	05:00		
		Friday	23:00	05:00		
		Saturday	23:00	05:00		
Non Standard Timings & Seasonal Variations						

Hrs premises open to public	Venom	Sunday	00:00	00:00		
		Monday	00:00	00:00		
		Tuesday	00:00	00:00		
		Wednesday	00:00	00:00		
		Thursday	00:00	00:00		
		Friday	00:00	00:00		
		Saturday	00:00	00:00		
Non Standard Timings & Seasonal Variations	24 Hours					
Alcohol Sales	ON Sales - Players	Sunday	00:00	23:00		
		Monday	10:00	00:00		
		Tuesday	10:00	00:00		
		Wednesday	10:00	00:00		
		Thursday	10:00	00:00		
		Friday	00:00	00:00		
		Saturday	00:00	00:00		
Non Standard Timings & Seasonal Variations	Friday & Saturday 24 Hours					
Late Night Refresh	Players	Sunday				
		Monday	23:00	00:00		
		Tuesday	23:00	00:00		
		Wednesday	23:00	00:00		
		Thursday	23:00	00:00		
		Friday	23:00	05:00		
		Saturday	23:00	05:00		
Non Standard Timings & Seasonal Variations						

Hrs premises open to public	Players	Sunday	00:00	23:20		
		Monday	10:00	00:20		
		Tuesday	10:00	00:20		
		Wednesday	10:00	00:20		
		Thursday	10:00	00:20		
		Friday	00:00	00:00		
		Saturday	00:00	00:00		
Non Standard Timings & Seasonal Variations	Friday & Saturday 24 Hours					

Licence Commencement Date

1 June 2006

Licensing Officer

Current Licence Date

31 May 2019

Licensing Officer

Agenda Item 6d

Comus Leisure Ltd Entertainers, Dancers and Performers Welfare Policy

- Dancers and performers shall be provided with secure and private changing facilities.
- Dancers and performers shall be provided with private toilet and handwashing facilities.
- Each new dancer and performer will be given a full and detailed induction upon their commencement of employment at the club. This will include all club rules, code of conduct, unit familiarity, our evacuation procedures and health and safety. This will be documented by way of the company dancers/performers contract.
- Private booths must not be fully enclosed – there must be clear sightline from the booth so that the performers can be directly monitored. There must be a minimum of one member of security staff and/or management on any floor where performances of sexual entertainment are taking place.
- If a customer attempts to touch or speak to a performer inappropriately during a booth performance the dancer may cease to dance and explain the club rules to the customer. If necessary, the dancer should ask for assistance from the security staff or manager.
- Lewd and lascivious behaviour is not permitted anywhere within the club, and such conduct will result in immediate termination of the dancer's contract.
- There shall be no intentional contact between performers and customers at any time before, during or after the performance.
- The performer may not simulate any sexual act during the performance.
- Performers must not use any lewd, suggestive, or sexually graphic language in any public or performance areas of the premises.
- Performers must not touch another performer in any sexually graphic way at any time or during any part of the performance.
- There shall be no nudity by performers in public areas of the premises that are not designated for private dancers.
- There shall be no photography permitted by customers on the premises.
- Customers must remain seated for the duration of the performance.
- The club has a zero-tolerance policy regarding the illegal use and selling of drugs. Any dancer who is noticed or known to be under the influence of drugs will have their contract for services terminated immediately and reported to the relevant authorities.
- The club employs an extensive use of CCTV.
- All entrances to private areas to which members of the public are not permitted shall have clear signage.
- If a customer offers the performer money for any sexual favours, she must report this immediately to security or management, and the customer will be removed from the premises.

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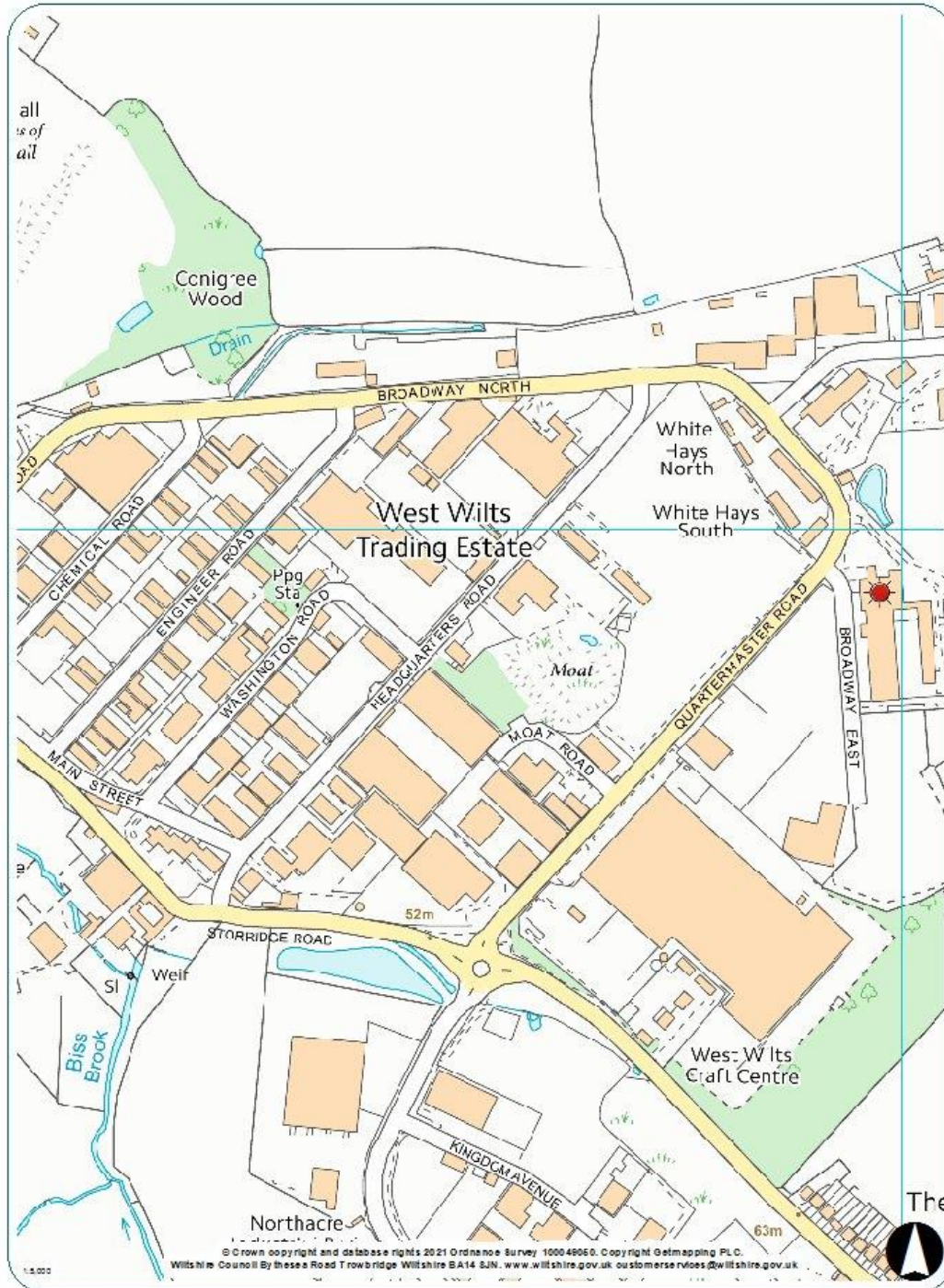
Code of Conduct for Customers

- There is to be no physical contact between customers and performers during any time of your visit to the premises.
- Customers must remain seated at all times throughout the performance.
- Customers must treat the performers with respect; verbally abusing or attempting to touch a performer will result in the immediate ejection from the premises.
- Club maintains zero tolerance policy regarding illegal or controlled substances. Anybody found in possession of illegal or controlled substances will be removed from the premises and the police informed.
- Offering payment for sexual favours will result in instant removal from the premises.
- The club employs intensive use of recorded CCTV as well as undercover spotters posing as customers to ensure all the above rules are observed.
- No camera phones to be used.
- Any patrons deemed rude or aggressive will be asked to leave the premises.

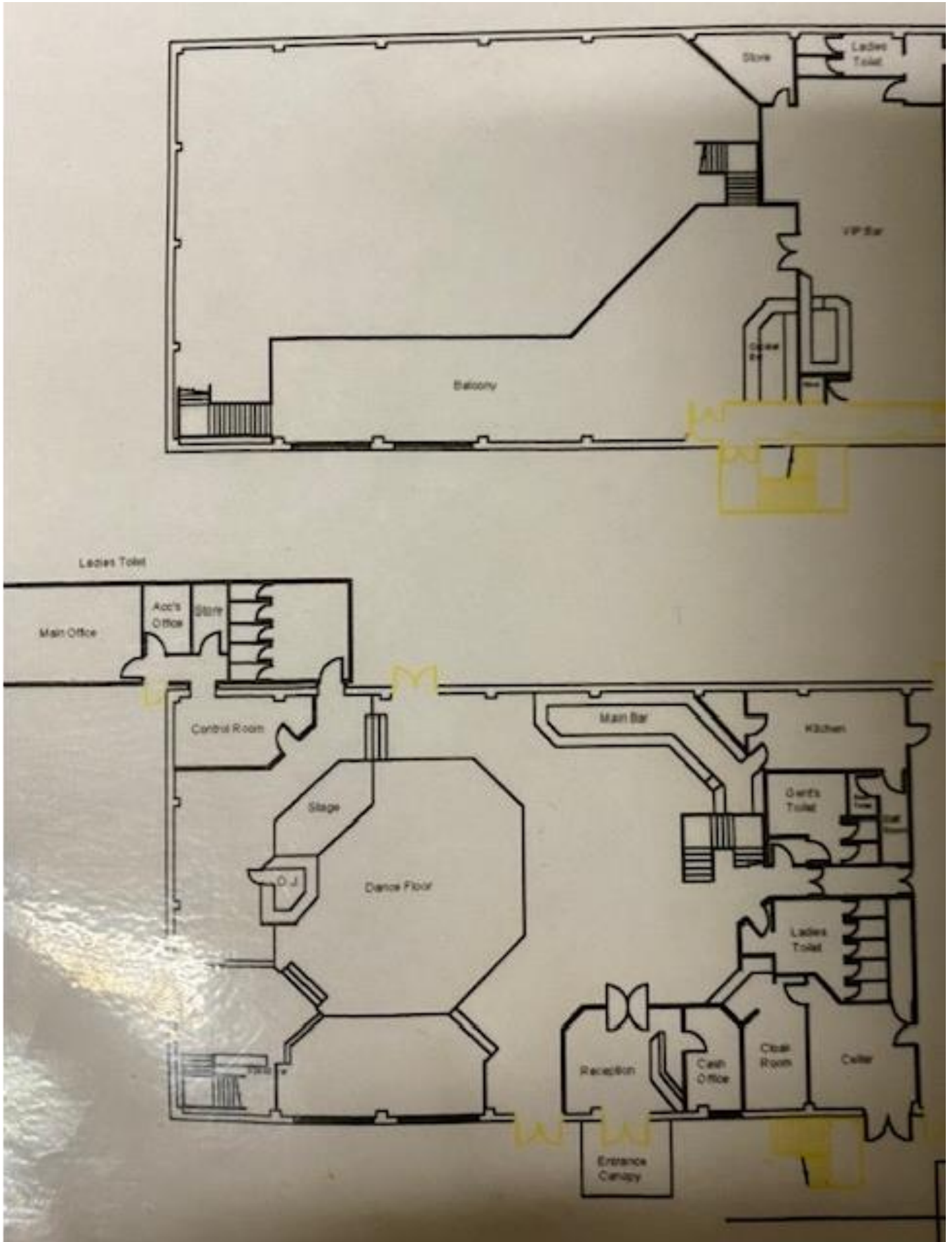
barrie@clubicewestbury.co.uk

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Venom Nightclub Location







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