

APPENDIX K

Sex Establishment Policy

K1

Sexual Entertainment Venue Licensing Policy

Licensing Service
Block C, Staniforth Road Depot
Staniforth Road
Surrey Street
S9 3HD

Tel: 0114 2734264

Or email us at: licensing@sheffield.gov.uk
Or visit our website at: www.sheffield.gov.uk/licensing

Sheffield *where everyone matters*



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1. Foreword

The increase in the number of lap dancing venues nationally since the implementation of the Licensing Act 2003 has become a concern for many local communities.

Previously, premises only needed to be licensed under the Licensing Act 2003 for music and dancing. Responsible Authorities (Police / Fire Service etc.) and Interested Parties (residents / businesses in the vicinity) could only make representation based on the four licensing objectives, namely:-

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

As a result of this, licensing authorities could not consider the objections of local people and businesses that were based on matters outside the scope of the four objectives. For example, a representation based on whether the venue was appropriate given its character and locality of the area would not be able to be considered.

Section 27 of the Policing and Crime Act 2009 introduces a new category of sex establishment called “sexual entertainment venues” which will allow licensing authorities to regulate lap dancing clubs and similar venues.

The introduction of these new legislative powers now gives a Licensing Authority greater control over these types of premises.

The Licensing Authority can impose standard conditions and also ‘premises specific’ conditions to help control the activities taking place at the premises. The legislation also gives an opportunity to the local community to make comments with regard to specific applications.

2. Introduction

Sheffield City Council wish to support both the local community and businesses by ensuring that these types of premises are properly managed and that they integrate where possible into the local community.

With regard to community safety the Licensing Authority have the powers to control the location, activities, opening time etc; of these premises and also monitor the impact on local crime and disorder, noise and other public nuisance.

This Sexual Entertainment Venue Policy sets out the Council’s requirements for premises to be licensed as Sexual Entertainment Venue within the meaning of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by Section 27 of the Policing and Crime Act 2009).

3. Key Definitions

The following terms are used frequently throughout this Policy document:

- **‘The Council/Licensing Authority’** refers to Sheffield City Council

- The “**2009 Act**” refers to the Policing and Crime Act 2009
- The “**1982 Act**” refers to the Local Government (Miscellaneous Provisions) Act 1982
- The “**2003 Act**” refers to the Licensing Act 2003
- “**Section 27**” refers to section 27 of the Policing and Crime Act 2009
- “**Schedule 3**” refers to schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended
- ‘**The Licensing Committee**’ refers to the committee of Sheffield City Council.
- “**Relevant Entertainment**” refers to: live performance and live displays of nudity, provided solely or principally for the purposes of sexually stimulating any member of the audience

4. Consultation

In developing this Policy, the Council has consulted widely and given due consideration to the views of all those who responded to that consultation process.

There are many organisations and people who have a stake in the leisure industry, including providers, customers, residents, law enforcers and the emergency services, all of whom have views and concerns that require consideration as part of the licensing function.

The Council / Licensing Authority is committed to consulting with as wide and varied an audience as possible regarding this and any future Licensing Policy.

The Licensing Authority has consulted with the following:-

- a) the Chief Officer of Police in the area;
- b) the Fire Authority;
- c) stakeholders in the sexual entertainment industry;
- d) local residents;
- e) holders of Premises Licences and Club Premises Certificates under the Licensing Act 2003, in the City of Sheffield.

It has actively sought the views of all stakeholders on its proposals and not just those persons who are representative of them.

The Licensing Authority has conducted a full consultation of its Sexual Entertainment Venue Policy by way of writing / emailing consultees, providing relevant information on its website, publishing a statement in the local press and attending meetings when requested.

The views of all our consultees will be considered and given proper weight when writing and / or reviewing this Policy.

A more detailed list of consultees is attached at **Appendix “D”** (page 26).

5. The Council’s Legal Obligations

There are a number of statutory provisions which apply to every action the Council takes as a public authority. These include, for example:

- a. duty to have regard to the interest of Sheffield’s tax payers;
- b. its Human Rights Act obligations;

- c. its duty to have due regard to the need to promote race equality and to the need to eliminate unlawful race discrimination and the statutory obligations in relation to disability age and gender.

The Council is committed to fulfilling all of its obligations when exercising its Licensing Functions.

The Council will consider the use of its full range of powers in order to do so. It will engage all relevant responsibilities, including planning controls, transport controls and crime and disorder policies. Accordingly, the Council will enter appropriate partnership arrangements, working closely with the police, fire authority, local businesses, community representatives and local people in meeting these objectives.

6. Meaning of Sexual Entertainment Venue

Section 27 of the Policing and Crime Act 2009 introduced a new type of sex establishment called a 'sexual entertainment venue'.

These venues require a sexual entertainment venue licence and the Council will regulate them as such under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.

'Sexual entertainment venue' is defined as, "any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer" (Paragraph 2A of Schedule 3).

Schedule 3 defines relevant entertainment as, "any live performance or live display of nudity which is of such 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 verbal or by other means)". An audience can consist of just one person, e.g. in a private booth.

Each case will be determined on its merits but "relevant entertainment" will generally apply to the following forms of entertainment:

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

This list is not exhaustive and should only be treated as indicative. Ultimately, decisions whether a premise(s) requires a licence will be based upon the content of the entertainment provided and not the name it is given.

7. Location of Licensed Premises

There are specific grounds for refusing sexual entertainment venue licences set out in Paragraph 12 of Schedule 3 to the 1982 Act. These provisions allow for local authorities to refuse grant and renew applications based on an assessment of the "relevant locality".

The Council acknowledges that a concentration of licensed premises (sexual entertainment venues) in a particular area can result in a potential fear of crime, anti social behaviour, noise pollution and other disturbance to residents. In such cases the amenity of local residents can be placed under severe pressure.

Whilst the Council has not imposed a numerical limit on the number of premises that may be licensed in any area, and whilst it will treat each application upon its own merits, the Council will not licence premises that it feels are in close proximity to:-

- a) a school, nursery or other premises substantially used by or for children under 16 years of age;
- b) a park or other recreational area used by or for children under 16 years of age;
- c) a church or other place of religious worship;
- d) a Hospital, Mental Incapacity or Disability Centre or similar premises;
- e) the Cultural Hub of the City (i.e. close to the Peace Gardens and Tudor Square etc.); and/or
- f) a central gateway to the city or other city landmark, historic building or tourist attraction.

Whether a premises is in close proximity to the above will be a matter of fact in each individual case and cannot be determined by reference to a fixed distance. Matters that will be taken into account are the visible and physical impact of the premises, any advertising or displays and its customers both from the place in question but also to people entering or leaving.

It will be for the Licensing Authority to determine what at any time constitutes the Cultural Hub of the City as well as any central gateway, landmark, historic building or tourist attraction. Applicants can contact the Licensing Section for advice in individual circumstances about whether a location is likely to require referral to Licensing Committee.

The Council will also consider the following factors when deciding if an application is appropriate:-

- a) cumulative adverse impact of existing sex establishment related activities in the vicinity of the proposed premises;
- b) proximity to areas with high levels of crime;
- c) whether the premises has met the relevant planning requirements; and/or
- d) the design of the premises frontage (signage/images etc. see paragraph 8 below);
- e) Any relevant representation and/or objection to the application.

Applicants must state the full address of the premises for which they are making the licence application.

8. Consent to Advertising

It is a standard condition of any licence granted that consent of the licensing authority be sought for any advertisement, photograph or imagery that indicates or suggests relevant entertainment takes place on the premises. This includes the frontage and any other signage on the premises itself.

It is the policy of the licensing authority not to give such consent for any such advertisement or display which has any visual depiction or suggestion of relevant entertainment or nudity whether such visual depiction be by photograph or any other type of image.

Where any consent is sought for an advertisement or display that may contravene this part of the policy it will be referred to the licensing committee for determination.

It is therefore in the interest of the operator to consider what advertisements, photographs or images they intend to use at an early stage so that this consent can be considered at the same time as the application for grant or variation of a licence as appropriate.

9. Making an Application

The Council may grant to any applicant a licence for the use of a premises as a sexual entertainment venue on such terms and conditions as specified by the Council.

A licence will remain in force for one year, or such shorter period specified in the licence, unless previously cancelled or revoked.

To apply for the grant of a sexual entertainment venue licence an applicant must send to the Council:-

- a) A completed application form;
- b) The fee;
- c) A plan of the premises to which the application relates (to the scale of 1:100) showing all means of ingress and egress to and from the building and the internal layout of the premises (including identification of all areas where relevant entertainment is to be provided).
- d) A site plan detailing the location of their premises in relation to the surrounding area and other premises (to the scale of 1:1250);
- e) Drawings showing the front elevation of the premises as existing and as proposed (to the scale of 1:50);

And must also:

- f) Display a notice at or on the premises (see paragraph 13, page 9);
- g) Place a public notice in a local newspaper (see paragraph 13, page 9)
- h) Serve a copy of the application on the Chief Officer of Police at The Licensing Team, 1st Floor, Attercliffe Police Station, 60 Attercliffe Common, Sheffield, S9 2AD.

Application forms are available from www.sheffield.gov.uk/licensing/sev.

An application for the grant, renewal, transfer or variation must be made in writing by using the Council's standard application form and in accordance with the requirements set out below.

In keeping with the Council's policy on the introduction of e-Government the Council consents to applications and other notices being given electronically. The address at which the Council will accept applications and notices is:-

- (a) by post/personal service to the Licensing Service, Town Hall, Surrey Street, Sheffield, S1 2HH;

- (b) by email to general.licensing@sheffield.gov.uk;
 (c) on-line at www.sheffield.gov.uk/sev (when the facility becomes available)

For all enquiries please contact the Licensing team on 0114 273 4264.

The Council may serve copies of any application made under this legislation on the Fire Service, Health Protection Service, Environmental Protection Service, Sheffield Safeguarding Children Board, Planning, Trading Standards and any other relevant bodies.

10. Waivers

Schedule 3 of the 1982 Act makes provision for the Council to grant a waiver from the requirement to hold a sex establishment licence in any case where it considers that to require a licence would be unreasonable or inappropriate. A waiver may be for such a period as the Council thinks fit.

Each application will be considered on its own merits by the Licensing Committee. In light of the exemption in relation to the provision of relevant entertainment on an infrequent basis the Council takes the view that waivers are unlikely to arise in relation to relevant entertainment and would only be considered in exceptional circumstances.

11. Fees

Application fees will be set annually by the Licensing Authority and will only recover the reasonable cost of the licensing service in administering and enforcing this licensing system.

The fees in respect of Sexual Entertainment Venues have been set as follows:-

<u>Grant</u>	<u>Renewal</u>	<u>Transfer</u>	<u>Variation</u>
£1,540.00	£1,220.00	£600.00	£1,000.00

12. Advice & Guidance

The Council will seek to liaise with applicants and/or mediate between applicants and others who make objections, to achieve a satisfactory outcome for all involved, where possible and resources permit.

Where an applicant considers that mediation and liaison may be likely or probable, it is recommended that the applicant discuss his proposal with the licensing service and those from who they think objections are likely prior to submitting their application.

13. Public Notices

A notice must be displayed at or on the premises to which the application relates for a period of not less than 21 consecutive days from the day following the day the application was given to the Council. The notice must be able to be conveniently read from the exterior of the premises.

Where the premises cover an area of more than 50 square metres, a further identical notice must be displayed every 50 metres along the external perimeter of the premises abutting the highway.

The full regulations regarding the size, content and font to be used on public notices can be obtained from the Licensing Service.

A notice must also be placed in a local newspaper circulating in the area within 7 days of serving the application on the Council (Example the Sheffield Star or Telegraph).

You must send a copy of the newspaper containing the advertisement to the Licensing Service as soon as is reasonably practicable.

14. Duration of a Licence

The maximum licence period is one year, but licences can be granted for a shorter term if considered appropriate by the Licensing Authority.

15. Variation of a Licence

The holder of a sex entertainment venue licence may apply at anytime to vary the terms, conditions or restrictions of that licence.

The process to apply for a variation is the same as that for applying for an initial grant except a plan of the premises would not be required if changes are not being made to the structure or layout of the premises.

Application forms are available from www.sheffield.gov.uk/sev.

16. Renewal of a Licence

The holder of a Sexual Entertainment Venue Licence may apply for renewal of the licence.

In order for the licence to continue to have effect during the renewal process, a valid application form together with the appropriate fee must be submitted before the current licence expires.

17. Transfer of a licence

A person(s) may apply for the transfer of a licence at any time.

The process of applying for the transfer of a licence is the same as that for applying for an initial grant except that the applicant does not have to submit any plans of the premises.

Application forms are available from www.sheffield.gov.uk/sev.

The Council can only consider mandatory grounds for refusal and those relating to the applicant.

18. Objections

An objection to an application can be made by any person but it must be relevant to the grounds set out set out in Appendix "B" (page 21) of this Policy.

Objections that are not based on these grounds cannot be considered by the Licensing Authority.

Objections should not be based on moral grounds or values to the effect that the type of entertainment provided is not appropriate and should not be licensed at all.

An objection must be made in writing (including electronic mail) stating the general terms of the objection.

Objections may only be made within the period of 28 days following the date on which the application was made to the Council.

19. Determining Applications

When determining an application the Licensing Committee will have regard to;

- (a) the application;
- (b) any objections received;
- (c) the Local Government (Miscellaneous Provisions) act 1982;
- (d) this statement of Licensing Policy;
- (e) any other associated regulations; and
- (f) any comments/representations/evidence given at the licensing committee hearing.

This does not undermine the right of any person to apply for a licence and have the application considered on its own individual merits. Nor does it override the right of any person to make objections on any application where they are permitted to do so under the Act.

20. Refusal of an Application

Except where the Council are prohibited from granting, renewing, varying or transferring a licence, the Council will not refuse a licence without first:-

- notifying the applicant or holder of the licence in writing of the reasons;
- giving the applicant or holder of the licence the opportunity of appearing and making representations before the Licensing Committee.

The mandatory grounds for refusal of an application are set out in Appendix "A" (page 20).

21. Revocation of Licences

The Council may only revoke a licence:-

- on any mandatory ground specified in Appendix "A" (page 20) of this policy; or
- on either of the first two of the discretionary grounds (paragraph (a) and (b) specified in Appendix "B" (page 21) of this policy).

The Council will not revoke a licence without first giving the holder of the licence the opportunity of appearing and making representations before the Licensing Committee.

Where a licence is revoked any fee paid for the remaining term will not be refunded.

22. Cancellation of Licences (Surrender)

The licence holder can cancel (surrender) the licence at any time by putting the request in writing to the Licensing General Section. For address details please see page 15.

Where a licence is cancelled any fee paid for the remaining term will not be refunded.

23. Hearings

Should any objections be received in relation to an application to the grant, renewal, variation or transfer of a licence, applicants will be given the opportunity to appear before the Licensing Committee.

Any hearing will take place within 20 working days of the day after the day which is the deadline for making objections.

Where the Licensing Committee determine to refuse to grant, renew or transfer the licence, they shall give a written statement of the reasons for their decision.

24. Appeals

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In the event that an application for the grant, renewal or transfer of a sexual entertainment venue licence is refused, the applicant may appeal to the magistrates' court within 21 days of receiving notification of the decision.

An appeal against refusal on the mandatory grounds in Appendix "A" (page 20) must be on the basis that the mandatory ground does not apply.

If the application was refused on paragraph (c) or (d) of the discretionary grounds specified in Appendix "B" (page 22) of this policy, there is no right of appeal.

There is no right of appeal for objectors where an application is granted.

25. Complaints

The Licensing Authority does understand the difficulty for some residents to follow up issues with particular premises due to concerns for their safety. In these circumstances please contact the Licensing General Section, elected Councillors or your local Community Assembly, who may assist you in these matters.

The Licensing Authority and the police will work closely in order to ensure consistency, transparency and proportionality in their enforcement activities. The Licensing Authority will continue to investigate complaints and conduct proactive enforcement exercises to ensure that licences and the conditions attached to the authorisations are complied with and that unlicensed activity is dealt with as appropriate to ensure the highest standards of licensees and premises in the city of Sheffield.

Therefore the Licensing Authority will investigate general complaints regarding premises. This will allow us to give an early warning to licence holders of any concerns about problems identified at their premises and the need for improvement.

26. Conditions

The Licensing Authority recognises that all applications should be considered on an individual basis and any condition attached to a licence should be necessary and proportionate and tailored to the individual premises.

The Licensing Authority is permitted under the 1982 Act to make regulations prescribing Standard Conditions.

The standard conditions that may be attached on an individual basis are attached at Appendix "C" (page 22). This is not an exhaustive list of conditions and the Licensing Authority reserves the right to grant and/or renew a licence on such terms and conditions and subject to such restrictions as may be so specified.

Any applicant not wishing to be bound by the standard conditions will need to state so in the application and provide justification as to why they should not apply.

27. Enforcement

The Licensing Authority will work very closely with South Yorkshire Police relating to the enforcement. The Licensing Authority will have particular regard to the HM Government Enforcement Concordat; and the following principles:-

- The targeting of high risk premises or activities which require greater attention;
- Consistency of approach;
- Transparency; and
- Proportionality

The Licensing Authority also works very closely with the Planning Service and are establishing task teams to deal with problem premises.

The Licensing Authority will operate a light touch inspection regime for well managed and well maintained premises.

DATA SHARING

Subject to the provisions of the Data Protection Act 1998, the Council and police will share information about licensees, licensed premises and activities associated with them. Such information sharing is permitted under Section 185 of the Act. Further open access to data will be given to those Police Officers and Licensing Authority Officers discharging their functions under this Act.

28. Planning Permission

Applicants must ensure that they have the appropriate planning permission in place to operate their business.

The Council's licensing functions will be discharged separately from its functions as the "Local Planning Authority". However, the Licensing Authority recognises the need for the two services to work in partnership.

Therefore, the Licensing Authority expects that applicants for a premises licence and/or variations under this legislation will have already obtained any necessary planning consent. This helps to avoid unnecessary confusion within the local community.

The lack of any appropriate planning permission or any restrictions on planning permission are matters that the Licensing Authority will take into account in appropriate circumstances when considering the character or condition of the premises under discretionary ground (d) in Appendix "B" (page 21).

The granting or varying of a licence will not override any requirement of the planning system or vice-versa.

The Council has planning policies which may evidence the character of the relevant locality or the use to which premises in the vicinity are put. These are also matters relating to the discretionary ground (d) in Appendix "B". Applicants should therefore make themselves aware of the relevant planning policies. The Council's Unitary Development Plan (UDP), adopted in March 1998, contains planning policies which control the location and activities

of entertainment uses to safeguard residential amenity, local environmental quality and the established character and function of the various parts of the city. These policies are supported by Supplementary Planning Guidance such as the City Centre Living Strategy and the Interim Guidance on Night-time Uses, which will be updated from time to time as well as new guidance being developed.

As part of the new planning system, introduced by the Planning & Compulsory Purchase Act (2004), the Council has adopted its 'Core Strategy' – the principal document of its new Local Development Framework (LDF), which when combined with the City Sites and City Policies documents, will replace the UDP. The Core Strategy sets a clear vision for the pattern and location of development in Sheffield. The City Sites and City Policies documents are currently at the draft stage but will provide the more detailed policies to control the type and quality of development and its impact.

Draft City Policies and Sites policy C3 Safeguarding Sensitive Uses from Nuisance is not yet adopted but indicates the direction of future policy i.e. in areas where commercial premises stay open late at night and cause a nuisance to residents, zones will be designated where the number, scale and times of opening of late night uses will be limited. This approach is in line with national Planning Policy Statement 4 policy EC4.2.

Applicants for licences should have regard to the relevant planning policies when determining the nature of the activities proposed and consider their impacts on the local environment and community in which the premises are situated.

Applicants should also be aware that the Building Regulations may apply where the proposal involves building work or where the use of the building is changed. You are advised to contact Building Standards for further guidance – see contacts page 17.

29. Public Health

We would encourage holders of SEV licences to display and make available, without charge, literature on matters relating to sexual health as may be published by the FPA (formerly the Family Planning Association) and other similar organisations, the prevention of sexually transmitted diseases and HIV, and information about local health services.

30. Review

This policy will be reviewed in 2012.

31. Useful Information and Contact Details

LICENSING SERVICE

Place Portfolio
Block C, Staniforth Road
Staniforth Road
Sheffield S9 3HD

Tel: 0114 2734264

Or e-mail us at: licensing@sheffield.gov.uk

Or visit our website: www.sheffield.gov.uk

Or visit our reception service at Staniforth Road where you can come and discuss your query with one of our Licensing Officers. The Licensing Service is open Monday – Friday 9:00 am to 5.00 pm.

Application for consent to freely distribute printed matter on designated land (flyers, advertisements, etc.):-

CITY CENTRE MANAGEMENT TEAM

2nd Floor,
Yorkshire House
66 Leopold Street
Sheffield S1 3RT

Tel: 0114 2736895

E-mail: citycentre.management@sheffield.gov.uk

LICENCE WATCH

For details regarding People United Against Crime or the Licence Watch Scheme please telephone 0114 2758688.

CUSTOMS & EXCISE

Confidential Helpline

0800 595000

FIRST POINT FOR BUSINESS

Information is available for anyone considering setting up a new business or wishing to change the terms or conditions of an existing business.

If you are starting up a new business or are an established business needing advice, you can access help from the Council's First Point for Business.

Anyone can use First Point for Business – from companies to social enterprise to self-employed people.

First Point for Business is your one point of contact with the Council for all your business needs. If you are setting up a new business, for example, you may need to speak to Licensing, Planning, Building Standards, Business Rates and a number of other Council services.

The First Point for Business team is on hand to help you access Council services and specialist advice, so you get all the support you need. If you need practical business support such as start up advice, business planning, marketing or workforce training and skills they will put you in touch with the right people.

First Point for Business work on your behalf. You will deal with a Key Account Advisor who will identify your needs and help you get the right information and advice.

If they cannot give you all the answers straight away, then they will do the leg work and get back to you.

The Key Account Advisors will also help you to find out about the advice and support you could receive from outside the Council.

You are welcome to visit in person at the First Point for Business office in the Town Hall, just contact them for an appointment or simply drop in.

First Point for Business,
Town Hall,
Pinstone Street,
Sheffield, S1 2HH.

Email: firstpointforbusiness@sheffield.gov.uk

Telephone: 0114 224 5000

There is also wireless broadband in the First Point for Business office, so you can use your own laptop if needed.

AUTHORITIES**South Yorkshire Police**

Licensing Team
1st Floor,
Attercliffe Police Station
60 Attercliffe Common
SHEFFIELD S9 2AD

Telephone: 0114 252 3618
Email: sheffield.liquor-licensing@southyorks.pnn.police.uk

South Yorkshire Fire and Rescue

South Yorkshire Fire & Rescue
Sheffield Technical Fire Safety
197 Eyre Street
SHEFFIELD S1 3FG

Telephone: 0114 272 7202
Email: dqill@svfire.gov.uk

Health Protection Services

The Information Officer (Licensing)
2-10 Carbrook Hall Road
SHEFFIELD S9 2DB

Telephone: 0114 273 4616
Email: healthprotection@sheffield.gov.uk

Development Services

Head of Planning Service
Licensing Applications
Howden House
1 Union Street
SHEFFIELD S1 2SH

Telephone: 0114 203 9183
Email: planning@sheffield.gov.uk

Environmental Protection Services

The Information Officer (Licensing)
2-10 Carbrook Hall Road
SHEFFIELD S9 2DB

Telephone: 0114 273 4651
Email: epsadmin@sheffield.gov.uk

Sheffield Safeguarding Children Board

Licensing Project
Floor 2 Redvers House
Union Street
SHEFFIELD S1 2JQ

Telephone: 0114 273 6753
Email: Julie.hague@sheffield.gov.uk

Sheffield Trading Standards

Block 1
2-10 Carbrook Hall Road
SHEFFIELD S9 2DB

Telephone: 0114 273 6290
Email: trading_standards@sheffield.gov.uk

Building Standards

2-10 Carbook Hall Road
Sheffield
S9 2DB

Telephone: 0114 273 4168
Email: buildingcontrol@sheffield.gov.uk

COMMUNITY BODIES

Local Ward Councillors

Details of your local ward Councillor can be found at www.sheffield.gov.uk/your-city-council/councillors or by telephoning 0114 273 4096.

Community Assembly teams

Northern SCC Community Assembly Office, Chapeltown Training Centre, 230 Lane End, Chapeltown, Sheffield.
Fax 0114 203 7708, Telephone 0114 203 7153
Email: communityassemblynorthern@sheffield.gov.uk

North East SCC Community Assembly Office, Firth Park Library, Firth Park Road, S5 6QQ
Fax 0114 256 1452, Telephone 0114 203 7562
Email: communityassemblynortheast@sheffield.gov.uk

East Postal address: Town Hall, Sheffield, S1 2HH (based at Staniforth Road),
Telephone 0114 273 5708
Email: communityassemblyeast@sheffield.gov.uk

Central Postal address: Town Hall, Sheffield, S1 2HH (based at Sovereign House, Queen Street)
Fax 0114 273 6878, Telephone 0114 273 6849
Email: communityassemblycentral@sheffield.gov.uk

South Postal address: Town Hall, Sheffield, S1 2HH (based at 82 -84 Sheldon Road, S7 1GX)
Telephone 0114 205 3281
Email: communityassemblysouth@sheffield.gov.uk

South East Postal address: Town Hall, Sheffield, S1 2HH (based at Crystal Peaks First Point)
Telephone 0114 273 6929
Email: communityassemblysoutheast@sheffield.gov.uk

South West Postal address: Town Hall, Sheffield, S1 2HH (based at 82-84 Sheldon Road, S7 1GX)
Telephone 0114 203 7212
Email: communityassemblysouthwest@sheffield.gov.uk

General Enquiries

Neighbourhood Renewal and Partnership Service,
Neighbourhoods and Community Care Directorate, c/o Town Hall, Pinstone Street, Sheffield City Council, S1 2HH

Telephone: 0114 273 6849

Email: communityassemblies@sheffield.gov.uk

SOUTH YORKSHIRE POLICE – SAFER NEIGHBOURHOOD TEAMS

Sheffield 1 District

SNA	Areas covered	Contact No.
Central	City centre	252 3996
East	Tinsley, Darnall, Attercliffe, Meadowhall	252 3995
South	Wybourn, Park Hill, Arbourthorne, Manor	252 3993
West	Burngreave, Wincobank, Shiregreen, Firth Park, Firvale	252 3994

Sheffield 2 District

SNA	Areas covered	Contact No.
Broomhill	Broomhill, Broomhall, Crookes, Greystones, Fulwood	296 4876
Ecclesfield	High Green, Chapeltown, Grenoside, Foxhill, Shirecliffe, Southey Green, Parson Cross, Ecclesfield	296 4854
Hillsborough	Upperthorpe, Netherthorpe, Crookesdmoor, Hillsborough, Middlewood, Stannington, Loxley, Stocksbridge, Deepcar	296 4912
Sharrow	Dore, Trolley, Sharrowvale, Sharrow, Highfields	296 3187
Woodhouse	Woodhouse, Mosbrough	296 3779
Woodseats	Gleadless Valley, Heeley, Meersbrook, Norton, Batemoor, Jordanthorpe, Lowedges, Bradway, Woodseats	296 3680

Mandatory Grounds for Refusing a Licence

Notwithstanding the other factors mentioned within this Policy the Council would not be able to consider granting, renewing or transferring a licence in the following circumstances:-

- (a) To a person under the age of 18;
- (b) To a person who is for the time being disqualified due to the person having had a previous licence revoked by Sheffield City Council in the last twelve months;
- (c) To a person, other than a corporate body, who is not resident in an EEA State or was not so resident throughout the period of six months immediately proceeding the date when the application was made;
- (d) To a body corporate that is not incorporated in an EEA State;
- (e) To a person who has, within a period of 12 months immediately proceeding the date when the application was made, been refused the grant or renewal of a licence for the premises, unless the refusal has been reversed on appeal.

Appendix "B"

Discretionary Grounds for Refusing a Licence

The Council may refuse the grant or renewal of a licence in the following circumstances:-

- (a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- (b) 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;
- (c) the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality;
- (d) the grant or renewal of the licence would be inappropriate, having regard—
 - (i) to the character of the relevant locality; or
 - (ii) to the use to which any premises in the vicinity are put; or
 - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

Nil may be an appropriate number for the purposes of (c) above.

The Council may refuse the transfer of a licence only in the circumstances of (a) and (b) above.

Appendix "C"Sexual Entertainment VenuesStandard Conditions**KEY DEFINITIONS**

The following terms are used frequently throughout this document:

- **"The Council/Licensing Authority"** refers to Sheffield City Council
- The **"2009 Act"** refers to the Policing and Crime Act 2009
- The **"1982 Act"** refers to the Local Government (Miscellaneous Provisions) Act 1982
- The **"2003 Act"** refers to the Licensing Act 2003
- **"Section 27"** refers to section 27 of the Policing and Crime Act 2009
- **"Schedule 3"** refers to schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended
- **"The Licensing Committee"** refers to the committee of Sheffield City Council.
- **"Relevant Entertainment"** refers to: live performance and live displays of nudity, provided solely or principally for the purposes of sexually stimulating any member of the audience
- **"Nude"** means in the case of a woman exposing her nipples, pubic area, genitals or anus and in the case of a man, exposure of his pubic area, genitals or anus.

General Conditions

1. Rules shall be produced by the licensee for customers indicating conduct that is permitted. These rules shall be prominently displayed in any bar area, and at sufficient other locations within the venue to ensure that they are brought to the attention of customers.
2. No relevant entertainment provided shall be visible from the street or from any other external area to which the public have access.
3. Performers shall not whilst Nude, whether engaged in relevant entertainment or not, be visible from the street or from any other external area to which the public have access.
4. The licence holder shall ensure that no staff or other persons engaged on their behalf remain in any area of the premises which can be viewed from outside the premises, or from any other area outside the premises, for the purpose of encouraging potential customers into the premises.
5. Without the prior written consent of the Council there shall not be displayed outside the premises, in the immediate vicinity, or elsewhere within the city any advertisements, photographs or images that indicate or suggest that relevant entertainment takes place on the premises.
6. There shall be prominently and legibly displayed a comprehensive tariff of all charges and prices in respect of relevant entertainment, including any charge for the company of any person working at the premises, which shall be illuminated and placed in such

a position that it can at all times be easily and conveniently be read by persons inside the premises.

7. No charge shall be made to the customer for any food or drink provided for any person working at the premises unless that customer has specifically ordered it having first been made aware of the cost.

The Premises

1. Colour CCTV will be provided and in working order in the premises, the positioning of such cameras will be in liaison with the Police Licensing Officer and Crime Prevention Department and shall comply with the minimum specification of the South Yorkshire Police at the date of license issue.
2. CCTV recorded material should be kept secure for a period of 31 days and disclosed to any Police Officer or authorised officer of the Council.
3. No CCTV footage is to be copied, for the purpose of being given away or sold (except as required by Police / Council for investigation / enforcement purposes). CCTV footage may be distributed internally by licence holders (including to other group premises) for the purposes of internal management and training.
4. Except in accordance with the requirements for CCTV as described above, no photographs, films or video recordings shall be taken of the performances. Nor shall electronic transmissions of a performance be shown outside of the premises (except for the purpose of remote management of the premises and in those circumstances, the licensee shall ensure that only those involved in management shall view any photograph, film or recording).
5. Notices shall be displayed informing customers of the presence of CCTV.
6. An appropriate room shall be available as a change and rest area for performers. Access to this room shall be restricted to performers and employees only whilst the performers are on the premises. This room shall be marked on the plans.
7. The licence holder or his nominated deputy (who is authorised in writing), or door-supervisors shall carry out regular monitoring of all areas of the premises to which the public have access and shall intervene promptly, if necessary, to ensure compliance with licence conditions.

Management Standards

1. Training shall be provided to all members of management and staff regarding the conditions of the licence, management practices and any relevant legislation to ensure compliance with the same. A written record of all such training shall be maintained at the premises and made available on request to the Police and authorised officers of the Council.
2. The licensee shall not employ any person under 18 years of age in the business of the establishment.

3. No person may provide relevant entertainment at the premises until such time as photographic proof of identity showing date of birth is provided to the licence holder, confirming that the person is over the age of 18 years.
4. A record of any person employed or engaged at the premises, including name, address, National Insurance number, photograph and date of birth will be retained in a register at the premises. Such details are to be checked and verified by the licence holder against other forms of identity. These records are then to be retained at the premises for at least 12 months from the last day (date) of their employment and made available to both Police Officers and authorised officers of the Council on request.
5. A 'Signing-in' register shall be kept at the premises that records the date, start time and finish time of all person(s) involved in the relevant entertainment at the premises. This shall be retained for a period of 12 months and made available for immediate inspection by a Police Officer or authorised officers of the Council.
6. When the premises are open for relevant entertainment no person under the age of 18 shall be permitted to be on the premises. The licensee shall operate a Challenge 21 Policy and persons appearing to be under the age of 21 shall be required to show proof of ID. A notice to this effect shall be displayed in a prominent place at the entrance to the premises and any other appropriate location (i.e. at the bar).
7. The licence holder must maintain an incident log of any person(s) refused entry at the premises and record the reason why such persons were refused entry. The log shall be retained for a period of 12 months and the licence holder shall make the log available to any Police Officer or authorised officer of the Council on request.
8. A written code of conduct for those engaged in the relevant entertainment shall be produced by the licence holder together with a disciplinary procedure for any breaches of the code. The code of conduct shall prohibit activities that might be thought to lead to prostitution, breaches of the licence or any other unlawful activities. The Code shall be made available to the Police or authorised officers of the Council on request.

The Protection of those Engaged in Relevant Entertainment / Prevention of Crime and Disorder

1. Any person who is providing relevant entertainment, must be briefed verbally, or in writing, by the licence holder or his nominated deputy (authorised in writing) as to the conditions that pertain to their particular premises and as to the code of conduct, including the fact that their activities will be recorded on CCTV. The performer(s) shall sign in a register that they have been briefed, any such register shall be retained for 12 months and made available for inspection by any Police Officer or authorised officer of the Council.
2. During any performance of relevant entertainment there must be no physical contact between the performer and any member of the viewing public, except for the placing of money / tokens in an item of clothing worn by a performer or into the performer's hand before or at the end of the performance and a customary kiss on the cheek of the patron by the performer at the conclusion of the performance. A brief handshake before or at the end of a performance is permitted.

3. There shall be no penetration of a performer's genitals or anus by any means.
4. Performers shall not engage in masturbation and or/oral sex.
5. Except with the consent of the performer and at their invitation no customer shall participate in any relevant entertainment. Any customer participating must remain seated during the performance.
6. No customer shall be required or encouraged to participate in any relevant entertainment against their will.
7. No customer shall have any clothing removed during any relevant entertainment.
8. At the completion of the relevant entertainment the performers shall dress themselves immediately and leave the designated performance area.
9. Whilst on the premises performers are not to solicit, exchange addresses or telephone numbers with customers, or arrange to liaise with customers off the premises.

Safety and Security

1. The licensee shall maintain good order in the premises at all times and shall ensure that persons entering or leaving the licensed premises conduct themselves in an orderly manner and do not in any way cause annoyance to residents and persons passing by.
2. Relevant entertainment may only take place in 'designated areas' that are marked on the plan of the premises submitted to the Licensing Service as part of their application.
3. The licensee shall have in place and comply with a policy concerning the safety of performers arriving at and leaving the premises. The policy shall be recorded in writing and made available to the Police or authorised officers of the Council on request
4. The licensee or a nominated manager (in writing) shall be present on the premises at all times whilst the relevant entertainment is taking place.

List of Consultees

All current Premises Licence Holders

All current Club Premises Certificate Holders

Religious / Ethnic Groups

All elected members

MP's

Meg Munn
Nick Clegg
Richard Caborn
Clive Betts

Planning

Lucy Bond
Chris Heeley
Phil Abbott

Health Protection Service

Chris Green
Ian Ashmore

Environmental Protection Service

Dominic Stokes

All Community Assemblies

Trading standards

Phil Glaves
Greg Ward

Sheffield Safeguarding Children Board

Julie Hague

South Yorkshire Police

Licensing
Neil Mutch
Paul McCurry
Andy Barrs

Fire Service

Ian Mettam
Paul Webster

Other Local Authorities in South Yorkshire

Barnsley
Doncaster
Rotherham

Disability Access Officer

Brian Messider

Executive Director - Place

Simon Green

Director of Development Services

Les Sturch

Deputy Chief Executive

Lee Adams

Director of Legal Services

Lynne Bird

Director of Public Health at NHS Sheffield

Dr Jeremy Wight

Director of Business Strategy & Regulation

Mick Crofts

City Centre Manager

Richard Eyre

Social Justice and Inclusion Manager

Adele Robinson

Solicitors dealing with the Licensing Act 2003

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