

Licensing (General) Sub-Committee

Thursday, 12th October, 2017
at 6.00 pm

PLEASE NOTE TIME OF MEETING

Conference Room 3 and 4 - Civic Centre

This meeting is open to the public

Members

Councillor Mrs Blatchford (Chair)
Councillor Furnell
Councillor Painton
Councillor Parnell
Councillor McEwing

Contacts

Democratic Support Officer
Pat Wood
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Service Director – Transactions and Universal
Services
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PUBLIC INFORMATION

Terms of Reference

The Sub-Committee deals with licences, permits and forms of consent (other than those for which the Council is responsible under the Licensing Act 2003), including

- Hackney carriage and private hire drivers, vehicles and operators
- Street trading
- Sex establishments

Relevant Representations

Those who have made relevant representations may address the meeting about the matter in which they have an interest with the consent of the Chair.

The Southampton City Council Strategy (2016-2020) is a key document and sets out the four key outcomes that make up our vision.

- Southampton has strong and sustainable economic growth
- Children and young people get a good start in life
- People in Southampton live safe, healthy, independent lives
- Southampton is an attractive modern City, where people are proud to live and work

Smoking policy –

The Council operates a no-smoking policy in all civic buildings.

Mobile Telephones:- Please switch your mobile telephones to silent whilst in the meeting.

Use of Social Media:- The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and or/training purposes. The meeting may be recorded by the press or members of the public.

Any person or organisation filming, recording or broadcasting any meeting of the Council is responsible for any claims or other liability resulting from them doing so.

Details of the Council's Guidance on the recording of meetings is available on the Council's website.

Fire Procedure – in the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

Access – access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

Dates of Meetings: Municipal Year 2017/18

Meetings of the Committee are held as and when required.

CONDUCT OF MEETING

Rules of Procedure

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

Business to be discussed

Only those items listed on the attached agenda may be considered at this meeting.

Quorum

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

CONDUCT OF MEETING

DISCLOSURE OF INTERESTS

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

DISCLOSABLE PECUNIARY INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

(i) Any employment, office, trade, profession or vocation carried on for profit or gain.

(ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

(iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

(iv) Any beneficial interest in land which is within the area of Southampton.

(v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

(vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

(vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or

b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

Other Interests

A Member must regard himself or herself as having an, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

1 APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)

To note any changes in the membership of the Sub-Committee made in accordance with Council Procedure Rule 4.3.

2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

3 STATEMENT FROM THE CHAIR

4 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING) (Pages 1 - 2)

To approve and sign as a correct record the Minutes of the meeting held on 12 July 2017 and to deal with any matters arising, attached.

5 EXCLUSION OF THE PRESS AND PUBLIC

At a predetermined point during the consideration of all items the Sub-Committee may move into private session in order to receive legal advice when determining issues. The press and the public, unless otherwise excluded by Category 4 of paragraph 10.4 of the Council's Access to Information Procedure Rules, will be invited to return immediately following that private session at which time the matter will be determined and the decision of the Sub-Committee will be announced.

6 APPLICATION FOR VARIATION OF A SEXUAL ENTERTAINMENT VENUE (SEV) LICENCE - WIGGLE, 188 ABOVE BAR STREET, SOUTHAMPTON, SO14 7DW (Pages 3 - 36)

Application for variation of a sexual entertainment venue (SEV) licence - Wiggle, 188 Above Bar Street, Southampton, SO14 7DW, attached

Wednesday, 4 October 2017

SERVICE DIRECTOR, LEGAL AND GOVERNANCE

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SOUTHAMPTON CITY COUNCIL
LICENSING (GENERAL) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 12 JULY 2017

Present: Councillors Mrs Blatchford (Chair), Furnell, Painton and Parnell

Apologies: Councillor McEwing

1. **APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)**

The apologies of Councillor McEwing were noted.

2. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED that the minutes of the meeting held on 8 March 2017 be approved and signed as a correct record.

3. **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED

- (i) that in accordance with the Council's Constitution, specifically the Access to Information Procedure Rules contained within the Constitution, the press and public were excluded from the meeting in respect of minute 5 based on Categories 1 and 2 of paragraph 10.4 of the Access to Information Procedure Rules. The information within the report was exempt as it relates to individual personal details and information held under the Data Protection Act 1998. Having applied the public interest test it was not appropriate to disclose this information as the individuals' legal expectation of privacy outweighs the public interest in the exempt information.
- (ii) that the Sub-Committee move into private session in order to receive legal advice when determining issues. The parties, press and the public, unless otherwise excluded by Category 4 of paragraph 10.4 of the Council's Access to Information Procedure Rules, will be invited to return immediately following that private session at which time the matter will be determined and the decision of the Sub-Committee will be announced.

4. **PRIVATE HIRE DRIVER'S LICENCE**

The Sub-Committee considered the suitability of a specific individual to hold a private hire driver's licence.

The Licensing Enforcement Officer, the taxi driver and his Licensing Consultant were present and with the consent of the Chair addressed the meeting.

The Sub-Committee considered the decision in private session in order to receive legal advice when determining issues.

RESOLVED that the driver is a fit and proper person in accordance with LG (MP) A 1976 at this point in time, and warned that any further conviction or complaint shall be considered alongside those matters already on record.

After private deliberation the Sub-committee reconvened and the Chair read the following decision with reasons:-

The Sub-Committee has considered very carefully the report of the Service Director – Transactions and Universal Services and all the evidence presented today by the Enforcement Officer, the driver and his representative, including three references.

It has given due regard to the Local Government (Miscellaneous Provisions) Act 1976 “LG (MP) A 1976” and the guidelines relating to the application of the “fit and proper person” test and other consideration of character.

The Sub-Committee considered all the facts and have decided that the driver is a fit and proper person in accordance with LG (MP) A 1976 at this point in time.

Reasons for Decision

The Sub Committee heard evidence relating to convictions for theft and issues relating to the completion of forms submitted to the council. In addition that an offence had not been declared within 14 days of conviction in accordance with the Licence conditions.

Convictions for theft are always considered extremely seriously and it is noted that ordinarily would lead to the revocation of the licence or a licence not being granted for a period of three years from conviction. However, in this case there has been a passage of time that hinders the impact of the usual policy. Whilst the driver might be seen to be benefitting from his own failure to disclose, it cannot be ignored that there are very long periods where he is conviction free and has not attracted a single complaint. In this respect the references carried significant weight in making the determination. It also was apparent from the driver’s evidence that he now understands the full importance of being frank and accurate when providing information to the Licensing Authority.

The Sub-Committee must strongly warn the driver that any further conviction or complaint shall be considered alongside those matters already on record. All convictions may be taken into consideration including spent convictions and in this case the Sub-Committee determined that the spent conviction was relevant and would be taken into account.

The Sub-Committee did consider all of the options available including suspension and revocation but in light of the evidence given by the driver felt that suspension would not be necessary due to the length of time that has passed and clear remorse shown. Revocation was not considered appropriate in this case.

DECISION-MAKER:	Licensing (General) Sub - Committee		
SUBJECT:	Application for Variation of a Sexual Entertainment Venue (SEV) Licence - Wiggle, 188 Above Bar Street Southampton, SO14 7DW.		
DATE OF DECISION:	Thursday 12 th October 2017 – 1800 hours		
REPORT OF:	SERVICE DIRECTOR - TRANSACTIONS AND UNIVERSAL SERVICES		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Ian McGuinness	Tel: 023 8083 4231
	E-mail:	ian.mcguinness@southampton.gov.uk	
Director	Name:	Mitch Sanders	Tel: 023 8083 3613
	E-mail:	mitch.sanders@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY		
BRIEF SUMMARY		
The Sub-Committee is requested to determine the application for the variation of a Sexual Entertainment Venue (SEV) Licence from Sylvan Glade Limited in respect of Wiggle, 188 Above Bar Street, Southampton, SO14 7DW.		
RECOMMENDATIONS:		
1.	(i)	For the Sub-Committee to consider and determine the application for the variation of the Sexual Entertainment licence in respect of 188 Above Bar Street, Southampton.
REASONS FOR REPORT RECOMMENDATIONS		
1.	The determination of applications for variation of sexual entertainment licences is not delegated to officers, therefore it is for the sub-committee to consider and determine the application.	
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED		
1.	None	
DETAIL (Including consultation carried out)		
1.	Southampton City Council first adopted the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1982 with effect from 16 th March 1983.	
2.	Following High Court challenges to other local authorities' adoption of the legislation, the City Council was advised by Counsel in 1995 that it would be appropriate to readopt the provisions. The Council resolved the adoption of schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 on 10 April 1995, with the provisions coming into effect from 3 July 1995. Notices setting out the effect of the provisions were published in the Southern Daily Echo on 5 and 12 May 1995.	

3.	<p>Sylvan Glade Limited has held a sexual entertainment venue (SEV) licence in Southampton since 2nd January 2016 following a transfer application issued with delegated powers, with the licence to be renewed annually. This licence was varied and granted on 20th January 2016. The variation granted was to extend permitted hours until 0600 hours and to amend the layout of the premises.</p> <p>Sylvan Glade Limited operate other Sexual Entertainment Venues at 1-3 Surrey Street, Portsmouth, 159 Old Christchurch Road, Bournemouth and 1 Granada Road, Portsmouth.</p>
4.	<p>On 21st August 2017 an application was made by Sylvan Glade Limited to vary the Sexual Entertainment Venue licence in respect of 188 Above Bar Street. The application submitted is a request for alteration to form a new stage on the 1st floor and to form new VIP booths on the ground floor level. A copy of the application is attached as Appendix 1.</p>
5.	<p>In summary, the applicant has requested to make the following changes;</p> <ol style="list-style-type: none"> 1. For alteration to form a new stage on the 1st floor. 2. For alteration to form new VIP booths on the ground floor level. <p>A copy of the current licence is attached as Appendix 2.</p>
6.	<p>The applicant has submitted a plan of the proposed changes, with the current layout of the venue. This is attached to this report as Appendix 3.</p>
7.	<p>There is no requirement under the Act to advertise a variation of the licence in a newspaper. A notice was displayed at the premises throughout the consultation period. There is no formal mechanism of consultation for this process, although a copy of the proposed variation was served on Hampshire Constabulary Force Licensing Team.</p>
8.	<p>The Hampshire Constabulary Force Licensing Team have advised that they have no objection to this application having been advised that all booths will be covered by CCTV cameras and monitored from the 1st floor and the ground floor. A supervisor will be on duty during any performance. A copy of this correspondence is attached as Appendix 4.</p>
9.	<p>The premises does currently benefit from a premises licence issued under the Licensing Act 2003. This licence was varied and granted on 30th December 2015. The variation granted was to extend regulated entertainment until 0600 hours and provision of late night refreshment and the supply by retail of alcohol until 0500 hours. A copy of the current licence is attached as Appendix 5.</p>
10.	<p>Paragraph 18 of the Local Government (Miscellaneous Provisions) Act 1982 provides that the holder of a sexual entertainment venue (SEV) licence may at any time apply for any variation of the terms, conditions or restrictions on or subject to which the licence is held.</p>
11.	<p>The authority may;</p> <ul style="list-style-type: none"> • Make the variation specified in the application; or • Make such variations as they think fit; or • Refuse the application.
12.	<p>Any person objecting to an application for the variation of a Sexual Entertainment Venue (SEV) licence is required to give notice of their objection in writing to the local authority, not later than 28 days after the date of the application.</p> <p>No objections were received in relation to this application within the 28 day consultation period.</p>
13.	<p>An applicant for the variation of the terms, conditions or restrictions on or subject to which any such licence is held whose application is refused may appeal within twenty-one days of the giving of written notice of the grounds of the refusal, to the Magistrates' Court.</p>

14.	A note of the procedure that the Sub-Committee has adopted for consideration of applications of this kind is attached as Appendix 6 .
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
1.	There are no financial implications.
<u>Property/Other</u>	
1.	Not applicable.
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
1.	<p>Paragraph 12 of Schedule 3 sets out the grounds for refusing an application for the grant, renewal or transfer of a licence.</p> <p>A licence must not be granted:</p> <p>(a) to a person under the age of 18;</p> <p>(b) 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;</p> <p>(c) to a person, other than a body corporate, who is not resident in an EEA State or was not so resident throughout the period of six months immediately preceding the date when the application was made; or</p> <p>(d) to a body corporate which is not incorporated in an EEA State; or</p> <p>(e) 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.</p>
2.	<p>If the Sub-Committee determines to grant a variation application, it has power to impose terms, conditions and restrictions on that licence, either in the form of conditions specific to the individual premises concerned or standard conditions applicable to all sex establishments, or particular types of sex establishments. Examples of the matters that standard conditions may address can include, but are not restricted to:</p> <ul style="list-style-type: none"> • The hours of opening and closing • Displays and advertisements on or in sex establishments • The visibility of the interior of a sex establishment to passers-by • Any change of use from one kind of sex establishment to another. <p>If such standard conditions are introduced by the local authority, they will apply to every licence granted, renewed or transferred by the authority unless they have been expressly excluded or varied.</p>
<u>Other Legal Implications:</u>	
1.	<p>CRIME AND DISORDER ACT 1998</p> <p>Section 17 of the Crime and Disorder Act 1998 places the Council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.</p>
2.	<p>HUMAN RIGHTS ACT 1998</p> <p>The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a</p>

	way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which affects another's rights must be no more onerous than is necessary in a democratic society. The matter set out in this report must be considered in light of the above obligations.
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POLICY FRAMEWORK IMPLICATIONS

1.	The decision to determine the application in the manner set out in this report is not contrary to the council's policy framework.
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KEY DECISION?	No
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WARDS/COMMUNITIES AFFECTED:	
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SUPPORTING DOCUMENTATION

Appendices

1.	Application for the variation of SEV licence made in respect of Wiggle, 188 Above Bar Street.
2.	A copy of the current Sexual Entertainment licence.
3.	A copy of the proposed / existing plan.
4.	A copy of correspondence from Hampshire Constabulary.
5.	A copy of the Licensing Act 2003 premises licence.
6.	Procedure for hearing the application.

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

Do the implications/subject of the report require an Equality and Safety Impact Assessments (ESIA) to be carried out?	No
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Privacy Impact Assessment

Do the implications/subject of the report require a Privacy Impact Assessment (PIA) to be carried out?	No
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Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	None

Application for a Sex Establishment Licence

I/We hereby apply for the VARIATION of a Sex Establishment Licence under the Local Government (Miscellaneous Provisions) Act 1983 as follows:

1.	<p>General information (all applicants must complete this section)</p> <p>What type of licence are you applying for? A sex shop licence <input type="checkbox"/> A sex cinema licence <input type="checkbox"/> A sexual entertainment venue licence? <input checked="" type="checkbox"/></p> <p>Are you applying as: (please tick): An individual <input type="checkbox"/> A registered company <input checked="" type="checkbox"/> A partnership <input type="checkbox"/></p> <p>Please state your trading name: SYLVAN GLADE T/A WIGGLE</p> <p>Is this application for: (please tick): Grant of a new licence <input type="checkbox"/> renewal <input type="checkbox"/> variation <input checked="" type="checkbox"/> or transfer <input type="checkbox"/> of an existing licence? If renewal, variation or transfer, please provide the existing licence number: 2016/00384/19SEXE</p>
THE APPLICANT	
2.	<p>Application by an Individual (complete this section only if the application is by an individual)</p> <p>Title (please tick): Mr. <input checked="" type="checkbox"/> Mrs. <input type="checkbox"/> Miss <input type="checkbox"/> Ms. <input type="checkbox"/> Other <input type="checkbox"/> (please state):</p> <p>Surname: Ojla Forenames: Jaspal Singh</p> <p>Maiden name or any other surnames you have been known by:</p> <p>Date of birth: [REDACTED]</p> <p>Residential address: [REDACTED]</p> <p>Postcode: [REDACTED]</p> <p>Position/Role in the business: Director</p>
3.	<p>Application by a Partnership (complete this section only if the application is by a partnership)</p> <p>You must supply information in respect of every partner – where there are more than two partners then please use a continuation sheet</p> <p>Title (please tick): Mr <input type="checkbox"/> Mrs. <input type="checkbox"/> Miss <input type="checkbox"/> Ms. <input type="checkbox"/> Other (please state):</p> <p>Surname: Forenames:</p> <p>Maiden name or any other surnames you have been known by:</p> <p>Date of birth:</p> <p>Residential address:</p> <p>Postcode:</p>
	<p>Title (please tick): Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Miss <input type="checkbox"/> Ms. <input type="checkbox"/> Other <input type="checkbox"/> (please state):</p> <p>Surname: Forenames:</p> <p>Maiden name or any other surnames you have been known by:</p> <p>Date of birth:</p>

Received On
21 AUG 2017
 Southampton &
 Eastleigh Licensing Partnership

Residential address:

Postcode:

4. Application by a Registered Company
(complete this section **only** if the application is by a registered company)

Registered company name: Sylvan Glade Limited

Registration number:

Address of the company's registered office: Ojs Industrial Park, Claybank Road, Portsmouth

Postcode: PO3 5SX

Please provide the following details for every director, shadow director and the company secretary – where necessary please use a continuation sheet.

Role: Md

Title (please tick):

Mr. Mrs. Miss Ms. Other (please state):

Surname: Ojla

Forenames: Jaspal Singh

Maiden name or any other surnames you have been known by:

Date of birth:

Residential address:

Postcode:

Role: Secretary

Title (please tick):

Mr. Mrs. Miss Ms. Other (please state):

Surname: Ojla

Forenames: Rashwinder Kaur

Maiden name or any other surnames you have been known by:

Date of birth: [REDACTED]

Residential address: [REDACTED]

Postcode: [REDACTED]

5. Contact Details
(all applicants must complete this section)

We will use your business address to correspond with you unless you indicate we should use your Residential address

Business Address:

Ojs Discount Ojs Industrial Park Claybank Rd Portsmouth

Postcode: PO3 5SX

Telephone nos.

Daytime: [REDACTED]

Evening: [REDACTED]

Mobile: [REDACTED]

Residential address:

[REDACTED]

Email address: [REDACTED]

Website address:

Please use my Residential address for correspondence Yes No

If you have appointed a legal advisor or other agent to act for you, please give their details and reference number here:

Name:

Address:

Post code

Phone number:

Email address:

Reference no.:

6.	Criminal Convictions (all applicants must complete this section)	
	<p>Have you, any partners in the business, any directors of the company, or any other person mentioned in this application, ever been convicted of an offence or been the subject of any enforcement action in relation to a sex establishment?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (please tick)</p> <p>If "yes" you must provide details for each conviction/enforcement action, the date of the conviction/enforcement action, the name and location of the convicting court, offence of which you were convicted/the nature of the enforcement action and the sentence/penalty imposed:</p> <p>(where necessary please use a continuation sheet)</p>	
7.	Have any of the applicants previously been refused a sex establishment licence or had such a licence revoked? If so, give full details on a separate sheet	No
8.	If the applicant is a company, is the applicant a wholly owned subsidiary of another company or corporate body? If so, give full details, including full names and residential address of each director on a separate sheet	No
9.	If the applicant is a company, give the full names and residential addresses of each person who has a shareholding of more than 10% in the company on a separate sheet	<input type="checkbox"/>
10.	Will the business for which the sex establishment licence is sought be carried on for the benefit of any person other than the applicant? If so, give full details on a separate sheet. include company names, registration numbers, full names and residential address of each director or other person to benefit; include all persons with shareholdings greater than 10%	No
11.	Does the applicant operate any other sex establishments, whether licensed or not? If so, please state the name, address and type of sex establishment (sex shop/sex cinema/sexual entertainment venue) on a separate sheet	Yes

11 WIGGLE Bournemouth.
11 Portsmouth.

THE PREMISES, VEHICLE, VESSEL OR STALL	
12.	Is the application in respect of: a premises <input checked="" type="checkbox"/> a vehicle <input type="checkbox"/> a vessel <input type="checkbox"/> a stall <input type="checkbox"/>
	If the application is in respect of a vehicle, vessel or stall, where is it proposed that it shall be used?
13.	If the application is in respect of a premises, give the full postal address: 188, Above Bar Street, Southampton Postcode: SO14 7DW
14.	Is the whole of the premises to be used as a sex establishment? Yes If not, give a description of the use of the remainder of the premises: The names of those responsible for managing the remainder of the premises:
15.	State the nature of the applicant's interest in the premises, vehicle, vessel or stall (e.g. freehold owner, lessee, sub-lessee etc.) Lessee LESSEE.
16.	If the applicant has tenure of the premises other than as freeholder, state: The name and address of the landlord: Ojs Holdings The amount of the annual rental [REDACTED] The length of the unexpired term 15yrs The length of notice required to terminate the tenancy 15yrs
17.	What is the current use of the premises? lap dancing
18.	Is there planning permission for use of the premises, vehicle, vessel or stall as a sex establishment? Yes If yes, give the date of that permission
19.	If there is no planning permission for use of the premises, vehicle, vessel or stall as a sex establishment, give full details as to whether and why the use of the premises is a lawful use:
20.	Are the premises, vehicle, vessel or stall licensed now or intended to be licensed under any other legislation e.g. the Licensing Act 2003? Yes If so, give the nature and reference number of each licence:
21.	Is customer access to the premises, vehicle, vessel or stall: Directly from the street? Yes From other premises? No If from other premises, give full details below:
22.	Are all points of customer access to be supervised at all times that the premises are open for business? Yes
23.	Give full details of door control and supervision of access to the premises, including whether those controlling access are licensed by the SIA: S.I.A Registered door supervisors check all entry
24.	Give details of the measures proposed to ensure that any person entering the premises is over 18 years of age, including what forms of ID will be accepted: Challenge 25 policy in operation

25.	Give full details of any proposed exterior signage, advertising, window displays etc. at the premises - include photographs, illustrations etc.: no change AS BEFORE
26.	Give full details of the measures to be taken to comply with the Indecent Displays (Control) Act 1981, as amended, including the means by which persons outside the premises will be prevented from seeing the interior:
27.	If the premises are to be used as a sexual entertainment venue, provide full details of:
(a)	the type and nature of the entertainment to be provided: as before
(b)	arrangements for the separation of performers and audience: as before
(c)	what contact, if any is to be permitted between performers and audience will be permitted: none
(d)	where sexual entertainment will take place (e.g. open areas, private booths or both): see plan
(e)	What measures will be put in place to supervise sexual entertainment, the conduct of performers and audience (e.g. security staff, CCTV, etc). Enclose copies of any codes of conduct or similar documents and clearly indicate the sanctions which will be taken by the management of the venue for any breaches of them: as before plus additional cctv cameras
(f)	What measures are in place to ensure compliance with the law by the business and persons employed in the venue in whatever capacity, in particular in connection with human trafficking and modern slavery? full checks carried out
TYPE OF APPLICATION	
28.	Renewal - VARIATION If the application is for renewal of an existing licence, have there been any changes in the business since the last grant of a licence? No If Yes, give full information here:
29.	Variation If variation of an existing licence is sought, give full details here: We intend to put a new stage on the 1 st floor. Put new VIP booths on the ground floor. All booths will have cctv cameras installed in them, Ensure that you include plans and other documents clearly showing what is proposed and indicating which existing licence conditions it is proposed should be varied.
30.	Transfer If the application is for transfer of an existing licence, do you enclose the signed consent of the previous licence holder to the transfer? Yes
31.	Other information in support of the application Use this part of the application to set out any additional information which you wish the licensing authority to take into account when considering the application:

MANAGEMENT			
32.	Give details of the person who will be responsible for the day to day management of the business ("the manager"): Full name: Jacqueline Kim Bailey Residential address: 149, Radstock Road, Woolston Southampton So19 2hw Postcode: SO19 2HW Date of birth: 01/01/1978		
33.	Will the manager be based at the premises, vehicle, vessel or stall and will the management of the business be that person's sole and exclusive occupation? Yes		
34.	Give details of the arrangements for the day to day management of the premises in the absence of the manager: Jaspal Ojla will manage in her absence include full names, residential addresses and dates of birth of such persons.		
35.	On what days and at what times will the business will be open:		
	Day	From	To
		(use 24 hour clock)	
	Monday		
	Tuesday		
	Wednesday		
	Thursday		
	Friday		
	Saturday		
	Sunday		
	Give details of any proposed exceptions to the hours given		
	all as before		
36.	I enclose detailed scale plans, colour photographs and designs illustrating the interior and exterior of the premises, vehicle, vessel or stall giving, in particular, details of the proposals in respect of exterior signage and advertising, including the nature, content and size of signage and any images to be used (this will not be necessary in case of an application for transfer or renewal where no changes have taken place since the last grant of a licence.		<input checked="" type="checkbox"/>
37.	Payment (all applicants must complete this section)		
	I will pay the application fee for a sex establishment licence by: Debit or credit card <input type="checkbox"/> Cheque <input checked="" type="checkbox"/> Cash <input type="checkbox"/> (please tick)		
38.	Checklist (all applicants must complete this section)		
	The form is fully completed, signed and dated by each individual, partner or the company secretary		<input checked="" type="checkbox"/>
	The fee is enclosed		<input checked="" type="checkbox"/>
	Continuation sheets, clearly marked to indicate the question numbers, are enclosed		
	Plans and other documents are enclosed		

39.	Declaration (all applicants must complete this section)
	<p>The information contained in this form is true and accurate to the best of my knowledge and belief. I understand that if I make a false statement which I know to be false in any material respect or which I do not believe to be true in connection with an application for the grant of a sex establishment licence I will be guilty of an offence and liable on summary conviction to an unlimited fine.</p> <p>I understand that Southampton City Council may consult other agencies about my suitability to be granted a sex establishment licence, and that those other agencies may include other local authorities and the police.</p> <p>I understand that the purpose of the sharing of this data is to form a full assessment of my suitability to be granted a sex establishment licence. I also understand that the sharing of information about me may extend to sensitive personal data, such as data about any previous criminal offences. Some details will also be displayed in the council's public register of licences.</p> <p>Please note that the licensing authority may be required by law to disclose, from time to time, further information relating to applications and licences to the appropriate authorities for the purposes of law enforcement and the prevention of fraud.</p> <p>I hereby expressly consent to this processing of my data and display of relevant information on the public register.</p>
	An individual applicant (section 2) or all partners (section 3) or the company secretary (section 4) must complete this section
	Signed: _____ Dated <u>21-08-2017</u> Name (please print) <u>Jaspal Ojla</u> Capacity of signatory: <u>Director</u>
	Signed: _____ Dated _____ Name (please print) _____ Capacity of signatory: _____
	Signed: _____ Dated _____ Name (please print) _____ Capacity of signatory: _____
	Signed: _____ Dated _____ Name (please print) _____ Capacity of signatory: _____

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Licence Number

2017/00469/19SEXE

SEX ESTABLISHMENT LICENCE

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982, SECTION 2

SOUTHAMPTON CITY COUNCIL by virtue of the powers contained in section 2 and schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, hereby grants to:

Sylvan Glade Ltd.

of the following address:

1 Ojs Industrial Park,
Claybank Road,
Portsmouth.
PO3 5SX.

A licence to use the premises known as

Wiggle

and situate at

**188 Above Bar Street
Southampton
SO14 7DW**

in the City of Southampton as a

SEXUAL ENTERTAINMENT VENUE

This licence has effect from 1st day of March 2017 until

28th day of February 2018

The permitted hours of this licence:

Monday	10:00 - 06:00
Tuesday	10:00 - 06:00
Wednesday	10:00 - 06:00
Thursday	10:00 - 06:00
Friday	10:00 - 06:00
Saturday	10:00 - 06:00
Sunday	10:00 - 06:00

SUBJECT TO THE FOLLOWING CONDITIONS:

1 Annex A

Standard Conditions applicable to Sex Establishments consisting of Sex Shops, Sex Cinemas or Sexual Entertainment Venues

Southampton City Council, in exercise of the powers conferred by paragraph 13 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 hereby make the following Regulations prescribing standard conditions applicable to licences for sex establishments.

Interpretation

In these Regulations the following expressions that is to say "Sex Establishment", "Sex Shop", "Sex Cinema", "Sexual Entertainment Venue", "Sex Article", and "Vessel" shall have the meanings respectively assigned by Schedule 3 of the Act (and where amended by Section 27 of the Policing and Crime Act 2009).

In these Regulations the following expressions shall have the meanings hereby respectively assigned to them namely:

"the Act" means the Local Government (Miscellaneous Provisions) Act 1982, as amended.

"the council" means Southampton City Council and/or any authorised officer acting on behalf of the Council.

"the 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 to be open to the public.

"licence" means a licence granted pursuant to Schedule 3 of the Act.

Part One - General Conditions

1. Management of Premises

1.1. The Licence holder, or some responsible person nominated by him and approved in writing by the council for the purpose of managing the sex establishment ("the manager"), shall have personal responsibility for and be present on the premises at all times when the premises are open to the public.

1.2. In accordance with section 14 of the 1982 Act, the Licence holder shall display, on the licensed premises in a conspicuous position, a copy of the licence and/or any special conditions attached.

1.3. The name of the person responsible for the management of the sex establishment, whether the licence holder or manager, shall be displayed in a conspicuous position within the premises throughout the period during which he is responsible for the conduct of the premises.

- 1.4. The licence holder shall retain control over all parts of the licensed premises as set out on the approved premises plan and shall not let or part with possession of any part.
- 1.5. No person under the age of 18 shall be admitted to the premises and rigorous identity checks SHALL be made on any person who appears to be under the age of 18.
- 1.6. To ensure compliance of 5 above, the licence holder shall exhibit appropriate warning notices as to the minimum age requirements on both the exterior (frontage) door and also conspicuously on the appropriate inner lobby door.
- 1.7. No person under the age of 18 shall be employed to work at the premises in any capacity or shall be allowed to work at the premises on a self-employed basis.
- 1.8. Unless permitted by the council neither the Licence holder nor any employee or agent shall tout or solicit custom for the sex establishment immediately outside or in the vicinity of the licensed premises.
- 1.9. Where the Licence holder is a body corporate or an unincorporated body, any change of director, or other person responsible for the management of the body is to be notified in writing to the council within 14 days of any such change. In addition, the Licence holder shall provide any details as the council may require in respect of any new director, officer or manager upon request in writing from the council.

2. Conduct of the Premises

- 2.1. No change from one type of sex establishment to another shall be made without the written consent of the council.
- 2.2. No part of the premises shall be used by prostitutes for the purpose of solicitation or otherwise exercising their calling.

3. Premises Interior and Layout

- 3.1. The premises layout shall comply with deposited plans unless otherwise approved in writing by the council.
- 3.2. No alterations, additions or modifications to either the internal or external parts of the licensed premises shall be made without the prior written consent of the council.
- 3.3. 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.
- 3.4. The premises shall be fitted with an inner entrance lobby door or partition 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.
- 3.5. No access shall be permitted through the premises to any other premises adjoining or adjacent except in the case of emergency.
- 3.6. No part of the interior of the licensed premises where licensable activities are authorised shall be visible whatsoever to persons outside the premises.
- 3.7. No external advertising, words, signs, displays or illuminations shall be permitted unless previously approved by the council.
- 3.8. The external fabric, appearance and look of the licensed premises shall consist of materials and colours approved by the council in order to:
 - 3.8.1. Ensure that the frontage is of a discreet nature
 - 3.8.2. Ensure that it is appropriate to the character of the locality.

4. CCTV

- 4.1. A recording CCTV system shall be installed and fully operational whilst the venue is open to the public.
- 4.2. The recording equipment will be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and to maintain the integrity of the system.
- 4.3. A record will be kept of any access made to information held on the system.
- 4.4. The system will be serviced at twelve monthly intervals and maintained to a standard that is acceptable to the police licensing department responsible for the area. A record of service and maintenance completed shall be held for a minimum of three years at the premises.

4.5. The CCTV System is to have accurate time and date recording included and is to be checked weekly for accuracy of time and functioning of the cameras and recording. The checks are to be recorded and made available for inspection on demand.

4.6. An additional recording CCTV camera shall be installed and fully operational whilst the venue is open to the public to cover the area outside the front of the premises.

4.7. The CCTV system will have sufficient storage capacity for 31 days of good evidential quality images.

4.8. In the event of any failure in the CCTV System the Licensee shall report the failure to the Police Licensing Team immediately and repair[ed] within seven days.

5. CCTV Access

5.1. Police and authorised officers of the council shall have access to data from the systems (subject to the Data Protection Act 1998) quickly and easily and therefore provision will be made for the licensee or a member of staff to have access to the secure area and also be able to operate the equipment and to supply footage in a format which can be easily viewed by police or council officers.

5.2. All operators will receive training from the installer if new equipment is installed and this training will be cascaded down to new members of staff.

5.3. An operator's manual will be available to assist in replaying and exporting data.

5.4. The premises shall not be operated pursuant to the grant of a licence until such time as the CCTV System has been approved by the Police. The CCTV must be maintained in a satisfactory working condition in order to remain operating under the licence. The CCTV will be deemed to be approved and in a satisfactory working condition if it is installed and operated in accordance with Police guidance of 13.8.13 or as otherwise approved by the Police).

6. General

6.1. The Licence holder shall take all reasonable precautions to ensure public safety on the premises and shall comply with any reasonable request made by the council.

6.2. The council may substitute, delete, vary or amend these conditions at any time following proper consultation to include the licence holder.

Part Two - Additional Conditions for Premises Operating as Sexual Entertainment Venues

7. External Appearance of the Premises and Public Displays of Information

7.1. The exterior of the premises shall not contain any displays or depictions of the human form (save for council approved trademarks or logos of the business), or any imagery that suggests or indicates relevant entertainment takes place at the premises, or other language stating the nature of such activities, including use of the word "nude". The condition does not prevent the use of the words "Licensed Sexual Entertainment Venue" or "Adult entertainment" or "Gentlemen's Club" on a single plate in characters no higher than 10 cm at the entrance to the premises. .

7.2. The prices for entrance and any compulsory purchases within the venue shall be clearly displayed on the exterior, or in the lobby, of the premises.

7.3. All charges for products and services shall be displayed in prominent areas within the premises, and at each customer table and in the bar area.

7.4. Rules for customers shall be displayed in prominent areas within the premises, and at each customer table and in the bar area.

7.5. No charge shall be applied unless the customer has been made aware of the tariff of charge by the performer in advance of the performance.

7.6. Performers may not stand in any lobby, reception or foyer areas or outside the premises entrance for the purposes of greeting customers or encouraging customers to enter the venue.

7.7. The use of cruising cars by the premises to solicit for custom and/or transport people to or from the premises is prohibited.

7.8. The use of flyers and similar promotional material for the premises which would be contrary to the byelaws is prohibited.

8. Control of Entry to the Premises

- 8.1. The Challenge 25 proof of age scheme shall be operated at the premises whereby any person suspected of being under 25 years of age shall be required to produce identification proving they are over 18 years of age. The only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
- 8.2. All individuals employed on the premises to conduct a security activity (within the meaning of paragraph 2(1) (a) of Schedule 2 to the Private Security Act 2001) must be licensed by the Security Industry Authority.
- 8.3. Any person who appears to be drunk / intoxicated or under the influence of illegal drugs shall not be permitted entrance to the premises.
- 8.4. A policy of random searches of persons entering the premises shall be operated.
- 8.5. Any person found to be in possession of illegal drugs upon entry shall be prevented entry and, where possible, restrained until the Police can take such person into custody. Any persons found using or dealing illegal drugs on the premises shall be removed from the premises or, where possible and appropriate (ie if drug dealing), restrained until the Police can take such person into custody.
- 8.6. The premises shall subscribe to an approved radio system and radios shall be operational at all times the premises is open to the public.

9. Conduct of Performers and Rules relating to performances of sexual entertainment

- 9.1. There shall be a written code of conduct for performers that has been agreed in writing by the Licence holder, the council and the Police.
- 9.2. All performers shall be required to certify their agreement to comply with the code and a record shall be kept on the premises and be made available upon request by the Police or an authorised officer of the council. The code shall include the basic criteria as set out in Appendix B to this policy.
- 9.3. No changes shall be made to the Dancer's Code of Conduct without the prior written consent of the council and the Police.
- 9.4. The Dancer's Code of Conduct must include a statement that any dancer who does not comply with the Code of Conduct will face disciplinary proceedings.
- 9.5. All management and staff (including security staff) must be aware of and familiar with the content of the Dancer's Code of Conduct and shall ensure it is complied with at all times.
- 9.6. A copy of the Dancer's Code of Conduct shall be prominently displayed in each area of the premises where the public have access, which shall include toilet areas as well as in any area used as a changing/dressing room for dancers.
- 9.7. The Licensee shall maintain red lines on the floor parallel to the edge of the sofas used by customers paying for performances. The dancer's feet shall not cross the red line during any performance.

10. Code of Conduct for Customers

- 10.1. There shall be a written Code of Conduct for Customers that has been agreed in writing by the Licence holder, the council and the Police.
- 10.2. The code shall include the basic criteria as set out in Appendix C to this policy.
- 10.3. The Code of Conduct for Customers shall be displayed in prominent positions throughout the licensed premises so that it is visible to all patrons.
- 10.4. No changes shall be made to the Code of Conduct for Customers without the prior written consent of the council and the Police.
- 10.5. The Code of Conduct shall include a statement that any customers who fail to comply with the Code of Conduct will be required to leave the premises.
- 10.6. All management and staff (including security staff) must be aware of and familiar with the content of the Code of Conduct for Customers and shall ensure it is complied with at all times.
- 10.7. On any occasion whereby a customer breaches the Code of Conduct, such details shall be recorded in the incident log.
- 10.8. Any customer breaching the rules of the Code of Conduct shall be asked to leave the premises. Any customer who has previously been asked to leave the premises and again breaches the Code of Conduct may be banned from the premises.

11. Disciplinary Procedure for Performers

11.1. The Licence holder shall ensure that a written disciplinary procedure is in force so as to take appropriate action against performers who breach the Code of Conduct and that a copy of the procedure is provided to each performer who works at the premises.

11.2. All performers shall sign an acknowledgement that they have received a written copy of the disciplinary procedure and have read and understood its contents.

11.3. Any disciplinary procedure shall NOT make any provision for financial penalties against performers who breach the disciplinary procedure. Any sanctions shall be limited to verbal or written warnings, suspension or revocation of the performer's right to dance at the premises.

12. The Protection of Performers and the Prevention of Crime on the Premises

12.1. Performers shall be provided with secure and private changing facilities.

12.2. All entrances to private areas to which members of the public are not permitted access shall have clear signage stating that access is restricted.

12.3. Any exterior smoking area for use by performers shall be kept secure and separate to any public smoking area.

12.4. The Licence holder shall implement a written policy to ensure the safety of performers when leaving the premises following any period of work.

12.5. Private booths must not be fully enclosed. There must be a clear sight-line from outside the booth so that any performance of sexual entertainment can be directly monitored.

12.6. There must be a minimum of one member of security staff present on any floor where a performance of sexual entertainment is taking place.

12.7. Unless monitored by CCTV screen and/ or directly and within 5 metres (or other such distance as agreed by the council) of appropriately trained staff private booths shall be fitted with a panic button or security alarm.

13. Record Keeping and Management

13.1. All performers shall be required to provide valid identification prior to first employment at the premises. Acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or national ID card.

13.2. All performers and staff shall be eligible to work in the UK and proof of eligibility records shall be kept on the premises. Management shall ensure that such records are regularly checked to ensure compliance.

13.3. Employment records for performers and staff shall be kept for a minimum of 6 months following the cessation of their employment.

13.4. Accurate payment and remuneration records shall be maintained and shall be made available upon request to the Police or an authorised officer of the Council. All fees and charges for performers shall be stated in writing and prominently displayed within the changing area.

13.5. No films may be shown at the premises unless they have been passed by the British Board of Film Classification. No films classified as R18 shall be shown on the premises.

14. Dress Code

14.1. The premises shall operate a dress code for customers to the reasonable satisfaction of the Police.

Annex B

Sexual Entertainment Venues - Code of Conduct for Dancers

The Dancer's Code of Conduct shall include the following conditions as a minimum standard:

There shall be no intentional physical contact between performers and customers during the performance unless for the purpose of restraint when such touch may only be made by the performer's hand/s on the limbs of the customer or above the customer's chest. Physical contact before or after the performance will be limited to a hug and/or kiss on the cheek on a customer entering the club and/or leading a customer by the hand to, or from, an area permitted for performances of sexual entertainment in advance of, or following, a performance and receiving payments.

The performer may not simulate any sexual act during a performance.

Appendix 2

Performers must not use any inappropriate, lewd, suggestive or sexually graphic language in any public or performance areas of the premises.

Performers must not touch the breasts or genitalia of another performer, at any time as part of a performance.

There shall be no use of sex articles (as defined by paragraph 4(3) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982) at any time.

There shall be no nudity by performers in public areas of the premises, unless the Council has agreed in writing that area may be used for performances of sexual entertainment.

Performers must fully dress (i.e. no nudity) at the end of each performance.

Performances of sexual entertainment may only take place in designated areas of the premises as agreed in writing by the Council.

There shall be no photography permitted by customers on the premises.

Customers must remain seated for the duration of a performance.

Performers shall not arrange to meet, or have further contact with, customers outside of the premises.

Dancers shall not perform if under the influence of alcohol or drugs.

All dancers shall comply with this Code of Conduct. Any failure to adhere to the rules set out in Code shall result in the dancer becoming subject to the consideration of disciplinary action as set out in the Disciplinary Procedure.

Annex C

Sexual Entertainment Venues - Code of Conduct for Customers

The Customer's Code of Conduct shall include the following conditions as a minimum standard:

Customers may not touch dancers during a performance.

Customers may not make lewd or offensive comments to performers.

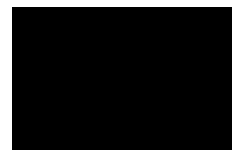
Customers must not harass or intimidate performers.

Customers must not ask dancers to perform any sexual favour.

Customers may not perform acts of masturbation or indulge in other sexual behaviour.

Any customer failing to comply with this Code of Conduct will be asked to leave the premises and may face a time-limited or permanent ban from attending the premises.

Dated this 12th day of March 2017



Licensing Manager

Licensing – Southampton City Council
PO Box 1767
Southampton
SO18 9LA

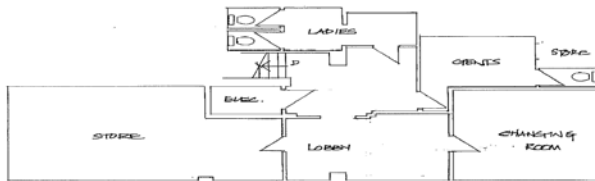
Annex 1 – Plans



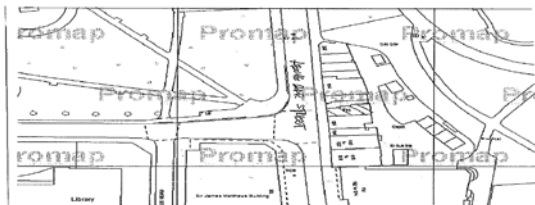
FIRST FLOOR



GROUND FLOOR



BASEMENT



LOCATION PLAN
Scale 1:1250 OS W 100046326

KEY

- ⊙ Break Glass Fire Point
- ⊙ Water Fire Extinguisher
- ⊙ Foam Fire Extinguisher
- ⊙ CO2 Fire Extinguisher
- FE Fire Exit
- EL Emergency Light
- Area of variation of Licensable activity
- Where alcohol is sold or consumed, recorded music is played, where hot food or drink may be supplied after 23:00 and where other kinds of regulated entertainment takes place.

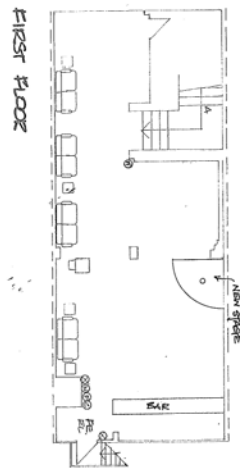
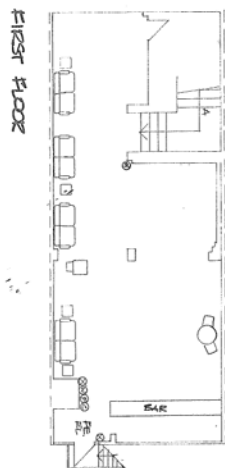
<p>DEREK TREAGUS ASSOCIATES ARCHITECTURAL SERVICES 163-The Townhouse, 20 Hildre Road, Southsea, Hampshire PO5 2AS Tel: 07556 22404 Email: derek.treagus@btworld.com</p>	
Project:	188 ABOVE BAR STREET, SOUTHAMPTON, HANTSHPHIRE.
Client:	Sylvan Glade Ltd
Subject:	Floor Plans Drawing
Date:	Nov 2015
Scale:	1:100 @ A2
Rev:	1 Dig. No. 15/471/01
<ul style="list-style-type: none"> • Copyright reserved. • All dimensions are to be site confirmed and should not be scaled unless for Planning purposes. • Verify all queries with the office. 	

Plan not reproduced to scale.

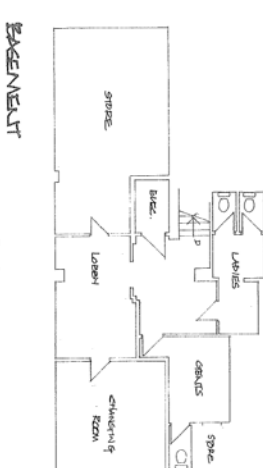
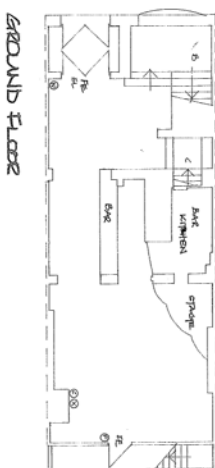
Agenda Item 6

Appendix 3

Appendix 3 – New plan



VP - SPACE ASKED FOR BY NEW CLIENT



- KEY**
- Break Glass Fire Point
 - Water Fire Extinguisher
 - Foam Fire Extinguisher
 - CO2 Fire Extinguisher
 - Fire Exit
 - Emergency Light
- Area of variation of Usable activity
 Where alcohol is sold or consumed, recorded music is played, where hot food or drink may be supplied after 23.00 and where other kinds of regulated entertainment takes place

LOCATION PLAN
 Scale 1:1250
 OS W 10004326



Derek Iteaguis Associates Architectural Services No. 10, The Quadrant, Southampton, Hampshire Email: info@iteaguis.com	
Client	Slynn Child Ltd
Project	118 ABOVE BANK STREET, SOUTHAMPTON, HAMPSHIRE
Date	Aug 2017
Scale	1:1000 @ A3
Drawn	DR. No. 17/14/11
Check	
Subject	Floor Plans Drawing

Copyright reserved
 All dimensions are to the site conditions and proposed to allow details to be prepared
 Verify all quantities with the office.

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Hi Ian,

No objection to the variation for wiggle. For your information I have attached an email exchange with the applicant regarding compliance with existing conditions in light of the variation.

Kind regards,

Colin POLLARD 16866

Licensing & Alcohol Harm Reduction Team
Southampton Central Neighbourhood Police Office
Southampton City Council
Civic Centre
Southampton
SO14 7LY

From: [REDACTED]

Sent: 23 August 2017 14:34

To: [REDACTED]

Subject: Variation SEL - Wiggle

Good afternoon,

I am in receipt of your variation application for the SEL at Wiggle. I require some additional information in order to process the application. Namely, could you please provide details of how you will comply with conditions **12.5** and **12.7** on the SEL in relation to the new VIP areas.

12.5. Private booths must not be fully enclosed. There must be a clear sight-line from outside the booth so that any performance of sexual entertainment can be directly monitored.

12.7. Unless monitored by CCTV screen and/ or directly and within 5 metres (or other such distance as agreed by the council) of appropriately trained staff private booths shall be fitted with a panic button or security alarm.

Please reply by return of email.

I look forward to hearing from you soon and if I can be of any help, please get in touch on the details below.

Kind regards,

Colin POLLARD 16866

Licensing & Alcohol Harm Reduction Team
Southampton Central Neighbourhood Police Office

Hello Colin, Ref Wiggle Booths. All booths will be covered by CCTV cameras and monitored from the 1st floor and the ground floor. A supervisor will be on duty during any performance.

Hope this answers your question

Regards

Paul

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**Schedule 12
Part A
Premises Licence**

Regulation 33,34

Premises licence number	2016/00807/01SPRD
--------------------------------	-------------------

Part 1 – Premises details

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

Wiggle
188 Above Bar Street
Southampton
SO14 7DW

Telephone number	
-------------------------	--

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

- Recorded music
- Performances of dance
- Anything similar to live music, recorded music or performances of dance
- Provision of late night refreshment
- Supply by retail of alcohol

The times the licence authorises the carrying out of licensable activities

Recorded music	
Monday	10:00 - 06:00
Tuesday	10:00 - 06:00
Wednesday	10:00 - 06:00
Thursday	10:00 - 06:00
Friday	10:00 - 06:00
Saturday	10:00 - 06:00
Sunday	10:00 - 06:00

Appendix 5

Performances of dance

Monday	10:00 - 06:00
Tuesday	10:00 - 06:00
Wednesday	10:00 - 06:00
Thursday	10:00 - 06:00
Friday	10:00 - 06:00
Saturday	10:00 - 06:00
Sunday	10:00 - 06:00

Anything similar to live music, recorded music or performances of dance

Monday	10:00 - 06:00
Tuesday	10:00 - 06:00
Wednesday	10:00 - 06:00
Thursday	10:00 - 06:00
Friday	10:00 - 06:00
Saturday	10:00 - 06:00
Sunday	10:00 - 06:00



Provision of late night refreshment

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
Sunday	23:00 - 05:00



Supply by retail of alcohol

Monday	10:00 - 05:00
Tuesday	10:00 - 05:00
Wednesday	10:00 - 05:00
Thursday	10:00 - 05:00
Friday	10:00 - 05:00
Saturday	10:00 - 05:00
Sunday	10:00 - 05:00



The opening hours of the premises

Monday	10:00 - 06:00
Tuesday	10:00 - 06:00
Wednesday	10:00 - 06:00
Thursday	10:00 - 06:00
Friday	10:00 - 06:00
Saturday	10:00 - 06:00
Sunday	10:00 - 06:00

LICENSING

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

Alcohol is supplied for consumption both on and off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Sylvan Glade Ltd.
1 Ojs Industrial Park
Claybank Road
Portsmouth
PO3 5SX

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

08935209

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

Jacqueline Kim Bailey

[REDACTED]

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

Licence Number: 2014/02159/02SPEN
Licensing Authority: Southampton City Council

This premises licence is issued by Southampton City Council as licensing authority under part 3 of the Licensing Act 2003 and regulations made thereunder

Dated this 1st day of March 2016;

Head of Legal & Democratic Services

Licensing – Southampton City Council
Southampton & Eastleigh Licensing Partnership
PO Box 1767
Southampton
SO18 9LA

Annex 1 – Mandatory Conditions

1 No supply of alcohol shall be made under the premises licence:

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

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

2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3 Where any condition of this licence requires that, at specified times, one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority, unless the Private Security Industry Act 2001 does not require them to be so licensed.

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

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises

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

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

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

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

5 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

7 The responsible person must ensure that

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures

(i) beer or cider: ½ pint;

Appendix 5

- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

8 1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2 For the purposes of the condition set out in paragraph 1 —

(a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) 'permitted price' is the price found by applying the formula —

$$P = D + (D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) 'relevant person' means, in relation to premises in respect of which there is in force a premises licence —

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) 'value added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

3 Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ('the first day') would be different from the permitted price on the next day ('the second day') as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

1 No more than 60 (sixty) persons shall be present in on the ground floor and no more than 80 (eighty) persons shall be present on the first floor in the place licensed at any one time.

2 Licensable activities are permitted on New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

3 1) CCTV

The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.

CCTV warning signs to be fitted in public places.

The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

Appendix 5

Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.

There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable format on a disc. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Hampshire Western Police Licensing Unit within 24 hours.

2) Incident book

An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request.

Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.

At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief door staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.

3) Refusals book

A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the manager/manageress.

The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.

The record of refusals will be retained for 12 months.

4) Challenge 25

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and the persons date of birth.

If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

'Challenge 25' posters shall be displayed in prominent positions at the premises.

5) Training-

Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.

All staff will receive refresher training every six months as a minimum and records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training. In addition to their training a written test related to the training given will be conducted before the staff member is permitted to sell or authorise alcohol. The test will consist of a minimum of ten questions of which the pass rate is 80%. Anyone who fails to reach the prescribed pass rate will be retrained and re-tested. Anyone not attaining the pass rate will not be permitted to sell or authorise the sale of alcohol

Appendix 5

until the pass rate is attained. There will be a minimum of two sets of questions to be used in the training which will be rotated upon each subsequent six month training session.

All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible Authority upon request. Training records will be kept for a minimum period of two years. Training records will be kept on the licensed premises to which they relate to.

The DPS should also complete a nationally recognised Level 2 DPS course or equivalent depending on provider.

6) Last entry

The last entry of any customer to the premises will be 0400 hours (DEPENDANT ON PERMITTED HOURS), save for customers already within the premises who step outside to smoke.

Patrons permitted to temporarily leave and then re-enter the premises, (e.g. to smoke) shall not be permitted to take drinks or glass containers with them.

7) SIA Security Staffing

There will be a minimum of 2 SIA registered door supervisors on duty at the premises whilst the premises is operating.

8) Toilet Checks

The public toilets within the premise shall be checked every 30 minutes when the premises are open for a licensable activity. A record shall be kept by the premise and presented on request by Hampshire constabulary. Toilet check records shall be kept for a minimum period of 3 months.

9) Dispersal Policy

A dispersal procedure will be adopted during the last trading hour to ensure minimal disturbance to neighbours and to tackle the problem of anti-social behaviour and crime. Door supervisors will remove all drinks from any customer who attempts to leave the venue carrying one.

All areas of the premises will be checked at the end of each evening to ensure all customers have left safely.

Door staff wearing High Visibility fluorescent Upper Clothing will patrol the outside perimeter of the front of the premises at the end of each evening (for at least an additional 15 minutes or until persons are dispersed from the immediate area) to ensure the safe and quiet dispersal of customers. Any customers congregating or loitering outside after leaving the premises will be asked to depart quickly and quietly. Notices will be displayed in prominent positions at the exit of the premises requesting customers to leave quickly and quietly.

10) Management

A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

11) Waste

No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 08:00 on the following day.

British Summer Time.

An extra hour is permitted on the day that British Summer time commences.

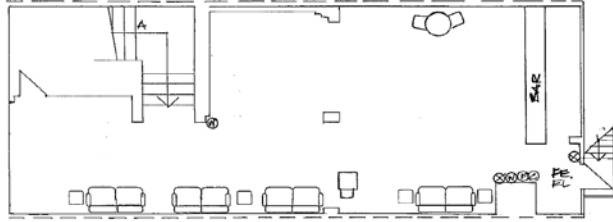
Annex 3 – Conditions attached after a hearing by the licensing authority

1 To comply with the following conditions:

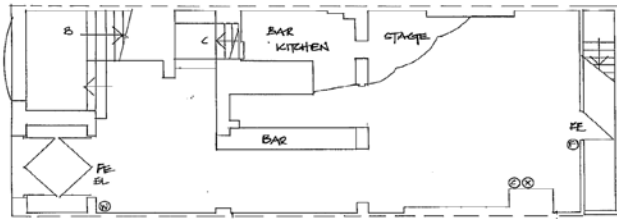
(a) the recommendations contained in Stage 1 of the Acoustics be carried out to the satisfaction of the Environmental Health Officer and consideration be given, as necessary, to Stage 2 works as recommended in the report.

(b) To investigate and comply with any planning requirements.

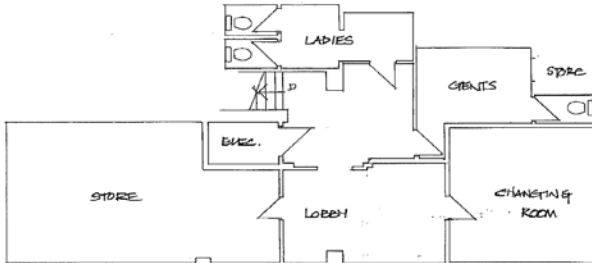
Annex 4 – Plans



FIRST FLOOR



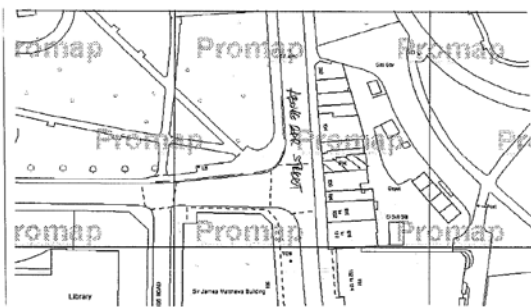
GROUND FLOOR



BASEMENT

KEY

- ⊗ Break Glass Fire Point
 - ⊙ Water Fire Extinguisher
 - ⊕ Foam Fire Extinguisher
 - ⊖ CO2 Fire Extinguisher
 - FE Fire Exit
 - EL Emergency Light
- Area of variation of Licensable activity
 Where alcohol is sold or consumed, recorded music is played, where hot food or drink may be supplied after 23:00 and where other kinds of regulated entertainment takes place.



LOCATION PLAN
 Scale 1:1250 OS LU 1000463216

A		26/11/15		Client Revision		05	
DEREK TREAQUS ASSOCIATES ARCHITECTURAL SERVICES No3-The Townhouse, 20 Nelson Road, Southsea, Hampshire PO5 2AS Tel: 07956 624294 Email: derek.treaqus@entworld.com							
Project							
188 ABOVE BAR STREET, SOUTHAMPTON, HAMPSHIRE							
Client							
Sylvan Glade Ltd							
Subject							
Floor Plans Drawing							
Date: Nov 2015				Scale: 1:100 @ A2			
Rev: A				Dwg. No: 15/471/01			
<ul style="list-style-type: none"> • Copyright reserved. • All dimensions are to be site confirmed and should not be scaled unless for Planning purposes. • Verify all queries with the office. 							

Plan not reproduced to scale.

APPENDIX 6

Special Procedure for the Licensing (General) Sub-Committee – Applications for Sex Establishment licences

One of the Council's Corporate Legal Advisors will be in attendance throughout the proceedings and he/she is there to advise Members. Sub-Committee Members may seek clarification on points of procedure at any time.

Please note that comfort breaks will be taken at the discretion of the Chair at appropriate points during the meeting.

1. INTRODUCTION

- ◆ Everyone to introduce themselves
- ◆ The Licensing Officer will introduce the report, including background information and any written objections received.
- ◆ Members' questions to the Licensing Officer

2. OBJECTORS

If Objectors (including Police) have attended indicating a wish to address the Sub-Committee the Sub-Committee will consider each request in light of its discretion to permit oral representations.

As a guide, such representations will only be permitted if appropriate in order to briefly summarise and expand upon the main points of objection as set out in written submissions. Mere recitation of previous written submissions will not be permitted, nor will the introduction of entirely new grounds of objection.

Questions of Objectors will not be permitted by any party (including Members).

3. APPLICATION

The applicant or their representative will outline the details of the application and call any witnesses in support.

Questions may be asked of the applicant or of any witnesses by:

Licensing Officer

Members of the Sub-Committee

The applicant may call supporting witnesses at their discretion during the presentation of their application. Questions may be asked by the Sub-Committee Members / Licensing Officer of such witnesses at any appropriate point in their presentation

If any written objections have been received the applicant or their representative will be invited to comment on them

4. SUMMING UP

The applicant or their representative will have a final opportunity to sum up their application.

5. CONSIDERATION OF DECISION - CONFIDENTIAL SESSION

Members of the Sub-Committee will retire to consider the decision. In doing so the Solicitor to the Sub-Committee and the Sub-Committee Administrator will retire with them, but will take no part in the discussion of the merits of the case or what the decision should be

Should the Solicitor to the Sub-Committee be required to clarify any points of law, these will be repeated in the public session.

6. ANNOUNCEMENT OF DECISION

Sub-Committee Members will return and the Chair of the Sub-Committee will deliver the decision in public session. The Licensing Officer will confirm this decision in writing to the Applicant within 7 days of the Sub-Committee decision, together with details of any relevant right of appeal.

Note: This procedure note is issued as a guide only – the order and conduct of business may be varied by the person presiding at any time in order to facilitate the determination of the matter, having regard to statutory restrictions and the rules of natural justice.