

# LICENSING OF SEX ESTABLISHMENTS

# **POLICY GUIDELINES**

# LICENSING OF SEX ESTABLISHMENTS

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# **Introduction**

1.1 Carmarthenshire County Council has adopted schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended by section 27 of the Policing and Crime Act 2009) so that it can regulate sex shops, sex cinemas, and sexual entertainment venues in the County.

There are currently no Licensed Sex Establishments in the County.

- 1.2 The purpose of this policy is to:-
  - highlight the Authority's approach,
  - protect the rights and health and safety of the general public, workers, residents, small businesses, minority and vulnerable groups, and
  - to ensure consistent and transparent decision making.
- 1.3 In developing this policy, we took into account the legal requirements of the 1982 Act and our duties under section 17 of the Crime and Disorder Act 1998 to take all reasonable steps to reduce crime and disorder within the County;
- 1.4 The Policy is intended to be :-
  - (i) non-discriminatory
  - (ii) justified by an overriding reason relating to the public interest
  - (iii) proportionate to that public interest objective
  - (iv) clear and unambiguous
  - (v) objective
  - (vi) made public in advance, and
  - (vii) transparent and accessible.

# Carmarthenshire

1.5 As a primarily rural area, Carmarthenshire has a strong agricultural base with a 'necklace' of key market towns providing the needs of communities in those rural areas. South East Carmarthenshire is the most densely populated part of the county, and is characterised by close knit former industrial communities. These contrasting types of environment present very different opportunities and challenges.

# **Integration with Other Statutes**

- 1.6 Applicants for Sexual Entertainment Licences are advised to have regard to activities taking place at the premises which may be licensable under separate legislation such as the Licensing Act 2003 and the Gambling Act 2005. The Council has adopted policies in respect of it's licensing functions under both the Licensing Act 2003 and the Gambling Act 2005 and applicants are advised to have regard to those policy documents.
- 1.7 Applicants are also reminded of the need to obtain other statutory permissions such as planning permissions, building regulations approvals etc and to comply with to other statutory regimes such as the Health and Safety at work Act 1974.

1.8 As a public body, we are under a duty to protect the public funds that we administer, and to this end may use information provided by applicants for the prevention and detection of fraud. We may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

For further information see the Council's website or contact this department.

## **Contact Details**

The Licensing Section
Homes and Safer Communities Division
Carmarthenshire County Council
3 Spilman Street
Carmarthen
Carmarthenshire
SA31 1LE

Tel No. 01267 234567

e-mail: PublicProtection@Carmarthenshire.gov.uk

# Types of sex establishment licences

- 2.1 Sex establishment premises currently fall into one of three categories:
  - (i) a sex cinema;
  - (ii) a sex shop;
  - (iii) a sexual entertainment venue;

#### **SEX SHOP**

2.2 A Sex Shop means any premises used for a business which consists to a significant degree of supplying or displaying sex articles.

A full definition is set out in Appendix A on page 10

#### **SEX CINEMA**

2.3 A Sex Cinema means any premises, used to a significant degree for the exhibition of moving pictures, which are concerned primarily with the portrayal of or are intended to stimulate or encourage sexual activity.

A full definition is set out in Appendix A on page 10

#### SEXUAL ENTERTAINMENT VENUES

#### 2.4 Relevant entertainment

Licences for sexual entertainment venues are required for "any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer".

"Relevant entertainment" is defined in schedule 3 (as amended by section 27 of the Policing and Crime Act 2009) as "any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of an audience (whether by verbal or other means)." An audience can consist of just one person, e.g. in a private booth.

In deciding whether entertainment is "relevant entertainment" we will judge each case on its merits, but will generally include but not be limited to:-

- (i) lap dancing
- (ii) pole dancing
- (iii) table dancing
- (iv) strip shows
- (v) peep shows
- (vi) live sex shows

Adult entertainment not classed as "relevant entertainment" may still require licensing under the Licensing Act 2003. Associated activities such as the sale of alcohol will require a separate authorisation under the Licensing Act 2003.

# **Policy Guidelines**

- 3.1 In accordance with section 12(1) of the Local Government (Miscellaneous Provisions) Act 1982, the authority shall not grant a licence;
  - (i) to a person under the age of 18
  - (ii) to a person who is disqualified from making an application by reason of having been convicted of an offence or for any of the matters included in paragraph 17(3)
  - (iii) to a person, other than a body corporate, who is not resident in the United Kingdom or was not so resident through the period of six months immediately preceding the date when the application was made; or
  - (iv) to a body corporate which is not incorporated in the United Kingdom; or
  - (v) to a person who has, within a period of 12 months immediately preceding the date when the application is made, been refused the grant or renewal of a licence, unless the refusal has been reversed on appeal.
- 3.2 In accordance with section 12(2) of the Local Government (Miscellaneous Provisions) Act 1982, an application for a sex establishment licence may only be refused on the following grounds:
  - (i) That the applicant is unsuitable to hold the license by reason of having been convicted of an offence or for any other reason;
  - (ii) That if the licence was to be granted, renewed or transferred, the business to which it relates will be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;
  - (iii) That the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number, which the local authority considers is appropriate for that locality;
  - (iv) That the grant or renewal of the licence would be inappropriate having regard to:
    - a) The character of the relevant locality; or
    - b) The use to which any premises in the vicinity are put; or
    - c) The layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

#### **Further information**

3.3 Fitness of persons to hold a licence

The legislation enables a local authority to refuse a licence on the grounds that the applicant (or a person managing the premises or for whose benefit the business is carried on), is unsuitable due to previous convictions or any other reason. (This provides a general guideline only and the fitness of the applicant would need to be considered in detail in relation to each individual application received. Relevant issues would include: Offences in relation to obscene publications, disqualification from holding a previous sex establishment licence, offences relating to licence conditions, ability to control such premises). Therefore, a Disclosure and Barring Service check will be undertaken in relation to each individual applicant or in the case of company or partnership, each company director or partner, the company secretary and in all cases every person

involved in the management of the premises. This applies to each application received for the grant, variation, transfer, of a Licence.

# 3.4 Locality/vicinity/condition of relevant premises

A local authority may refuse an application for the grant or renewal of a licence on the grounds that it is considered inappropriate having regards to -

- (i) The character of the relevant Locality; considerations would include the dominant use of that area e.g. commercial, residential, agricultural, industrial and the appropriateness of the sighting of a sex establishment in that type of area.
- (ii) The use to which any premises in the vicinity are put; considerations would include the uses of nearby premises and whether or not they are considered to be compatible with the proposed premises which would focus on sex as adult entertainment.

As a general rule there will be a presumption against the licensing of a sex establishment if it is:

- a) Near to housing;
- b) Near to schools, play areas, nurseries, children's centres or other similar premises;
- c) In family shopping areas;
- d) Near places of worship;
- e) Near historic buildings or tourist attractions.

For the purposes of the Act and the operation of this guidance, Carmarthenshire County Council consider the 'Commercial Frontage Centres' as defined in the Carmarthenshire Unitary Plan to be 'relevant localities'.

Any application, including those for the 'Commercial Frontage Centres', must fulfil the above criteria (See Annex D at page 18).

## (iii) The conditions on which the licence is held

A local authority may grant a licence subject to such terms and conditions and restrictions, as it considers necessary. This enables a considerable degree of control to be exercised and relates to the management of the premises, opening times of the premises, fire safety, external appearance, age restrictions, etc.

The List of Standard Conditions of Licence for a Sex Establishment shall be those included in Appendix B at page 12.

The authority shall draw conditions from this list as appropriate.

## (iv) Other relevant considerations:-

Each individual application for a license for a sex establishment will be dealt with on its merits

# 3.5 Application Procedure

# (i) Application form

We have a standard application form, including public notices, which are available on request from our licensing team.

Applicants for a sex establishment licence must complete and return the application form, together with:

- a) five sets of floor plans, drawn to scale and showing all means of entry and exit, any parts used in common with any other building and indication how the premises lie in relation to the street;
- b) five sets of plans showing the existence and front elevation of the premises depicting all signage;
- c) five sets of plans (scale 1:500) showing the sex establishment in relation to other premises within 100 metres;
- d) five sets of plans (scale 150) showing the layout of the sex establishment;
- e) the correct fee .
- f) all necessary Disclosure and Barring Service checks.

A completed copy of the Notice of Application shall be:-

- a) Displayed on or near the premises in a place where Notices can be conveniently read by the public, for twenty-one (21) days beginning on the date an application is submitted to the Council;
- b) Published within seven (7) days of the application being submitted to the Council in a local newspaper circulating in Carmarthenshire.
- c) Forward a copy of the application forms within seven (7) days of applying to the Council to The Police Licensing Officer, Dyfed Powys Police, Ammanford Police Station, Foundry Road, Ammanford, Carmarthenshire, SA18 2LS.
- d) Provide details of the publication and display of Notices by completing and returning the form provided along with a copy of the Press Notice to the Head of Homes and Safer Communities at the above address within seven (7) days of publication.

When an application is made the licensing authority will undertake consultations with the following agencies/departments of the local authority:-

- a) Police;
- b) Fire Authority;
- c) Commercial Services
- d) Planning Department;
- e) Public Health Services
- f) Trading Standards
- g) Housing;
- h) County Councillors;
- i) Town and Community Councils;
- i) Council's Access Officer

# (ii) Representations

Any person wishing to make representations about the application should make them in writing to the Head of Homes and Safer Communities, Carmarthenshire County Council, 3 Spilman Street, Carmarthen, Carmarthenshire, SA31 1LE within twenty-eight (28) days of the date of the application

The Authority will notify applicants of any objections made within the prescribed consultation period. The authority will not without the consent of the person making the objection reveal his/her name or address to the applicant at this stage

Where a hearing is required to determine an application, copies of letters of objection will only be attached to the report with the consent of the individual. Any remaining objection will be summarised in the committee report.

On receipt of the consultation responses, the application will be reported to the Licensing Committee for decision.

The Committee will receive observations on the issues outlined in paragraph 3.2 of this policy guideline.

The Committee and the applicants will be made aware of any objections received and the applicant will be given the opportunity to address the Committee. Any objectors may also be given the opportunity to address the Committee.

Following consideration of all the relevant factors, the Committee will then determine the application.

# (iii) Duration of Licence

Sex establishment licences will normally expire on an annual basis, but can be issued for a shorter term if deemed appropriate

# **Review of Policy Guidelines**

3.6 The Council has updated this policy document in 2011 to reflect the new licensing arrangements adopted to regulate Sexual Entertainment Venues. The Council may, from time to time, review the contents of these Policy Guidelines.

## **Waivers**

3.7 We do not consider it would be appropriate to permit waivers from the requirements to hold a sex establishment licence, except in extreme circumstances. Applications must be made in writing and will be considered by the Licensing Committee.

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# **Appendix A - Definitions**

- 2A(1) "Sexual Entertainment Venue" means any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer.
  - (2) In this paragraph "relevant entertainment" means—
    - (a) any live performance; or
    - (b) any live display of nudity; which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).
  - (3) The following are not sexual entertainment venues for the purposes of this Schedule—
    - (a) sex cinemas and sex shops;
    - (b) premises at which the provision of relevant entertainment as mentioned in subparagraph (1) is such that, at the time in question and including any relevant entertainment which is being so provided at that time—
      - (i) there have not been more than eleven occasions on which relevant entertainment has been so provided which fall (wholly or partly) within the period of 12 months ending with that time;
      - (ii) no such occasion has lasted for more than 24 hours; and
      - (iii) no such occasion has begun within the period of one month beginning with the end of any previous occasion on which relevant entertainment has been so provided (whether or not that previous occasion falls within the 12 month period mentioned in sub-paragraph (i));
    - (c) premises specified or described in an order made by the relevant national authority.
- 3(1) "Sex Cinema" means any premises, vehicle, vessel or stall used to a significant degree for the exhibition of moving pictures, by whatever means produced, which
  - (a) are concerned primarily with the portrayal of, or primarily deal with or relate to, or are intended to stimulate or encourage
    - (i) sexual activity; or
    - (ii) acts of force or restraint which are associated with sexual activity; or
  - (b) are concerned primarily with the portrayal of, or primarily deal with or relate to, genital organs or urinary or excretory functions, but does not include a dwelling-house to which the public is not admitted.
- 4(1) "Sex Shop" means any premises, vehicle, vessel or stall used for a business which consists to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating
  - (a) sex articles; or
  - (b) other things intended for use in connection with, or for the purpose of stimulating or encouraging
    - (i) sexual activity; or
    - (ii) acts of force or restraint which are associated with sexual activity.
- 4(3) "Sex Article" means -
  - (a) anything made for use in connection with, or for the purpose of stimulating or encouraging
    - (i) sexual activity; or
    - (ii) acts of force or restraint which are associated with sexual activity; and

- (b) anything to which sub-paragraph (4) below applies.
- 4(4) This sub-paragraph applies
  - a) to any article containing or embodying matter to be read or looked at or anything intended to be used, either alone or as one of a set, for the reproduction or manufacture of any such article; and
  - b) to any recording of vision or sound, which -
    - (i) is concerned primarily with the portrayal of, or primarily deals with or relates to, or is intended to stimulate or encourage, sexual activity or acts of force or restraint which are associated with sexual activity; or
    - (ii) is concerned primarily with the portrayal of, or primarily deals with or relates to, genital organs, or urinary or excretory functions.

# **Appendix B - Standard Conditions**

Carmarthenshire County Council, in exercise of the powers conferred upon them by paragraph 13 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 and of all other powers enabling them in that behalf make the following standard conditions

# **Definitions**

- (a) In these standard conditions, the following expressions, that is to say "Sex Establishment", "Sex Shop", "Sex Cinema", "Sex Article", and "Vessel", shall have the meanings respectively assigned to them by Schedule 3 of the Act.
  - (b) In these standard conditions the following expressions shall have the meanings hereby respectively assigned to them namely:

"the Act" - means the Local Government (Miscellaneous

Provisions) Act 1982.

"the Council" - means Carmarthenshire County Council.

"the licensed

premises" - means any premises, vehicle, vessel or stall

licensed under the Act.

"Licence Holder" - means a person who is the holder of a sex

establishment licence.

"Sex Establishment

Licence" - means a licence granted pursuant to

Schedule 3 of the Act.

"Approval of the

Council",

or

"Consent of the

Council" - means the approval or consent of the

Licensing Authority.

"Approved" - means approved by the Licensing Authority

in writing.

#### General

2. In the event of a conflict between these standard conditions and any special conditions contained in a licence relating to a Sex Establishment the special conditions shall prevail.

 The grant of a licence for a Sex Establishment shall not be deemed to convey any approval or consent which may be required under any enactment bye-law order or regulation other than the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982 as amended.

# **Times of Operation**

- 4. Except with the previous consent of the Council a Sex Establishment shall not be open to the public before 9am and shall not be kept open after 8pm.
- 5. Except with the previous consent of the Council a Sex Establishment shall not be open on Sundays, Good Friday and Christmas Day.

# **Conduct and Management of Sex Establishments**

- 6. Where the Licensee is a body corporate or an unincorporated body, any change of director, company secretary or other person responsible for the management of the body is to notify the Licensing Authority in writing within fourteen days of such change and such written details as the Licensing Authority may require in respect of any new director, secretary or manager are to be furnished within fourteen days of a request in writing from the Licensing Authority.
- 7. The Licensee or some responsible person nominated by the Licensee in writing for the purpose of managing the Sex Establishment in the Licensee's absence and of whom details have been supplied to and approved in writing by the Licensing Authority shall be in charge of and upon the Premises during the whole time they are open to the Public.
- 8. The name of the person responsible for the management of a Sex Establishment, whether the Licensee or a manager approved by the Licensing Authority, shall be prominently displayed within the Sex Establishment throughout the period during which that person is responsible for its conduct.
- 9. The Licensee shall maintain a daily register in which shall be recorded the name and address of any person who is to be responsible for managing the Sex Establishment in the Licensee's absence and the names and addresses of those employed in the Sex Establishment. The Register is to be completed each day within thirty minutes of the Sex Establishment opening for business and is to be available for inspection by the Police and by authorised officers of the Licensing Authority.
- 10. The Licensee shall retain control over all portions of the Premises and shall not let, licence or part with possession of any part of the Premises.
- 11. The Licensee shall maintain good order in the Premises.
- 12. No person under the age of 18 shall be admitted to the Premises or employed in the business of a Sex Establishment.
- 13. The Licensee shall ensure that the public is not admitted to any part or parts of the Premises other than those which have been approved by the Licensing Authority.
- 14. Neither the Licensee nor any employee or other person shall seek to obtain custom for the Sex Establishment by means of personal solicitation outside or in the vicinity of the Premises.

# Use

- 15. A Sex Shop shall be conducted primarily for the purpose of the sale of goods by retail.
- 16. No change of use of any portion of the Premises from that approved by the Licensing Authority shall be made until the consent of the Licensing Authority has been obtained thereto.
- 17. No change from a sex cinema to a sex shop or from a sex shop to a sex cinema shall be effected without the consent of the Licensing Authority.
- 18. Neither Sex Articles nor other things intended for use in connection with, or for the purpose of stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity shall be displayed, sold, hired, exchanged, loaned or demonstrated in a sex cinema.

# Goods available in Sex Establishments

- 19. All Sex Articles and other things displayed for sale, hire, exchange or loan within a Sex Shop shall be clearly marked to show to persons who are inside the Sex Shop the respective prices being charged.
- 20. All printed matter, films and video films offered for sale, hire, exchange or loan shall be openly displayed and available for inspection prior to purchase and a notice to this effect is to be prominently displayed within the Sex Establishment.

- 21. No film or video film shall be exhibited, sold or supplied unless it has been passed by the British Board of Film Classification or such other authority performing a similar scrutinising function as may be notified to the Licensee by the Licensing Authority, and bears a certificate to that effect and is a reproduction authorised by the owner of the copyright of the film or video film so certified.
- 22. The Licensee shall without charge display and make available in the Sex Establishment such free literature on counselling on matters related to sexual problems as may be published by the Family Planning Association and by such other similar organisations as may be specified and in particular any such material relating to AIDS as may be supplied by the Licensing Authority. Such literature is to be displayed in a prominent position.

# **External Appearance**

- 23. No display, advertisement, word, letter model, sign, placard, board, notice, device, representation, drawing, writing or similar matter shall be displayed outside the premises without the written permission of Carmarthenshire County Council, except for those signs or notices that are required to be displayed by these licence conditions.
- 24. Any charge for entering the premises shall be clearly and legibly displayed outside the premises so that all persons can read it before entering the premises.
- 25. The entrance to the premises shall be so designed and constructed as to prevent persons outside the premises having a view of the interior.
- 26. All windows must be dressed or designed so as to prevent persons outside the premises having a view of the interior.
- 27. No window shall contain any sign, advertising material, goods or display likely to cause an offence to persons passing the window.

# State, Condition and Layout of the Premises

- 28. Lighting in all parts of the premises must be in operation continuously during the whole time the premises are open as a sex establishments.
- 29. The premises shall be maintained in good repair and condition.
- 30. All parts of the Premises shall be kept in a clean and hygienic condition to the satisfaction of the Council.
- 31. Doors and openings which lead to parts of the premises which are not open to the public shall be clearly marked "staff only" or by some other sign that deters the public from using such doors or openings.
- 32. The external doors to the Sex Establishment shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.
- 33. The Licensee shall make provision in the means of access both to and within the Sex Establishment for the needs of members of the public visiting the establishment who are disabled.
- 34. All exhibits, displays, demonstrations and like activities must be open and available to all customers at no charge other than any initial entrance fee to the establishment and there shall be no individual cubicles or rooms designed to accommodate individual persons or groups of persons where exclusive demonstrations, displays, exhibits or similar activities may take place, unless authorisation/consent is first granted by the Council.
- 35. The Licensee shall take all reasonable precautions for the safety of the public and employees.
- 36. The Licensee shall comply with any fire prevention and safety measures that may be required by the Council and or Mid and West Wales Fire Authority and shall maintain and keep available for use all specified fire fighting equipment and extinguishers.
- 37. No alterations or additions either internal or external and whether permanent or temporary to the structure, lighting or layout of the Premises shall be made except with the prior approval of the Licensing Authority and Building Regulation Section.

# **Additional Conditions For Sexual Entertainment Venues**

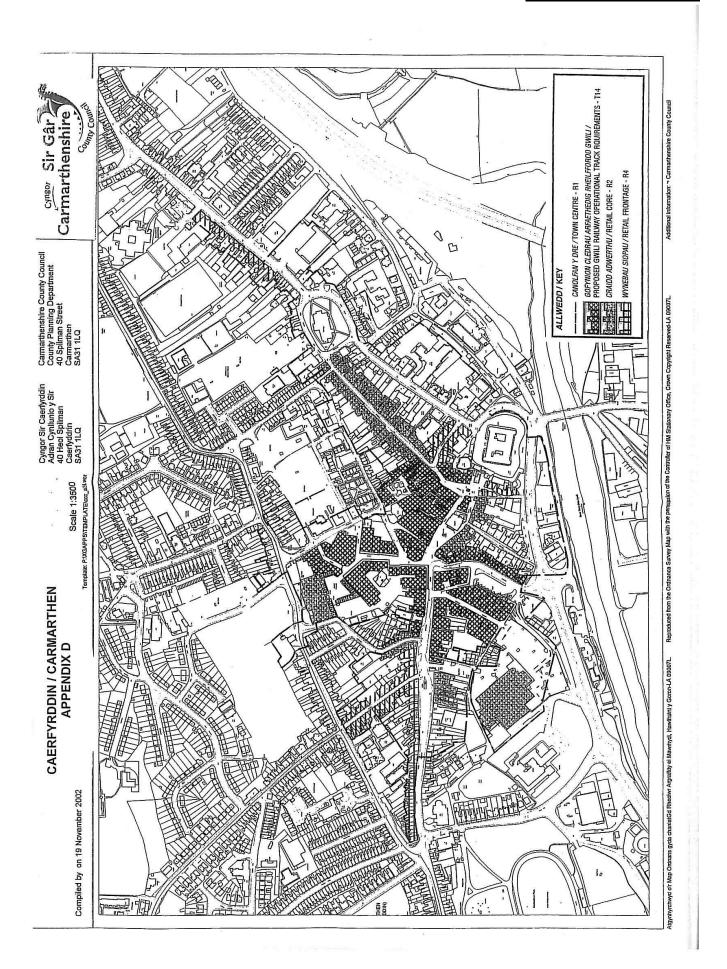
- The Licensee must remain in personal control of the Premises at all times or nominate an individual in writing over the age of 18 with the authority to direct activities within the Premises.
- 2. Any individual employed on the Premises to conduct a security activity (within the meaning of section paragraph 2(1)(a) of schedule 2 to the Private Security Industry Act 2001) must be licensed by the Security Industry Authority.
- The Licensee must ensure that a suitable number of trained staff are employed to supervise the interior of the Premises ("floor supervisors") whilst performances are being given under this licence.
- 4. No children under the age of 18 shall be admitted to the Premises. Customers who appear to be under the age of 25 must be asked to provide photographic proof of their age. The Licensee must provide prominent notices at each entrance to the Premises to this effect.
- 5. Performers shall be aged not less than 18 years. The Licensee must maintain adequate records of the names, addresses and dates of birth of performers including adequate identity checks.
- 6. (a) The Licensee shall ensure that neither they nor any person promoting or providing entertainment on the Premises (nor any person acting on behalf of any such person) shall display advertisements promoting the entertainment or the Premises in any unlawful or offensive manner.
  - (b) Where the Council have given notice in writing to the Licensee objecting to an advertisement on the grounds that, if displayed, it would offend against good taste or decency or be likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling, that advertisement shall not be displayed.
  - (c) The Licensee shall not permit the display outside of the Premises of photographs or other images which indicate or suggest that striptease or similar entertainment takes place on the Premises and which may be offensive.
  - (d) The Licensee shall ensure to the Council's satisfaction (including, where required, necessary planning or building control consents) that the interior of the Premises is not visible from the outside of the Premises, and that the exterior is maintained to a satisfactory level of decorum. At no point may dancers be visible from outside of the Premises.
- 7. The Licensee shall ensure that no more members of the public shall be present on the Premises at any time whilst sexual entertainment takes place to which this licence relates where the Council has specified a number in writing on the grounds of public safety, public nuisance or crime and disorder.
- 8. Performers shall only perform on the stage area, to seated customers or in such other areas of the licensed Premises as may be agreed in writing with the Council.
- 9. The Licensee is to implement a policy to ensure the safety of the Performers when they leave the Premises after a period of work.
- Performers must remain clothed in public areas and all other areas except while performing in areas specified by the Council as where sexual entertainment may be provided.

- 11. Performers must dress fully at the end of each performance.
- 12. Performers may not accept any telephone number, email address, address or contact information from any customer, except in the form of a business card which must be surrendered to the Licensee or their representative before leaving the Premises.
- 13. Performers must never be alone in the company of a Customer except in an area open to the public within the Premises.
- 14. The Licensee is to ensure a sufficient number of door supervisors are employed inside the Premises whilst sexual entertainment is provided to supervise the Performers and Customers.
- 15. Performers must not perform a nude table dance unless in a supervised area or within five metres of a floor supervisor.
- 16. Performers are never to be in the company of a customer except in an area open to the public within the Premises (excluding the toilets).
- 17. The Licensee must ensure that during the performance of a table dance:
  - a) customers must be seated in an upright position against the back of the booth or seat with their hands by their sides before a dancer can start a table dance;
  - b) customers must remain seated during the entire performance of the dance;
  - c) for the purpose of restraint only, Performers may only touch a customer above the customer's chest with their hands only;
  - d) Performers must not sit or straddle the customer:
  - e) Performers must not place their feet on the seats.
- 18. The Licensee must ensure that during performances to which this Licence relates:
  - a) Performers may not perform any act that clearly simulates any sexual act;
  - b) Performers may not intentionally touch a customer any time during the performance unless absolutely accidentally or due to a third party;
  - c) Performers may not use inappropriate, suggestive or sexually graphic language at any time;
  - d) Performers must never intentionally touch the genitals or breasts of another dancer or to knowingly permit another dancer to intentionally touch their genitals or breasts;
  - e) Performers must not engage in communications that could be deemed as acts of prostitution or solicitation, even if the Performer has no intention of carrying out the act;
  - f) Performers only perform nude or semi-nude dancing (of any description) within areas specified by the Council in the licence.
- 19. The Licensee must ensure that during performances to which this Licence relates:
  - a) Customers may not dance at any time except in areas specifically designated by the Council as being separate from areas for sexual entertainment.
  - b) Customers must remain fully clothed at all times.
- 20. The Licensee shall ensure that CCTV is installed and maintained to the satisfaction of the Dyfed Powys Police, and that any images are
  - a) retained for a period of at least 31 days and
  - b) made available on request to a police officer or authorised officer of the Council.
- 21. The Licensee shall provide copies of any documents reasonably required by an authorised officer of the Council in relation to compliance with this Licence within 14 days.

# **Appendix C - Schedule Of Fees**

1.	Application for the <u>grant</u> of a licence for a sex establishment	£975
2.	Application for the <u>renewal</u> of a licence for a sex establishment	£750
3.	Application for the <u>transfer</u> of a licence for a sex establishment	£180
4.	Replacement sex establishment licence document	£21.00

# **Appendix D - Plans**

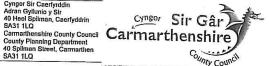


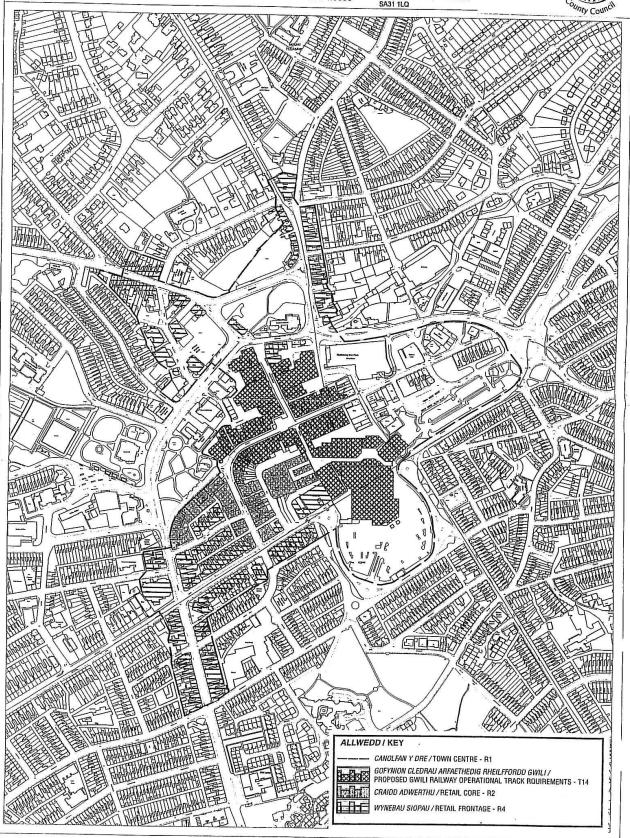
#### LLANELLI APPENDIX D

Compiled by on 19 November 2002

Scale 1:3500

Cyngor Sir Caerfyrddin Adran Gyllunio y Sir 40 Heol Spilman, Caerfyddrin SA31 1LQ





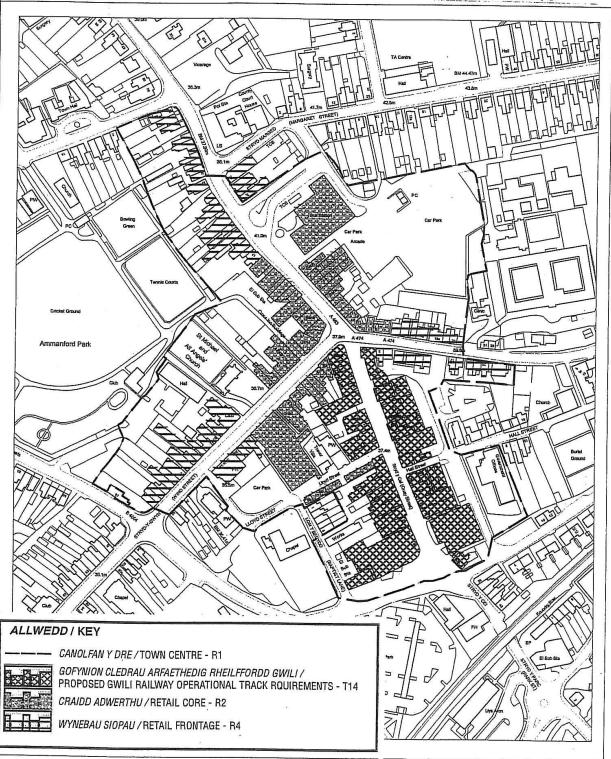
### RHYDAMAN / AMMANFORD APPENDIX D

Compiled by on 20 November 2002

Cyngor Sir Caerfyrddin, Adran Gyllunio y Sir 40 Heol Spilman, Caerfyddrin, SA31 1LQ

Carmarthenshire County Council County Planning Department 40 Spilman Street, Carmarthen, SA31 1LQ





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