



CHELTENHAM

BOROUGH COUNCIL

Local Government (Miscellaneous Provisions) Act 1982 – S.2. And Schedule 3

SEX ESTABLISHMENT LICENCE

Licence Ref No: **19/01978/SEXR**

Cheltenham Borough Council using its powers under the above legislation

HEREBY GRANT LICENCE to **Red Apple Associates Ltd**

to use the premises known as: **Two Pigs**
and situate at: **Church Street**
Cheltenham
Gloucestershire
GL50 3HA

This licence shall be in force from **8 July 2019** to **11 January 2020**.

A fee of **£892.50** has been paid (Receipt No. **690288**)

Date of issue: **8 July 2019**

Hours which premises may be open for entertainment:

- **The Festival** - 2019 March 11th 8pm - 5am, 12th March 6pm -5am, 13 March 6pm - 5am, 14th March 6pm - 5am, 15th March 6pm - 5am.
- **The April Meeting** - Wednesday 17th 8pm - 5am & Thursday 18th 8pm - 5am
- **The Showcase** - Friday 25th to Saturday 26th October 2019 8pm - 5am & Saturday 26th to Sunday 27th October 2019 8pm - 5am
- **The November Meeting** - Friday 15th to Saturday 16th November 2019 8pm - 5am, Saturday 16th to Sunday 17th November 2019 8pm - 5am & Sunday 17th to Monday 18th November 2019 8pm - 5am
- **The International** - Friday 13th to Saturday 14th December 2019 8pm - 5am & Saturday 14th to Sunday 15th December 2019 8pm - 5am

This Licence is granted subject to the Council's Standard Conditions for Sex Establishment licences and any additional Special Condition(s) set out in the Schedule attached.

Director – Environmental & Regulatory Services

Dated: **8 July 2019**

LICENSING : PUBLIC PROTECTION

Regulations prescribing standard conditions for Sex Establishment licences

1. In the event of a conflict between these Regulations and any special conditions contained in a licence relating to a sex establishment, the special conditions will prevail.
2. The grant of a licence for a sex establishment will not be deemed to convey any approval or consent which may be required under any enactment by law, Order or Regulation other than the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982.
3. The premises must be used only for the purpose it has been licensed - as a sex shop or a sex cinema. The meaning of these terms are defined in the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982. The use of any apparatus for the reproduction of vision or sound will not be allowed within any premises licensed as sex shop without the express permission of the licensing authority.
4. A copy of the licence and the conditions attaching to it must be exhibited within the premises to be clearly visible to customers at all times.
5. The names of the proprietor of the business and of any persons who are in charge of the day to day running of it must be prominently displayed within the premises throughout the period which they are responsible for its conduct. These names should be shown alongside the licence and be clearly visible to the customers on the premises at all times.
6. The premises must not be opened and used as a licensed sex establishment outside of the hours permitted in Schedule 1 of the licence unless written consent has been obtained from the council.
7. Any premises licensed either as a sex shop or a sex cinema must remain closed on a Christmas Day, Good Friday and Easter Sunday.
8. There must be no displays or advertisements on the outside of any sex establishment or visible from outside the sex establishment other than those permitted by the council.
9. If the council has granted consent for the use of apparatus for the reproduction of vision or sound (as per condition 3), that vision or sound must not be seen or heard from outside the premises.
10. The licensee must retain control over all portions of the premises and must not let, licence, or part with possession of any part of the premises.
11. The licensee must maintain good order in the premises.
12. No person under the age of 18 can be admitted to the premises or employed in the business of the premises and the persons specified in condition 5 must make all necessary enquiries to this end.
13. The licensee must ensure that the public are not admitted to any part or parts of the premises other than those which have been approved by the council.

14. The only displays or advertisements permitted are:
 - (i) A notice fixed to the entrance to the premises clearly stating "WARNING - Persons passing beyond this notice will find material on display which they may consider indecent. No admittance under 18 years of age."
 - (ii) A notice stating the opening hours of the premises.
 - (iii) The words 'Two Pigs' – 'Adult Store' – 'Additional Car Parking At Rear' – 'Two Pigs Customer Car Park'

Any such display or notice would be subject to the approval of the Local Planning Authority, if appropriate.
15. The entrances to the premises and all other openings including windows, must be of a material or covered with a material which will render the interior of the premises invisible to passers by.
16. The premises must be conducted primarily for the purpose of the sale of goods by retail
17. Any article, magazine or other item must be discreetly wrapped before customers take it from the premises.
18. The external doors to the premises must be fitted with a device to provide for their automatic closure and such devices must be maintained in good working order. The external door must only be opened at such time or times as people require access and egress to the interior of the premises.
19. A partition must be provided within the entrance of the premises to screen the interior of the premises from passers by at all times that the entrance doors can be opened.
20. All external parts of the premises adjacent to the street must be kept in a well maintained condition and in good decorative order.
21. All parts of the interior of the premises must be kept in a clean and wholesome condition to the satisfaction of the council.
22. The licence must not be assigned or transferred without the prior written consent of the council.
23. Any application to vary the conditions of the licence will be advertised in the same manner as an application for the issue, renewal or transfer of the licence.
24. The standard fee to accompany an application for a sex establishment licence or for renewal or transfer of that licence will be the fee as prescribed in the fees schedule prevailing for the year in which the licence is to be exercised.

Special Conditions

1 STANDARD CONDITIONS REGARDING SEXUAL ENTERTAINMENT VENUES

General Conditions:

1. The premises shall only permit adult entertainment between the hours of 20:00 hours and 05:00 hours the following morning as determined by the licensing committee.



2. Only activities which have previously been agreed in writing by the Council shall take place.
3. The agreed activities shall take place only in designated areas approved by the Council.
4. There shall not be displayed outside the premises, in the immediate vicinity, or elsewhere within the Town any advertisements, photographs or images that indicate or suggest that striptease-type dancing takes place on the premises.
5. Any flyers advertising the adult entertainment must not display any photographs or images of the entertainment and any images must be approved by the Advertising Standards Agency and not be handed to persons who look under the age of 21. Any handbills must only be distributed after 19.00hrs with the exception of race days. Examples of the handbills that are in use shall be lodged with the licensing authority prior to their distribution.
6. No flyers or similar promotional material for the premises shall be distributed within the Town.
7. Rules shall be produced by the licensee for customers indicating conduct that is deemed acceptable. These rules shall be prominently displayed at all tables and at other appropriate locations within the club.
8. A clear Notice shall be displayed inside the entrance to the premises in the following terms:
"Striptease-style entertainment takes place on these premises. No persons under 18 shall be permitted in the premises."
9. The performance must not be visible from the street, and any person who can be observed from the outside of the premises must be properly and decently dressed. Scantily-clad individuals employed in the premises must not exhibit themselves in the entrance or in the vicinity of the premises.
10. When the premises are open for Striptease/Lap/Pole Dancing no person under the age of 18 shall be permitted to be on the premises. Anyone appearing to be under the age of 21 years shall be asked to produce valid photographic identification. If this is not produced the individual shall be refused access.
11. The premises shall maintain a Refusals Log whereby any occasion a person is refused entry shall be recorded and available upon request by the Police or an authorised officer of the Council.

Conditions regarding Performers:

LICENSING : PUBLIC PROTECTION

12. Striptease and similar entertainment may only take place in 'designated areas' that are marked on the plan of the premises.
13. The entertainment shall be provided by professional performers only. The audience must at all times remain fully-clothed.
14. Performers shall be aged not less than 18 years and the licence holder (or his nominated deputy who is authorised in writing) shall satisfy him/herself that this is the case by requesting valid photographic ID, if necessary, prior to the performance.
15. A 'Signing-in' Register shall be kept at the premises that records the time that the performer starts and finishes at the premises. This shall be made available for immediate inspection by a Police Officer or authorised Officers of Cheltenham Borough Council (who will carry identification).
16. During any performance there must be no physical contact between the performer and any member of the viewing public.
17. No performances shall include any sexual act with other performers.
18. No performances shall include any sexual act with objects.
19. There shall be no nudity by performers in public areas of the premises, unless the Council has agreed in writing that the area may be used for performances of sexual entertainment.
20. At the completion of the relevant entertainment the performers shall dress themselves immediately and leave the designated performance area. Performers not engaged in performing shall not remain in any area in a state of undress.
21. Performers must not solicit, divulge or exchange with customers any personal contact information including but not limited to: addresses, phone numbers, email address or social media profile information. Performers must not liaise with customers off the premises or incite customers to purchase alcoholic drinks
22. An appropriate room shall be set aside to provide a changing and rest area for performers. Access to this room shall be restricted to performers only, whilst the performers are on the premises and shall be marked on the plan of the premises.
23. Any bodily contact between entertainers or performers or any movement that indicates sexual activity or simulated sex between entertainers or performers is strictly forbidden.
24. Entertainers or performers not performing must not be in a licensed area in a state of undress.
25. There shall be prominently and legibly displayed a comprehensive tariff of all charges and prices in respect of relevant entertainment, including any charge for the company of any person working at the premises, which shall be placed in such a position that it can at all times be easily and conveniently read by persons inside the premises.

Briefing:

26. Prior to performers carrying out any activity on the premises, they shall be briefed (verbally or in writing) by the licence holder or his nominated deputy who is authorised in writing as to the conditions that pertain to these particular premises, including the fact that their activities will be recorded on CCTV. The performer(s) shall sign in the Register that they have been briefed.

Door-Supervisors:

27. Subject to a minimum of two, SIA-registered door-supervisors shall be employed at a minimum ratio of 1:50 customers on the premises whilst Striptease/Lap/Pole-dancing activity is taking place.

28. The licence holder, or his nominated deputy who is authorised in writing, or door-supervisors, shall carry out regular monitoring of all areas of the premises to which the public have access, and shall intervene promptly, if necessary, to ensure compliance with Licence conditions by customers and performers.

29. Door-supervisors shall regularly monitor the area immediately outside the premises for a distance of 30 metres in all directions and shall take steps to deal with (by alerting the Police if appropriate) any unsavoury activity that may be attracted to the vicinity due to the nature of the business.

30. A dedicated SIA-registered door supervisor shall remain at all times in any 'private' performance area where performers are performing nude, and shall intervene promptly, if necessary, to ensure compliance with the Licence conditions.

31. When performers leave the premises they are to be escorted to their cars or taxi by a door-supervisor or member of staff.

CCTV System:

32. A digital CCTV system shall be installed and be maintained in good working order, shall record at all times the premises are open, and recordings shall be kept for 14 days. The CCTV system is to be installed in all areas as recommended by the Police Crime Reduction Officer

33. The CCTV recording device, controls and recordings shall be kept under suitable security to prevent unauthorised access/tampering. Access shall be restricted to the licence holder or his nominated deputy who will be authorised in writing and no more than two designated persons.

34. Unaltered CCTV recordings shall be provided on request (as soon as possible and in any event within 24 hours) to the Police or authorised Officers of the Cheltenham Borough Council (who will carry identification).

35. No CCTV footage is to be copied, given away or sold (except as required by Police/Council for investigation/enforcement purposes).
36. Except in accordance with the requirements for CCTV as described above, no photographs, films or video recordings shall be taken of the performances. Nor shall electronic transmissions of performances take place.
37. Notices shall be displayed informing customers of the presence of CCTV.