



Democratic Support

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#plymlicensing

Licensing Sub Committee

Tuesday 20 December 2016

10.00 am

Council House, Plymouth

Members:

Councillors Hendy, Dr Mahony and Rennie

Fourth Member:

Councillor Churchill

Members are invited to attend the above meeting to consider the items of business overleaf.

Please note that, due to the nature of this Committee, we may need to send 'to follow' documents which were not expected at the time of the agenda publication. These documents may be considered under part I or part II.

For further information on attending Council meetings and how to engage in the democratic process please follow this link - <http://www.plymouth.gov.uk/accesstomeetings>

Tracey Lee

Chief Executive

Licensing Sub Committee

Agenda

1. Appointment of Chair and Vice-Chair

The Committee will appoint a Chair and Vice-Chair for this particular meeting.

2. Apologies

To receive apologies for non-attendance submitted by Committee Members.

3. Declarations of Interest

Members will be asked to make any declarations of interest in respect of items on this agenda.

4. Chair's Urgent Business

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

5. Application for Renewal and Variation Of Sexual Entertainment Venue Licence for Temptations T2, 6-8 Union Street, Plymouth (Pages 1 - 24)

The Interim Director of Public Health will submit a report in relation to the application for Renewal and Variation of Sexual Entertainment Venue Licence for Temptations T2, 6-8 Union Street, Plymouth.

6. Exempt Business

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

Part II - Private Meeting

Agenda

Members of the Public to Note

that under the law, the Panel is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

- 7. Additional Information Relating to the Application for Renewal and Variation of Sexual Entertainment Venue Licence for Temptations T2, 6-8 Union Street, Plymouth (Pages 25 - 30)**

The Sub Committee will consider additional confidential information in relation to the application.

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PLYMOUTH CITY COUNCIL

Subject: Temptations T2, 6-8 Union Street, Plymouth
Renewal and Variation of Sexual Entertainment Venue Licence.

Committee: Licensing Sub Committee

Date: 20 December 2016

Cabinet Member: Councillor John Riley

CMT Member: Ruth Harrell (Office of the Director of Public Health)

Author: Frederick Prout Senior Licencing Officer

Contact details 01752 304792
email: licensing@plymouth.gov.uk

Ref: ERS/LIC/PREM/SEV

Key Decision: No

Part: 1

Purpose of the report:

An application has been received from Temptations T2 Ltd in respect of the premises known as Temptations T2, 6-8 Union Street, Plymouth for the renewal and variation of a sexual entertainment venue licence under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Policing and Crime Act 2009.

Our Plan - One City Council 2016 to 2019:

This report links to the delivery of the City and Council objectives and outcomes within the plan.

Growing: The Sex Establishments Licensing Policy provides a balance between the need to protect residents against enabling legitimate businesses to operate within a necessary and proportionate regulatory framework.

Caring: Reduce Inequalities as the Sex Establishments Licensing Policy has put in place an appropriate framework that will allow decision-makers, when considering applications, to reduce the impact on safety, well-being and local amenity on the local community. The licensing system must minimise the burdens on business and to allow communities the opportunity to influence decisions.

See [Our Plan](#)

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land**

Not applicable

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

Members should be aware that Section 17 of the Crime and Disorder Act 1998 puts a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

The Policy has a key role in protecting workers in sex establishments and reducing the risk of sexual offences linked to the operation of sex establishments.

Equality and Diversity

Has an Equality Impact Assessment been undertaken? Yes with no significant findings

Recommendations and Reasons for recommended action:

That Members consider this report.

Alternative options considered and rejected:

None

Published work / information:

[Sex Establishments Licensing Policy](#)
[Home Office Sexual Entertainment Guidance for England and Wales](#)
[Policing and Crime Act 2009](#)

Background papers:

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	
Application	I									
Information		I								

Sign off:

Fin		Leg	<u>2700</u> <u>5/agl</u> <u>6.12.</u> <u>16</u>	Mon Off		HR		Assets		IT		Strat Proc	
Originating SMT Member													
Has the Cabinet Member(s) agreed the contents of the report? No													

1.0 INTRODUCTION

- 1.1 On the 03 November 2016, the licensing department received an application from Temptations T2 Ltd for the renewal and variation of hours of a sexual entertainment venue licence under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (the Act), as amended by the Policing and Crime Act 2009 in respect of the premises known as Temptations T2 situated at 6-8 Union Street, Plymouth.
- 1.2 The Policing and Crime Act 2009 amended the 1982 Act in so far as it related to the licensing of sex establishments by adding the new category of 'sexual entertainment venue'.
- 1.3 A Sexual Entertainment Venue means any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or entertainer. Relevant entertainment means any live performance or any live display of nudity which is of such nature that ignoring financial gain it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means). It may also mean a shop etc
- 1.4 Relevant entertainment is considered to be;
 1. lap dancing
 2. pole dancing
 3. table dancing
 4. strip shows
 5. peep shows
 6. live sex shows
- 1.5 Full Council resolved to adopt Schedule 3 of the Act on the 30 January 2012, to be effective from the 5 March 2012. The Council also resolved to adopt a Sex Establishment Licensing Policy (the Policy) which provides the framework within which all applications and other decision-making will be considered.
- 1.6 The premises were granted a Sexual Entertainment Venue Licence on the 13 November 2012 and renewed on expiry in 2013, 2014 and 2015 by delegated powers.

2.0 THE APPLICATION

- 2.1 The premises are situated on the first and second floor of 6-8 Union Street, Plymouth with the performers changing rooms located on the second floor. The application is to provide lap dancing, pole dancing, private dances, striptease and VIP dancing.
- 2.2 The application was correctly advertised in the Western Evening Herald on 11 November 2016 as required by the Act
- 2.3 The hours applied for are

Sunday to Monday 11:00 pm to 05:00 am (Current hours granted)

A variation to open on the week leading to Christmas

Monday 19 December 2016 to Friday 23 December 2016 inclusive Midday to 05:00 am

- 2.4 The following documents which formed part of the application are attached to this report marked Appendix A, as they are considered relevant to this application.

Use of Social Networking Sites

System for checking age and the right to work within the UK

Monitoring and Enforcing Code of Practice

Rules for customers

Welfare of Performers

Schedule of conditions

- 2.5 The premises is located in Union St, an area governed by a quantity limit statement as defined in the policy which is a factor that should be considered when determining this application. The Policy states:

‘The Act allows the Council to determine a number of sex establishments in a specific locality. This can include determining that the appropriate number is nil. The Council considers that there is an over-riding public interest to justify quantity limits for the areas known as Union St and the City Centre to avoid an excessive build up of sex establishments, thereby undermining the character and nature of the designated areas.

Whilst applications will be determined based on their individual merits there will be a presumption against granting additional licenses in areas where the number considered appropriate for that locality have already been granted.

The Council will not take account of commercial need. This is a matter for market forces and may be a relevant consideration for planning applications. The existence or absence of suitable planning approval is not a relevant consideration for the Council, but is a matter for the applicant.

For each of the following areas the number of sex establishments considered as appropriate is;

Location	No of Sex Shops/Cinemas	No of Sexual Entertainment Venues
Union Street	1	2
City Centre	1	Nil

For all other localities the appropriate number will be nil’.

- 2.6 Temptations T2 Ltd already hold a premises licence under the provisions of the Licensing Act 2003 for these premises which allows the sale of alcohol and regulated entertainment. The application under consideration is separate to these provisions. A copy of the current premises licence is attached within Appendix B.
- 2.7 The premises licence issued in accordance with the provisions of the Licensing Act 2003 will remain in force regardless of the determination of this application, as this is required in order to permit the lawful sale of alcohol from these premises and any other form of regulated entertainment.
- 2.8 When determining a licence application, the local authority must have regard to any rights the applicant may have under Article 10 (right to freedom of expression) and Article 1, Protocol 1 (protection of property) of the European Convention of Human Rights.

Existing businesses have limited rights to continue trading even though it may not completely accord with the new policy aspirations and expectations.

Members should be aware that these premises are an existing business that pre-dates the

adoption of Schedule 3 of the Act.

- 2.9 Members should be aware that the hours applied for in the application conflict with parameters set out in the Sex Establishments Licensing Policy in respect to Sunday opening.

The Policy states:

‘The Council will apply hours of operation that are commensurate to the existing use of the area and its effect on the locality. There shall be normally be no operation of licensable activities on Sundays and Good Friday (6am to midnight), Christmas Day or Easter Sunday. Alternative opening restrictions may be put into place dependant on the character of each locality and representations received’.

Members have departed from the Policy for these premises upon hearing suitable representations on this point at the hearing for the grant of the S E V Licence.

3.0 REPRESENTATIONS

- 3.1 No objections have been received to this application within the 28 day consultation period.

4.0 CONSIDERATIONS

- 4.1 The Committee must have regard to the Council’s Sex Establishments Licensing Policy in its decision-making. In particular the following licensing objectives will be taken into account when determining an application and any conditions attached will be necessary and designed to achieve these licensing objectives

- Prevention of crime and disorder
- Protection of safety, health and public decency
- Prevention of nuisance
- Protection form children from harm
- Protecting the nature, amenity and character of a neighbourhood

- 4.2 Members should be aware that Licensing Committee resolved to adopt a pool of licensing conditions that provides applicants, responsible authorities and Members with a resource from which conditions can be attached to a licence granted under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. This pool of conditions is not exhaustive and may be altered, amended or varied depending on the individual circumstances of each particular application.

- 4.3 Paragraph 12 of Schedule 3 of the Act sets out the grounds for refusing an application for the grant, renewal or transfer of a licence.

Mandatory grounds for refusal:

A licence **must** not be granted:

- (a) to a person under the age of 18;
- (b) to a person who is for the time being disqualified due to the person having had a previous licence revoked in the area of the appropriate authority within the last 12 months;
- (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
- (d) to a body corporate which is not incorporated in an EEA State: or

- (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.

None of the above applies to the licence applied for.

Discretionary grounds for refusal:

A licence **may be refused** where:

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

A decision to refuse a licence must be relevant to one or more of the above grounds.

- 4.4 The Provision of Services Regulations 2009 amended Schedule 3 to the 1982 Act to state that, if having considered an application for the grant, renewal or transfer of a licence, the appropriate authority decides to refuse it on one or more of the above ground's, it must provide the applicant with reasons for the decision in writing.

Having considered the application and representations, the Sub-Committee may

- Grant a licence in accordance with the application
- Grant a licence subject to additional and/or varied conditions
- Reject the application

Use of Social Networking Sites

Any work-related issue or material that could identify an individual who is a customer/client or work colleague which could adversely affect the company, a customer/client or our relationship with any customer/client must not be placed on a social networking site. This means that work-related matters must not be placed on any such site at any time either during or outside working hours and includes access via any computer equipment, mobile phone or PDA.

(A)

System for checking age and the right to work within the UK

- All performers are to bring in their identification. They are to provide their driving licence or passport and their national insurance number on the first night they arrive to work. A photo copy of this is taken for the clubs records.

(B)

CODE OF PRACTICE

Monitoring and Enforcing

- All performers are to bring in photographic identification such as driving licence/passport and a copy of which is kept on record.
- Temptations T2 has a strict no touching policy. Any performer who is found to be touching is fined £50. A log is kept of these offences. If they are found to commit a second touching offence then they are instantly dismissed.
- During opening hours a member of security will monitor every dance at all times along with the duty manager.
- There are to be no sex acts performed within the club. The duty manager and member of security will ensure no acts are performed not only between customers but also between performers performing.
- No personal details such as addresses or phone numbers are to be given or taken by any performer.
- No performer is to meet any customer outside of the club.
- Performers must remain ladies at all times. Performers must behave as such, we expect you not to over indulge in alcohol and a fine is given if you are found to be too intoxicated and the performer is asked to leave.
- Temptations T2 have the same S.I.A security on duty at all times. This ensures they are familiar with each of our performers. As the security are monitoring the CCTV cameras along with the manager at all times, any rules that are subsequently broken are dealt with immediately and any action can be enforced instantly. It is then the responsibility of the performer to deal with the outcome taken from any enforced action.



Rules for Customers

- Temptations T2 has a strict no touching policy. If you are found to be handling any member of staff you will be escorted from the premises.
- No recording equipment including mobile phones. If you are found to be using any form of photographic equipment then any footage is deleted and you will be escorted from the premises.
- Strictly no admittance to anyone under the age of 18
- Dress code is smart casuals only
- Chewing gum is banned from Temptations T2. If you are found to be chewing gum, you will be asked to remove it.



Welfare of Performers

- All performers have their own changing room, toilet and shower area which is locked. An electronic key is required to gain access to these areas and for security, only staff can gain access to these areas using the electronic key.
- All performers are aware not to give any of their personal details such as phone numbers to any customer, subsequently they are also forbidden to take any such details from any customer also.
- All areas of the club are covered and monitored by CCTV. During club opening hours there is a member of security monitoring them at all times. During non working hours they will continue to record 24 hours a day.
- All performers must be escorted to cars/taxis at the end of their shift by a member of security.

(E)

TEMPTATIONS T2

SCHEDULE OF CONDITIONS

1. House Rules

- (i) All customers are to be advised on entry to the premises that there is an absolute prohibition against any physical contact between performers and customers and notices to this effect shall be displayed at the reception and within the premises.
- (ii) Literature is to be available in other languages to inform foreign nationals of the absolute prohibition against any physical contact between the performers and customers.
- (iii) Contact between a performer and customer by way of an introductory handshake/kiss or when a tip is placed in their garter/armband or hand when payment is made for a performance shall be allowed and will not be deemed to contravene (i) above.
- (iv) There shall be no participation by any member of the audience in any performance involving total nudity.
- (v) Customers are not permitted to photograph, record, film or electronically transmit any performance. Any person suspected of doing so will be required to leave the premises.
- (vi) No customer shall accept from or give to any performer or member of staff any telephone number, business card or note.
- (vii) Customers shall remain seated whilst receiving/watching any lap dancing performance.
- (viii) No persons other than the performers engaged in the approved adult entertainment shall be in the designated areas of the premises used for such entertainment in a state of undress.
- (ix) A list of prices shall be displayed at suitable locations within the premises so that customers are made aware of the cost of performances.

2. Premises

- (i) No person under the age of 18 years (including employees) will be permitted on to the premises. An acceptable form of proof of age will be required from any

person appearing to be under 21 years of age prior to their admission on to the premises.

- (ii) Prominent notices shall be displayed at the premises prohibiting anyone under the age of 18 from entering the premises.

3. Performers

- (i) Performers shall be aged not less than 18 years of age.
- (ii) The Premises Licence Holder is to ensure that prior to engagement all performers and staff working at the premises provide documents to include facial photographic identification of proof that they are not less than 18 years of age. Copies of such documents shall be kept up to date and retained at the premises and be made available for inspection by enforcement agencies at all times.
- (iii) A register of performers will be maintained on the premises which will identify the responsible manager and the performers with their days and hours of duty. The register shall contain the performers real name, stage name, date of birth and current address.
- (iv) Dressing room(s) must be available for performers and will not be accessible to customers.
- (v) No performer shall accept, exchange or give telephone numbers or contact details to customers.
- (vi) No performer shall be allowed to work if they appear to be intoxicated whether by alcohol or through the use of prescribed medication or illegal substances.
- (vii) Performers will stop immediately and move away from any customer who is offensive or attempt to touch them and shall report any such incident and any other inappropriate behaviour or breach of house rules to the manager on duty.
- (viii) All performers are to be seen by a nominated person at the commencement of their shift and are to sign to confirm they have been verbally reminded of the absolute prohibition against any physical contact between performers and customers (otherwise than as permitted by 1(iii) above.
- (ix) A record of any breaches of the condition against the prohibitions against any physical contact between performers and customers together with the action taken shall be maintained at the premises and made available to the appropriate enforcement agencies on request.

4. CCTV

- (i) The premises shall be equipped with CCTV installed so as to cover all areas where approved adult entertainment will take place and will continually record during these performances. Recordings will be retained for at least 14 days and be made available only to a Police Officer or duly authorised officer of the Licensing Authority on request.
- (ii) CCTV must be continuously monitored by a designated member of staff whilst adult entertainment is in progress to ensure compliance with licensing conditions and the Company's operating policy.
- (iii) Other than recordings made in accordance with Condition 4(i) above, no photographic, filming, recording or electronic transmission of performance shall take place without the prior express written consent of the Licensing Authority.

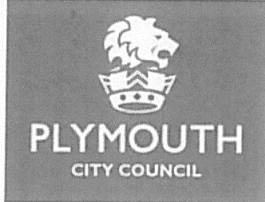
5. Door Supervision

Not less than two registered Door Supervisors shall be on duty at the premises when performers are performing.

6. General

- (i) Whilst the Licensee is a body corporate any change of Director or Company Secretary or other person responsible for the management of the Company shall be notified in writing to the Licensing Authority within 21 days of such change and such written details thereof as the Licensing Authority may reasonably require in relation to any new Director, Secretary or Manager are to be furnished within 21 days of the receipt of a request in writing from the Licensing Authority.
- (ii) The Licensee shall ensure that some responsible person being a Director or a Manager nominated by it whose details have been supplied to the Licensing Authority in the Form of Annex A accompanying the application for the grant of the Licence shall be in charge of and upon the premises during the time they are open to the public.
- (iii) The Licensee shall retain control over all parts of the premises and shall not let, licence or part with possession of any part of the premises.
- (iv) The Licensee shall maintain good order in the premises.

Licensing Act 2003

Premises Licence**PA0221****Local Authority**

Public Protection Service
 Licensing Unit
 Plymouth City Council
 Windsor House
 Plymouth. PL6 5UF
 Tel: 01752 304141 Fax: 01752 226314
 Email: Licensing@plymouth.gov.uk

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**Temptations T2**

First Floor & Second Floor, 6-8 Union Street, Plymouth, Devon, PL1 2SR.

Telephone 01752 604005

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- entertainment of a similar description to that falling within entertainment facilities for making music or dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

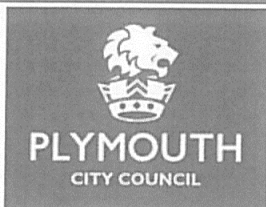
Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors)	Monday to Sunday Seasonal Variations: British Summertime variation - one extra hour when adjusted Non Standard Timings: All public bank holidays 24 hours	10:00	06:00
G. Performance of dance (Indoors)	Monday to Sunday Seasonal Variations: British Summertime variation - one extra hour when adjusted Non Standard Timings: All public bank holidays 24 hours	10:00	06:00
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday Seasonal Variations: British Summertime variation - one extra hour when adjusted Non Standard Timings: All public bank holidays 24 hours	10:00	06:00
I. Provision of facilities for making music (Indoors)	Monday to Sunday Seasonal Variations: British Summertime variation - one extra hour when adjusted	10:00 12:00	06:00 00:00



Licensing Act 2003
Premises Licence

PA0221

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THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
I. Provision of facilities for making music	(Indoors) continued ... Non Standard Timings: All public bank holidays 24 hours		
J. Provision of facilities for dancing (Indoors)	Monday to Sunday Seasonal Variations: British Summertime variation - one extra hour when adjusted Non Standard Timings: All public bank holidays 24 hours	10:00	06:00
K. Provision of facilities for entertainment of a similar description to that falling within I or J (Indoors)	Monday to Sunday	10:00	06:00
L. Late night refreshment (Indoors)	Monday to Sunday Seasonal Variations: British Summertime variation - one extra hour when adjusted	23:00	05:00
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday Seasonal Variations: British Summertime variation - one extra hour when adjusted Non Standard Timings: All public bank holidays 24 hours	10:00	06:00

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday Seasonal Variations: British Summertime variation - one extra hour when adjusted Non Standard Timings: All public bank holidays 24 hours	10:00	06:30

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

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Temptations T2 Ltd
 C/O Freemans Accountants, Solar House, 282 Chase Down Road, London, N14 6NZ.
 Telephone 01752 604005

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

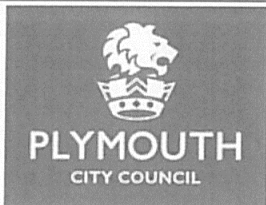
Temptations T2 Ltd
 5058792



Licensing Act 2003
Premises Licence

PA0221

Local Authority



Public Protection Service
 Licensing Unit
 Plymouth City Council
 Windsor House
 Plymouth. PL6 5UF
 Tel: 01752 304141 Fax: 01752 226314
 Email: Licensing@plymouth.gov.uk

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Jeana Marie TASKER

84 Coombe Way, Kings Tamerton, Plymouth, Devon, PL5 2HB.
 Telephone 01752 604 605

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 No. PL10725

Issued by Plymouth

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

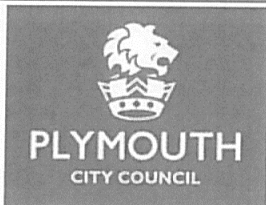
1. The first condition is that no supply of alcohol may be made under the premises licence: -
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

- 3.(1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;



Licensing Act 2003

Premises Licence**PA0221****Local Authority****Public Protection Service**

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ANNEXES continued ...

(e) 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.

4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

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

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

(2) 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 a holographic mark.

7. The responsible person shall 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;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

Door supervision

(1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.

(2) But nothing in subsection (1) requires such a condition to be imposed-

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or

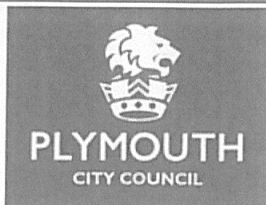
(b) in respect of premises in relation to-

(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).



Licensing Act 2003

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ANNEXES continued ...

(3) For the purposes of this section-

- (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**A Supply of alcohol**

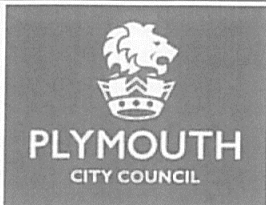
- Any existing conditions attached to existing justices licence
- The authorised hours for the sale of alcohol do not prohibit:
1. during the first twenty minutes after the end of authorised hours the consumption of the alcohol on the premises;
 2. during the first twenty minutes after the end of authorised hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
 3. during the first thirty minutes after the end of authorised hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
 4. consumption of the alcohol on the premises or the sale or supply of alcohol to any person residing in the licensed premises;
 5. the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 6. the sale of alcohol to a trader or club for the purposes of the trade or club;
 7. the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
 8. the taking of alcohol from the premises by a person residing there; or
 9. the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
 10. the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

B Regulated Entertainment

- Standard National conditions applying to the existing [public entertainment licence]
 Existing special conditions.



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ANNEXES continued ...

1. Capacity - 200 persons

C Steps that have been taken to promote the Four Licensing ObjectivesGeneral

1. CCTV system in operation
2. Door staff on duty
3. Prominent notices displayed prohibiting anyone under the age of 18 years from entering the premises

The Prevention of Crime and Disorder

Customers are seated in that part of the premises that is dedicated for this purpose and there is an absolute prohibition against any physical contact between the dancers and the customers other than the transfer of money and tokens at the end of the dance. Continued adherence and vigilance of policies and procedures already in place and approved.

Public Safety

Not less than two registered door supervisors shall be on duty at the premises when performers are performing except that when there are no more than thirty customers at the premises on Sundays to Thursdays inclusive then there shall be at least one registered door supervisor and at least one manager on duty - it being accepted that the management shall have access to a Plymouth based security firm to increase the registered door supervisors to at least two in the event of customers being above thirty in number.

The Prevention of Public Nuisance

The premises are separate from any other and are not in a residential area and continued adherence to, and vigilance to, all policies and procedures already in place and approved.

The Protection of Children from Harm

Prominent notices are displayed prohibiting anyone under the age of 18 years from entering the premises, there are door supervisors employed, continued adherence to the policies and procedures already in place and approved.

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

CONDITIONS ADDED AFTER COMMITTEE HEARING OF 8TH SEPTEMBER 2009

1. The CCTV system covering the areas where performances take place are to be continually

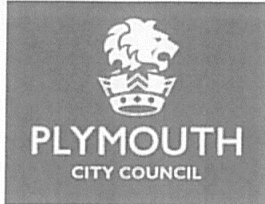


Licensing Act 2003

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ANNEXES continued ...

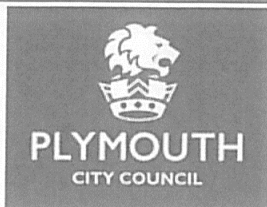
- monitored by nominated staff and supervised by the duty manager during performances
2. All customers are to be advised on entry to the premises that there is an absolute prohibition against any physical contact between the dancers and customers
 3. Literature is to be available in other languages to inform foreign nationals of the absolute prohibition against any physical contact between the dancers and customers
 4. All performers are to be seen by a nominated person at the commencement of their shift and they are to sign to confirm they have been verbally reminded of the absolute prohibition against any physical contact between the dancers and customers
 5. Maintain a record of any breaches of the licensing condition against the absolute prohibition against any physical contact between the dancers and customers with a summary of the action taken. This is to be made available to the Police/Licensing Officer upon request

ANNEX 4 - PLANS

As Attached



Licensing Act 2003

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Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**Temptations T2**

First Floor & Second Floor, 6-8 Union Street, Plymouth, Devon, PL1 2SR.

Telephone 01752 604005

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- entertainment facilities for making music
- entertainment facilities for dancing
- entertainment of a similar description to that falling within entertainment facilities for making music or dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors)	Monday to Sunday Seasonal Variations: British Summertime variation - one extra hour when adjusted Non Standard Timings: All public bank holidays 24 hours	10:00	06:00
G. Performance of dance (Indoors)	Monday to Sunday Seasonal Variations: British Summertime variation - one extra hour when adjusted Non Standard Timings: All public bank holidays 24 hours	10:00	06:00
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday Seasonal Variations: British Summertime variation - one extra hour when adjusted Non Standard Timings: All public bank holidays 24 hours	10:00	06:00
I. Provision of facilities for making music (Indoors)	Monday to Sunday Seasonal Variations:	10:00 12:00	06:00 00:00

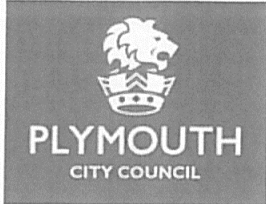


Licensing Act 2003

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THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
I. Provision of facilities for making music (Indoors) continued ...	British Summertime variation - one extra hour when adjusted Non Standard Timings: All public bank holidays 24 hours		
J. Provision of facilities for dancing (Indoors)	Monday to Sunday Seasonal Variations: British Summertime variation - one extra hour when adjusted Non Standard Timings: All public bank holidays 24 hours	10:00 12:00	06:00 00:00
K. Provision of facilities for entertainment of a similar description to that falling within I or J (Indoors)	Monday to Sunday	10:00	06:00
L. Late night refreshment (Indoors)	Monday to Sunday Seasonal Variations: British Summertime variation - one extra hour when adjusted	23:00	05:00
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday Seasonal Variations: British Summertime variation - one extra hour when adjusted Non Standard Timings: All public bank holidays 24 hours	10:00	06:00

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday Seasonal Variations: British Summertime variation - one extra hour when adjusted Non Standard Timings: All public bank holidays 24 hours	10:00	06:30

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

- M. The sale by retail of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Temptations T2 Ltd First Floor & Second Floor, 6-8 Union Street, Plymouth, Devon, PL1 2SR.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Temptations T2 Ltd 5058792

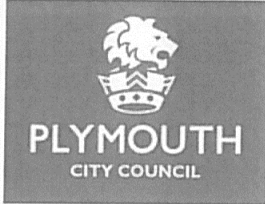


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NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Jeana Marie TASKER

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



The following relates to exempt or confidential matters (Para(s) 3 of Part 1, Schedule 12A of the Local Govt Act 1972). Any breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

Document is Restricted

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