



No: SEV2

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
Section 2 and Schedule 3**

SEXUAL ENTERTAINMENT VENUE LICENCE

The **Cheshire East Borough Council**, being the Licensing Authority under Section 2 of the above Act,

HEREBY GRANT A SEXUAL ENTERTAINMENT VENUE LICENCE to

Sylvan Austin Salmon of

to use the premises known as **Manhattan** located at **35-37 High Street, Crewe, Cheshire, CW2 7BL** (as shown on the plans attached at Schedule 1 to this Licence)('the Premises')

for the purposes of a Sexual Entertainment Venue as defined in Schedule 3 to the above Act.

THIS LICENCE authorises the provision of the following forms of 'relevant entertainment' within the Premises: lap dancing; pole dancing and strip shows (with full nudity) during the hours set out below:

Monday to Sunday 19:00 to 05:30

THIS LICENCE shall continue in force from the date hereof **until 3rd April 2013** unless previously revoked.

THIS LICENCE is subject to the standard terms, conditions and restrictions set out within Schedule 2 to this Licence and to the additional condition set out in Schedule 3 to this Licence.

GRANTED to take effect on **4th April 2012**

Signed
On behalf of Cheshire East Borough Council

Schedule 1 - Plan

Schedule 2 - Standard Conditions

These conditions are imposed by the Council pursuant to its powers under paragraph 13(1) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended) ('the 1982 Act')

Definitions	<p>1. In these conditions, unless the context otherwise requires:</p> <p>'Council' means Cheshire East Borough Council.</p> <p>'Employee' means all persons working on the premises including not only those directly employed by the management of the Premises but the self-employed, contractors or their staff promoting or providing any service or Relevant Entertainment; and the term 'employed' shall be read in the same context.</p> <p>'Licence Holder' means the holder of a Sexual Entertainment Venue Licence.</p> <p>'Premises' means any premises within the Council's area licensed as a Sexual Entertainment Venue.</p> <p>'Relevant Entertainment' shall have the meaning given within paragraph 2A of Schedule 3 of the 1982 Act.</p> <p>'Sexual Entertainment Venue' has the meaning set out within Schedule 3 of the 1982 Act.</p> <p>For the purposes of these conditions:</p> <p>(a) Words importing the singular meaning where the context so admits include the plural meaning and vice versa; and</p> <p>(b) Words of the masculine gender include the feminine and neuter genders and words denoting actual persons include companies, corporations and firms and all such words shall be construed interchangeable in that manner.</p>
Display of Licence	<p>2. The Licence or a clear copy and any special conditions attached thereto shall be prominently displayed at the Premises at all times so as to be readily and easily seen by all persons using the Premises. The licence shall be adequately protected against theft, vandalism or defacement.</p>
Hours of opening	<p>3. The Premises shall not be open for any purpose of the Licence except during the following hours:</p> <p>Monday to Sunday: 19:00 to 05:30</p>

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<p>Responsibility of Licence Holder</p>	<p>4. The Licence Holder shall maintain good order and take all reasonable precautions for the safety of the public and employees and, except with the consent of the Council, shall retain control over all portions of the premises.</p> <p>5. The Licence Holder shall in particular ensure that none of the following shall take place:</p> <ul style="list-style-type: none"> • Unlawful possession and/or supply of drugs controlled by the Misuse of Drugs Act 1971; • Indecent behaviour, including sexual intercourse; • The offer of any sexual or other indecent service for reward; • Acts of violence against person or property and/or the attempt of threat of such acts. <p>6. The Licence Holder shall ensure that the public are not admitted to any part or parts of the Premises other than those which have been specified in the Licence.</p> <p>7. The Licence Holder will maintain a register which shall be kept on the Premises to clearly record the identity of persons nominated in accordance with conditions 30 and 31 hereof on duty during the entertainment, the day and times of the start and finish of the entertainment, and the names, home addresses and national insurance numbers of the performers. The register shall be retained for a period of not less than twelve months after the last entry in the register. The register shall be available at all times for inspection by the Police or an authorised officer of the Council.</p> <p>8. Where the Licence Holder is a body corporate or an unincorporated body any change of director, company secretary or other person responsible for the control or management of the body is to be notified in writing to the Council within 14 days of such change and such written details as the Council may require in respect of any new director secretary or manager are to be furnished within 14 days of a request in writing from the Council.</p> <p>9. The Licence Holder shall inform the Council within seven days if he is convicted of any offence</p>
<p>Conduct of the premises</p>	<p>10. The Licence Holder or any other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting from the premises, immediately outside the premises or in the vicinity of the premises, nor allow the premises to be used by prostitutes. Solicitation shall be taken to include the distribution of leaflets.</p> <p>11. The Premises shall be used only for the purposes specified in the Licence.</p>

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	<p>12. No person under the age of eighteen years shall be admitted to the Premises or be employed in the business of the Sexual Entertainment Venue.</p> <p>13. Customers who appear to be under the age of 21 must be asked to provide photographic proof of their age. The only means of identification which may be accepted are a photocard driving licence, a passport or a recognised proof of age card which includes the 'PASS' hologram on it.</p> <p>14. The Licence Holder shall ensure that performers and members of the public have separate entrances for entering and exiting from the Premises, performers to use staff entrances.</p> <p>15. There shall be agreed in writing with the Council arrangements for restricted access to the dressing rooms used by the performers and such restricted access shall be maintained at all times until all performers using the dressing rooms have vacated the room.</p> <p>16.</p> <p>(a) A management operation manual detailing all aspects of procedure when the Premises is operating Relevant Entertainment shall be produced and approved by Cheshire Police. This document shall be on-going and under constant review. The management operation manual should be always available for public inspection and the first version should be publicly available for scrutiny with the first application for a licence and any current version with any subsequent application for grant, renewal, transfer or variation of a licence.</p> <p>(b) The Premises must provide a copy of its club rules to the Council and Cheshire Police. The club rules should be always available for public inspection and the first version should be publicly available for scrutiny with the application for a licence.</p> <p>(c) All Employees shall be made aware of the club rules.</p> <p>(d) All Employees will be required to read a copy of the conditions relating to the operation of Relevant Entertainment and shall sign and date a copy, which shall be retained by the Licence Holder as part of due diligence.</p>
<p>Provision of Relevant Entertainment</p>	<p>17. The performance shall only take place in the designated area of the Premises approved by the Council and in accordance with the staging and seating plan approved by the Council.</p> <p>18. Performers shall only perform on the stage area or to seated customers or in such other areas of the Premises as may be agreed in writing with the Council. No audience participation in a performance shall be permitted. During the performance, performers shall not (a) touch customers, (b) climb onto furniture, or (c) simulate sex acts.</p>

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	<p>19. There shall be no physical contact between the performers and customers before, during or after the performance.</p> <p>20. Notices setting out the restriction contained in Condition 19 shall be displayed in prominent positions within the Premises.</p> <p>21. Performers not currently performing shall not be in any public part of the Premises in a state of undress.</p> <p>22. Any person who touches or attempts to touch a performer or directs lewd, vulgar or obscene language or gestures thereto shall be immediately removed from the Premises by the Licence Holder or member of staff acting on his behalf.</p>
<p>Signs, doors and window display</p>	<p>23. A notice shall be displayed in a conspicuous position at each entrance to any part of the Premises where the performance is to take place stating that 'NO PERSON UNDER 18 YEARS WILL BE ADMITTED'. The notice must also include a statement that proof of age may be required.</p> <p>24. The business or trading title of the Premises which must have received the prior written approval of the Council (in accordance with condition 44 hereof) <u>may</u> be displayed in letters no more than 150mm high.</p> <p>25. With the exception of the signs required and permitted by condition 23 and 24 above, the Licence Holder must ensure that no sign, words, poster, photograph, sketch, painting, display or advertisement is displayed outside or in the vicinity of the Premises which indicate or suggest that Relevant Entertainment takes place at the Premises.</p> <p>26. The exterior design of the Premises shall be such that the interior of the Premises is invisible to passers by.</p> <p>27. External doors shall be closed at all times other than when persons are entering or leaving the Premises. The external doors shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.</p> <p>28. The Premises shall be fitted with an inner entrance door or screen so that no part of the interior of the premises or any of the contents of the premises shall be visible when persons are entering or leaving the Premises.</p> <p>29. The windows and openings of the Premises shall be of a material or covered with a material which will render the interior or any items within the Premises invisible to passers-by.</p>

<p>Employment of persons on the premises</p>	<p>30. The Licence Holder, or some responsible person over the age of eighteen nominated by him in writing for the purpose, shall be in charge of and upon the Premises at all times that the Premises is open to the public. Such written nomination shall be continuously be available for inspection at the Premises by a Police Officer of by an authorised officer of the Council.</p> <p>31. In addition to the Licence Holder or nominated person, there shall be a nominated female present to oversee the activities of female performers and a like nominated male present to oversee the activities of any male performers.</p> <p>32. The person in charge shall not be engaged on any duties which will prevent him from exercising general supervision and he shall be assisted as necessary by suitable adult persons to ensure adequate supervision. The person in charge should be conversant with these conditions, a copy of which should be held on the premises.</p> <p>33. A notice showing the name of the person in charge of the Premises at the time they are open under the licence shall be conspicuously exhibited in a position where it can be seen by customers throughout the period during which he is responsible for the conduct of the Premises.</p> <p>34. The Licence Holder shall at all times keep and maintain at the Premises a written record of the names, home addresses, dates of birth and National Insurance number of all persons employed within the licensed premises whether upon a full time or part time basis, and shall upon request by an authorised officer of the Council make such records available for inspection to him</p> <p>35. Any individual employed on the Premises to conduct a security activity (within the meaning of the Private Security Industry Act 2001) must be licensed by the Security Industry Authority.</p> <p>36. A register of SIA staff working at the premises shall be maintained, kept at the premises and made available for examination upon request to a Police Officer or authorised officer of the Council or the SIA.</p> <p>37. The Licence Holder must ensure that a suitable number of trained staff are employed to supervise the interior of the Premises whilst performances are being given.</p> <p>38. Performers shall be aged not less than 18 years. The Licence Holder must maintain complete records of the names, home addresses, dates of birth and National Insurance number of performers including identity checks which are satisfactory to the Council.</p>
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<p>Alterations to the Premises</p>	<p>39. No alterations (including temporary alterations) shall be made to the Premises without the prior written consent of the Council. This condition shall not require notice to be given in respect of routine maintenance works.</p> <p>40. Where alterations necessitate the Premises being closed for a period of time, the premises shall not reopen for the purpose of the licence, until the licensee has been notified in writing by the Council of the satisfactory completion of the work</p>
<p>Change of use</p>	<p>41. No change of use of any portion of the Premises from that approved by the Council shall be made until all necessary consents have been obtained from the Council. For the avoidance of doubt this includes a change from one class of sex establishment (e.g. a sex shop) to a different class of sex establishment (e.g. a sex cinema).</p>
<p>Variation</p>	<p>42. An application to vary the terms, conditions or restrictions on or subject to which the licence is held must comply with the same application and advertising requirements as applications for the grant of a sexual entertainment venue licence.</p>
<p>CCTV</p>	<p>42. A CCTV system will be installed at the premises to the satisfaction of the Police Licensing Officer and it must record at all times the Premises are open to the public. Unedited images must be retained for at least 31 days and copies made freely available upon request to the Police or an authorised officer of the Council.</p> <p>43. At all times the Premises are open to the public there will be a member of staff on duty who is competent to operate the CCTV system and to provide any copies requested.</p>
<p>Business title</p>	<p>44. The Licence Holder must obtain the consent of the Council for the business or trading title to be used in relation to the Premises. An application must be made to the Council to change the business or trading title and the Council shall have the discretion to allow or refuse such a change.</p>

Schedule 3 - Additional Condition

The location of the CCTV cameras within the premises must be approved by the Licensing Authority.