

Public Document Pack

MEETING:	General Licensing Regulatory Board
DATE:	Wednesday, 9 September 2020
TIME:	2.00 pm
VENUE:	THIS MEETING WILL BE HELD VIRTUALLY

AGENDA

1 Declaration of Interests

To receive any declarations of pecuniary and non-pecuniary interest from Members in respect of items on the agenda.

2 Minutes (*Pages 3 - 6*)

To accept as a correct record the minutes of the meeting held on the 19th February, 2020.

3 Sexual Entertainment Venue Licence - Application (*Pages 7 - 32*)

The Service Director Legal Services will submit a report on an application for the grant of a Sexual Entertainment Venue Licence in respect of Gentlemen Jacks, Theatre Royal, Wellington Street, Barnsley.

4 Enforcement Update (*Pages 33 - 40*)

The Service Director Legal Services will submit a report providing an overview of the work Licensing Officers are currently undertaking to advise and support the Hackney Carriage and Private Hire trade during the COVID pandemic.

To: Chair and Members of General Licensing Regulatory Board:-

Councillors Wraith MBE (Chair), P. Birkinshaw, A. Cave, Cherryholme, Clarke, Danforth, Dyson, Eastwood, Franklin, Gillis, Green, Greenhough, Daniel Griffin, C. Johnson, W. Johnson, Kitching, McCarthy, Murray, Noble, Saunders, Shepherd, Sumner, Tattersall, Williams and Wilson

Shokat Lal, Executive Director Core Services
Matt Gladstone, Executive Director Place
Kevin Glover, Strategic Manager - Transport
Garry Kirk, Service Director Legal Services
Sajeda Khalifa, Solicitor
Debbie Bailey, Regulatory Services Field Officer

Please contact William Ward on email governance@barnsley.gov.uk

Tuesday, 1 September 2020

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MEETING:	General Licensing Regulatory Board
DATE:	Wednesday, 19 February 2020
TIME:	2.00 pm
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present

Councillors Wraith MBE (Chair), P. Birkinshaw, Clarke, Danforth, Gillis, Green, C. Johnson, W. Johnson, Noble, Shepherd, Sumner, Tattersall, Williams and Wilson

14 Declaration of Interests

There were no declarations of pecuniary and non-pecuniary interest from Members in respect of items on the agenda.

15 Minutes

The minutes of the meeting held on the 23rd October, 2019 were taken as read and signed by the Chair as a correct record.

16 Criminal Convictions Policy Update

The Service Director Legal Services submitted a report seeking approval to amend Section 5 of the Council's Convictions Policy which specifically addressed Compliance with Conditions and Requirements of the Licensing Authority.

Currently the policy does not recognise offences committed by drivers where they have received at least 3 written warnings in a twelve month period, and the options that were available to the General Licensing Panel in dealing with them.

It was suggested, therefore, that the convictions policy be amended to reflect the work of officers in the issuing of written warnings following Drivers committing offences and it be made clear that the General Licensing Panel would determine all cases.

In the ensuing discussion, the following matters were raised:

- The proposal was welcomed as a means of giving the General Licensing Board Panel the opportunity to consider information on warnings received by Drivers and in return Drivers would have the opportunity to acknowledge and defend any warnings received
- Members noted that if, for instance, a driver had received written warnings for faulty tyres, they could potentially receive 1 warning for each tyre plus a warning for falsifying their records, resulting in them being brought to Board
- The new policy would be a way for the Board to be able to deal with persistent offenders, or offenders with a pattern of behaviour

RESOLVED that members approve the amendment to Section of the Council's Convictions Policy.

17 Digitalisation of the Licensing Function

The Service Director Legal Services submitted a report informing the Committee of the ongoing project work being undertaken in order to digitalise the way that the Licensing Services operates.

Members were reminded of the Digitalisation report presented to the General Licensing Regulatory Board in October 2019, informing them of the plans to digitalise the Licensing function due to the current process and procedure being predominantly paper based and labour intensive for Licensing Officers and a summary of the type of work undertaken was provided.

Within the context of Future Council and Digital First the current method in providing the licensing service could no longer be justified, therefore the Digitalisation project would convert existing manual laborious operations (so far as was feasible) into digital operations.

Members were informed that representatives from the Private Hire and Hackney Carriage Trade had attended meetings in which they shared their views, opinions and concerns with regards to a digitalised service.

It was reported that Licensing Officers had worked closely with IT Services in designing the online forms and procedures by taking into consideration the comments shared by the licensed Trade and incorporating receipt of payments, a booking system for the knowledge test and receipt and issue of new and renewed existing licenses and associated documentation.

In the ensuing discussion, the following matters were highlighted:

- The current practice of face to face questions would now be done digitally through the system which had been meticulously tested by Licensing Officers. Any concerns regarding appropriate checks being made were allayed as drivers would be asked to upload appropriate documentation including DBS checks.
- 80% of the Trade were on board with the new system and welcomed the flexibility for drivers with the system being available 24hours a day and not restricted to office hours.
- Workshops were being held for some drivers who were apprehensive and fearful of the new technology and did not have the means of getting online. It was reported that a small group of drivers who may struggle would be invited to test the new system to alleviate any issues and fears they may have.
- The online system will work on all devices ie tablets or phones but if drivers require assistance then they would be signposted to Libraries or some Trade representatives who have volunteered to help.

RESOLVED that Members support the Licensing Team and the Licensed Trades with the digitalisation project to ensure the success of the project from it going live on 2nd April, 2020.

18 Enforcement Update

The Service Director Legal Services submitted a report providing an overview of the work of the Licensing Enforcement Officers undertaken recently.

Licensing Enforcement Officers had proactively embarked on a taxi licensing enforcement operation on the 21st November, 2019. This had been a daytime operation involving Licensing Enforcement Officers and Vehicle Examiners from the Smithies Lane Depot. The operation focused on Springwell School and the drivers and vehicles contracted to transport children to the school on a daily basis.

Of the 29 inspected, 23 were found to be compliant. 6 vehicles were issued with immediate suspension notices for defects including nearside indicators, near side screen washer and number plate lights being inoperative, no reserve travel on the handbrake, the external of a vehicle being in a dirty condition, tyres below legal limits, ABS warning lights being illuminated and an electrical fault affecting all the lights on the vehicle.

Vehicle compliance continued to be an issue and at the forefront of every enforcement operation and with every Vehicle Examiner whilst undertaking vehicle inspections. Defective vehicles could not be excused and were not acceptable and this, coupled with failing to complete basic vehicle inspection sheets was a continuing concern as not only had the Trade requested this, but it was a valuable tool that ensured the safety of the licensed vehicle.

Further proactive enforcement operations would continue to be undertaken to ensure that drivers, operators and vehicle proprietors took responsibility for their failures and made appropriate changes as this was key to ensuring the safety of the travelling public.

In the ensuing discussion, and in response to questioning, particular reference was made to the following:

- In relation to the cleanliness standards of vehicles, it was noted that for an immediate suspension it would be an Officer judgment call, in one particular case the licence plate was ineligible resulting in the car being suspended until it had been cleaned.
- Officers informed members that a suspension would not be lifted until the car had been deemed roadworthy by relevant Officers. This could be anything from the same day for a dirty car that had been washed to weeks if it had a serious mechanical fault.
- It was pleasing to note that the number of suspensions for faulty bulbs had dropped as the message seemed to be getting around for Drivers to carry spare bulbs in their vehicles.

RESOLVED that the report be noted and the Board place on record its thanks and appreciation to the staff within the Licensing Service and Smithies Lane Depot for all their hard work in undertaking enforcement activities and ensuring the continued safety of the travelling public and for the outstanding results currently being achieved.

19 Driver Appeal - Update

The Service Director Legal Services submitted a report providing an overview of the outcome of an appeal made to the Magistrates Court and Crown Court by a Hackney Carriage and Private Hire Driver following a decision made by a General Licensing Regulatory Board Panel to revoke his driver licence.

The General Licensing Regulatory Board Panel had made its decision to revoke the licence on the 8th January 2019. The case was then presented to Barnsley Magistrates Court on 11th July, 2019 by way of an appeal.

In dismissing the appeal the Magistrates had stated that the Council had acted appropriately in revoking the drivers licence. The appeal had therefore been dismissed and the driver had been ordered to pay £900 in costs to Barnsley MBC.

Following the dismissal of the appeal by the Magistrates Court, the Driver lodged a further appeal at Sheffield Crown Court heard on 6th December, 2019. The Crown Court also dismissed the appeal and upheld the decision of the Magistrates Court and ordered the Driver to pay an further sum of £622.50 towards the Local Authority's costs.

Members commented that it was encouraging to see the support from Magistrates and Crown Courts upholding decisions made by Officers and the Panel, proving that the right decisions were being made.

Members expressed their gratitude and gave thanks to the Legal Team in representing the Authority in Court on both occasions. It was testament to the excellent and hard work of Officers and Panel members in bringing the driver to justice and making the safety of Barnsley's travelling public paramount.

RESOLVED:

- (i) that the report be noted; and
- (ii) that the Board place on record their thanks and appreciation to all involved for their continued hard work in supporting the Licensing Function and in ensuring the safety of the travelling public.

Chair

Item 3

**Report of the Service Director
Legal Services to the meeting of the
General Licensing Regulatory
Board to be held on the
9th September 2020**

Local Government (Miscellaneous Provisions) Act 1982
Application for the Grant of a Sexual Entertainment Venue Licence

The Applicant	Gentlemen Jacks Theatre Royal Wellington Street Barnsley South Yorkshire S70 1SS
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1.0 Purpose of the Report

1.1 To place before Members an application for the grant of a Sexual Entertainment Venue licence in respect of Gentlemen Jacks, Theatre Royal, Wellington Street, Barnsley S70 1SS.

3.0 Background

3.1 The premise, Gentlemen Jacks will occupy the second floor of what was the Theatre Royal on Wellington Street, with the ground floor being used as a nightclub called Cheeky Tiki.

3.2 The premises location on Wellington Street is a busy town centre road which is highly populated with other commercial premises including bars and takeaways.

3.3 A copy of the application, code of conduct for managers, performers, staff, security staff and customer rules are attached as Appendix 1.

3.4 When Members adopted the provisions of the Police and Crime Act 2009, they also determined the limit of premises that would fall within specific wards, based upon the number, type and location of the premises already in operation.

3.5 Schedule 3 of the Act allows appropriate authorities to refuse an application on two grounds:

- At the time the application is determined the number of sex establishments, or sex establishments of a particular kind, in the

relevant locality is equal to or exceeds the number that the authority considers appropriate for that locality; or

- That a sex establishment would be inappropriate having regard to the character of the relevant locality, the use to which any premises in the vicinity are put or the layout, character or condition of the premise

3.6 The decision regarding what constitutes as a 'relevant locality' is a matter for the Council to decide. As such, at a meeting on 10 January 2011, the Council decided that each individual ward in the borough should be dealt with as a 'relevant locality'.

3.7 The appropriate number for each locality (Ward), other than those contained in the table below, will be nil:

Ward	Sex Shops	Sex Cinemas	Sexual Entertainment Venues
Central	1	0	1
Stairfoot	1	0	0

3.8 Members are minded to note that the 'Sexual Entertainment Venue' allocated in the Central Ward is currently held by Yorkshire Security Solutions Ltd and currently operates as Wildcats. As part of this application Yorkshire Security Solutions Ltd have agreed to cancel their current licence to allow the allocation of this licence for the Central ward to be used by South Yorkshire Holdings Ltd.

4.0 Consultation

4.1 In accordance with the statutory requirements, notice of this application has been published in a local newspaper and no objections/comments have been received by the Licensing Section.

4.2 South Yorkshire Police have raised no objections to the application.

5.0 Compatibility with European Convention on Human Rights

5.1 Approving the application, as recommended, will not involve interference with Convention rights. Should any other decision be contemplated, there may be a potential interference with the rights of the applicant under Article 1 of Protocol 1 (Protection of Property) and, in that event, further advice will be given at the meeting.

6.0 Crime and Disorder implications

6.1 There are no implications for crime and disorder in the community arising from the proposals of this report.

7.0 Financial Implications

7.1 Nil.

8.0 Background Papers

8.1 A copy of the papers evidencing the adoption of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 will be made available at the General Regulatory Licensing Board meeting.

Officer Contact: Debbie Bailey **Tel:** 07786525961 **Date:** 19 August 2020

APPENDIX 1



Part 2 - Applicant Details

Please state whether you are applying for a licence as :-

(tick as appropriate)

- a) an individual or individuals * please complete section (A & C)
- b) a person other than an individual *
 - i. as a limited company please complete all sections
 - ii. as a partnership please complete all sections
 - iii. as an unincorporated association or please complete all sections
 - iv. other (for example a statutory corporation) please complete all sections

(A) Individual Applicant Details (Please read guidance note 3)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title	<input style="width: 90%;" type="text"/>
Surname			First names		
Date of birth					
Current postal address including post code					
Telephone number (if any)					
E-mail address (optional)					

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title	<input style="width: 90%;" type="text"/>
Surname			First names		
Date of birth					
Current postal address including post code					
Telephone number (if any)					
E-mail address (optional)					

(Continue on separate page if necessary)



(B) Other Applicants

Please provide name and registered address of applicant in full. Where appropriate please give any registered number.

Name	South Yorkshire Holdings LTD
Address including post code	Theatre Royal, Wellington Street, S70 1SS
Registered number	12757640
Description of applicant (e.g. partnership, company, etc.)	LTD Company
Telephone number (if any)	07583044159
E-mail address (optional)	adam_pumford@live.com

(C) Description of Trading Activity

The premises will trade as:

(tick as appropriate)

a sex cinema a sex shop a sex encounter establishment

The premises will trade on the following days and between the following times:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From	16:30	16:30	16:30	16:30	16:30	10:00	8:00
To	6:00	6:00	6:00	6:00	6:00	6:00	6:00

Please provide brief details of the intended operation of the premises:

- Gentlemens club, jolly nude zero contact, lap dancing, also focused around craft beer, and cocktails.



(D) Licensing History

Has any person or the corporate or unincorporated body referred to in this application: -

Been disqualified from holding a licence for a sex establishment?	Yes / <input checked="" type="radio"/> No
Been refused the grant / renewal / transfer of a licence for a sex establishment?	Yes / <input checked="" type="radio"/> No
Been the holder of a sex establishment licence when that licence has been revoked?	Yes / <input checked="" type="radio"/> No
If 'Yes' to any of the above please provide details:	

Part 3 - Declaration

I / We Adam Pumphord C South Yorkshire Holdings LTD
(Insert name/s of applicant/s)

Please tick each applicable box

- Enclose the fee (Please make payable to Barnsley Metropolitan Borough Council)
- Enclose evidence of identity containing a photograph in respect of each individual applicant / partner / director, as applicable
- Enclose either a criminal conviction certificate or criminal record certificate or the results of a subject access search of the police national computer by the National Identification Service
- Understand that if the above requirements have not been complied with my application will be rejected
- Understand that the information given may be used in conjunction with other authorities for the prevention and detection of fraud, and will be held on computer, subject to the Data Protection Act 1998.
- Confirm that the information supplied in this application is true to the best of my / our knowledge and belief.


<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>



IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

(C) Signatures (Please read guidance note 4)

Signature of applicant/s or applicant/s' solicitor or other duly authorised agent. If signing on behalf of the applicant please state in what capacity.

Signature/s	
Date	21/10/2020
Capacity	Director

(D) Contact Details (Please read guidance note 5)

Contact name	Adam Pumford
Contact postal address including post code	5 Cedar Mews WF2 8WD
Telephone number (if any)	07583044159
E-mail address (optional)	adam_pumford@live.com

Notes for Guidance

- 1) Insert the name/s of individual applicant/s or partners or the trading name under which the business operates.
- 2) Include the postal address, including name by which the premises that is to be used as a sex establishment is to be known.
- 3) The full name, date of birth and home address of each individual applicant/partner/director must be supplied together with photographic evidence of identity, e.g. a certified copy of passport or driving licence, and either a criminal conviction certificate (issued under section 112 Police Act 1997), a criminal record certificate (issued under section 113A Police Act 1997) or the results of a subject access search under the Data Protection Act 1998 (b) of the Police National Computer by the National Identification Service.
- 4) The application form must be signed. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so. Where there is more than one applicant, all applicants or their respective agents must sign the application form.
- 5) This is the address that we shall use to correspond with you about this application.
- 6) A plan of the premises must be submitted with the application, drawn to a scale of 1:100 showing all external and internal doors and windows and the position of counters, display stands, booths, video / tv / film screens, exhibition areas, dance / performance / stage areas fixed seating and tables, bars / counters from which refreshments are available.
- 7) Copies of the application together with a plan of the premises must be submitted to both :-
 - a) Barnsley Metropolitan Borough Council
Regulatory Services
PO Box 602
Barnsley
S70 9FB
 - b) Chief Officer of Police,
South Yorkshire Police,
Barnsley Police Station,
Churchfields,
Barnsley,
S70 2DL
- 8) A notice containing details of the application must be advertised on the premises to which the application relates for a continuous period of not less than 21 days from the day following the day on which it was given to the licensing authority, in a position from which it can be conveniently read by members of the public.
- 9) A notice containing details of the application must be published in a newspaper circulating in the local vicinity of the premises within 7 days of the application being given to the licensing authority.
- 10) Fees can be obtained via the council's website or by contacting the Licensing Section, Barnsley Metropolitan Borough Council.

UK

DRIVING LICENCE

- 1. PUMFORD
- 2. MR ADAM KENNETH
- 3. 01.07.1994 UNITED KINGDOM
- 4a. 12.05.2020 4c. DVLA
- 4b. 11.05.2030
- 5. PUMFO907014AK9HV 62
- 7.

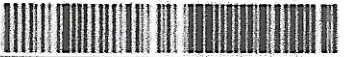



11.05.2030

- 8. 5 CEDAR MEWS, WAKEFIELD, WF2 8WD
- 9. AM/A/B1/B/H/k/p/q

Name: Adam
PUMFORD

Number: PA3018





000060
ADAM PUMFORD
5 CEDAR MEWS
WAKEFIELD
UNITED KINGDOM
WF2 8WD

0000023252000060010100

Basic Certificate

Page 1 of 2



Disclosure &
Barring Service

DBS fee charged

Certificate Number

000974452437

DBS ID Number: P00013WUGDR

Date of Issue:

14 JULY 2020

Applicant Personal Details

Surname: PUMFORD
Forename(s): ADAM
Other Names: PUMFORD, ADAM KENNETH
Date of Birth: 01 JULY 1994
Place of Birth: WAKEFIELD UNITED KINGDOM
Gender: MALE

Police Records of Convictions, Cautions, Reprimands and Warnings

NONE RECORDED

Basic Certificate

This document is a basic certificate within the meaning of section 112 of the Police Act 1997.

This section provides general information in the use and content of this certificate. For further detailed information see our website www.gov.uk/dbs

Use of Certificate Information

Other Names: PUMFORD, ADAM KENNETH

Date of Birth: 01 JULY 1994

Place of Birth: WAKEFIELD UNITED KINGDOM

Gender: MALE

Police Records of Convictions, Cautions, Reprimands and Warnings

NONE RECORDED

Basic Certificate

This document is a basic certificate within the meaning of section 112 of the Police Act 1997.

This section provides general information in the use and content of this certificate. For further detailed information see our website www.gov.uk/dbs

Use of Certificate Information

The information contained in this certificate is confidential and all employers or other organisations that are given this certificate must keep it secure and protect it from loss or unauthorised access in line with their obligations under the Data Protection Act.

This certificate is issued in accordance with Part V of the Police Act 1997, which creates a number of offences. These offences include forgery or alteration of certificates, obtaining certificates under false pretences, and using a certificate issued to another person as if it was one's own.

This certificate is not evidence of the identity of the bearer, nor does it establish a person's entitlement to work in the UK.

Continued on page 2

This Certificate is not evidence of identity. You can find out more about the DBS identity checking process at www.gov.uk/dbs

DBS

Disclosure and Barring Service, PO Box 3961, Royal Wootton Bassett, SN4 4HF Helpline: 03000 200 190 © Crown Copyright

Covering Letter

I Adam Pumford (Director of South Yorkshire Holdings LTD) have applied for a new SEV licence for the premise Theatre Royal (Wellington Street, S701SS).

I have previously been the operations manager at Wildcats (32 Wellington, Street, S70 1SW) since circa 2016, since this time the venue has not had any major incidents and has drastically reduced its crime and disorder rate in which it had achieved in previous. The venue since my time there has had a fantastic working relationship with best bar non schemes, neighbouring venues, and with licensing enforcement officers.

The plan for the new site as a new company and operator within Barnsley I would like to covert the former theatre too its former glory, for the public to once again be able to enjoy. The plan is to convert Theatre Royal into two venues within ones to ensure its future viability. Gentlemen Jacks will be a Premium Gentlemen's Club located on the second floor within the former theatre operating as a premium venue focused around live dances, craft beers and craft cocktails. Within the ground floor of the theatre we intend to create a free entry Nightclub/Bar on the ground floor operating a separate venue within the same building when in the ground floor venue you will not be able to see into Gentlemen Jacks these will remain separate. The ground floor will differ from other venues within the centre of Barnsley as it will be focused around pop music, 00's, and 90's style music in a bid to create a venue for the 21+ clients that are out within the town and the hopefully boost the night time economy.

An opportunity has arisen through the current economical climate and consent from the current holders of the current SEV Yorkshire Security Solutions LTD, for my company to obtain the SEV licence in a new building with 32 Wellington Street closing as an SEV venue. Attached is a signed letter from the director of Yorkshire Security Solutions highlighting that upon acceptance of the new SEV licence at Theatre Royal (Wellington Street, S70 1SS) the current SEV owned by Yorkshire Security Solutions will be surrendered we have also added this condition too our attached annex of conditions of the new SEV. Should the licence need surrendering in advance from Yorkshire Security Solutions this would not be an issue, and can be done should it be requested in advance.

Should any further information be requested do not hesitate to contact myself on 07583044159.

Many Thanks

Adam Pumford (South Yorkshire Holdings LTD)

A handwritten signature in black ink, appearing to read 'A. Pumford', written in a cursive style.

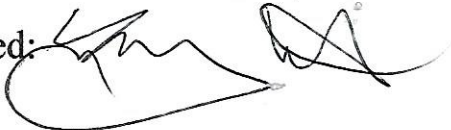
Letter from Yorkshire Security Solutions

I Thomas White Director of Yorkshire Security Solutions, am aware that an SEV is been applied for on a new site (Theatre Royal, Wellington Street, S71SS), since a transfer cannot be done a new SEV has been applied for by the new company South Yorkshire Holdings LTD. This is my permission in writing that upon acceptance of the new SEV; Yorkshire Security Solutions LTD will surrender the current SEV licence to 32 Wellington Street, S701SW. Upon guidance from the council should this need to be surrendered during this process for the acceptance of the new SEV to South Yorkshire Holdings LTD the company would be willing to do so. I would like to take this opportunity thank Barnsley Council for such a fantastic working relationship, and hope this may long continue for yourself and the new company wishing to operate the SEV.

Date: 20/07/20

Print: THOMAS CBB WHITE

Signed:

A handwritten signature in black ink, appearing to read 'Thomas CBB White', written over a faint, illegible printed name.

Attached Conditions to SEV application

Operating Hours

The operating hours requested for the premise would be:

Monday: 16:30 until 06:00 hours (The following morning)

Tuesday to Friday 16:30 until 06:00 hours (The following morning)

Saturday 10:00 until 06:00 hours (The following morning)

Sunday 20:00 until 06:00 hours (The following morning)

Attached Condition to Opening Hours

After speaking with Police Licensing enforcement before submitting this it was discussed to operate a closed door policy, from 5:00AM the venue will no longer allow entry. However it can allow current customers to stay within the venue till 6:00AM, but will not be promoting and allow entry to additional customers.

Attached conditions with the operating schedule to promote the licensing objectives

1. The Gentlemen's Club (Gentlemen Jacks) will be placed on the second floor of the building, and ALL SEV related activity will take place on the second floor, ensuring that when in the nightclub below it is not visible and is contained to the second floor only, there shall be no adult entertainment on the ground floor within the nightclub.
2. Upon acceptance of a new SEV to Theatre Royal, 5 Wellington Street, S701SS. (Since a transfer is not possible to move the SEV buildings) the SEV operated and owned by Yorkshire Security Solutions LTD will be surrendered, allowing Pumford Holdings LTD to obtain and SEV at the new venue.
3. Whilst entertainment consisting of striptease or nude dancing is taking place no persons shall be permitted within the premises and notices will be clearly displayed at the entrance highlighting "No person under the age of 18 shall be admitted"
4. Each area shall be supervised within the venue; signs must be displayed throughout the venue advising customers of the rule and conditions attached to this licence.
5. **ALL** performers **MUST** be over the age of 18.
6. A price list must be clearly displayed at the payment desk, in a prominent position giving the times and prices allowed for the dance routines.
7. Performers/Dancers that are NOT performing will not remain in a public place in a state of nudity.
8. Any persons who can be observed from outside the premise must be properly or decently dressed.
9. There shall be NO physical contact between dancers and customers whilst a performance is taking place except for the placing of tokens into the garter or into the hands of the dancer and the beginning or the end of each performance.
10. Customers must remain seated throughout the performance.

11. House rules for the venue will be displayed around the premise and on the tables regarding the conduct of performers, staff, and customers.
12. Any persons employed on the premises to work as a door supervisor shall hold an SIA authorisation to do so.
13. No glass or bottles to be taken from the premise.
14. CCTV will be maintained and provided throughout the premises.
15. The CCTV recordings shall be produced to a Police Constable or Authorises Officer of the council upon request.
16. A representative of the Premise Licence Holder will become a member of the local Pubwatch scheme.
17. Any persons who appear to be under the influence of alcohol or drugs will not be permitted entry to the premises.
18. Receptacles will be provided for the disposal
19. Members of staff will be trained in first aid.
20. Regular risk assessments, and safety checks will be conducted at the premise in accordance with current Health and Safety Legislation and records will be maintained and made available upon request.
21. The premise plan submitted alongside this application incorporates all proposals in respect of means of fire escape, fire detection, fire fighting equipment, and emergency lighting.
22. Notices shall be displayed upon exits to the building advising customers to respect our neighbours and leave quietly.
23. Noise and disturbance shall not emanate from the premises.
24. Any queue to the premise shall be monitored, and shall ensure no person causes a public nuisance.
25. The premise shall adopt a strict proof of age scheme and all staff will receive regular training, and refresher training in this.
26. Any entertainment from within the premise shall not be visible to any persons under the age of 18 who may be outside the premises.
27. Coded locks on performers changing room door and to be covered by CCTV also the main entrance to the toilets must be covered by CCTV
28. CCTV to be installed covering all booths
29. Company will ensure it has two monitors for the CCTV installed one is the placed in the manager's office; the other is to be located in the reception of the venue.
30. CCTV will be recorded digitally
31. CCTV must be operational 24 hours a day.
32. Recordings of ALL cameras must be kept for period of 31 days, however monitoring and viewing must only be viewed by authorised staff.
33. Authorised staff must also be trained in the use of the CCTV system.
34. Door supervisors must be SIA approved, frontline trained and there must be TWO door staff present on the site at ALL times during operation.
35. Duty manager MUST be personal licence holders as defined in the licensing act.
36. No persons under the age of eighteen shall be employed or allowed to work on the premises.
37. Premises plans for the building which are submitted alongside this application must show the location of the CCTV cameras, and will be submitted to the Police and Local Authority.

38. A minimum of one First Aider must be on site at ALL time when open to the public.
39. All performers in the venue must be clothed to minimum a full bikini unless performing a dance on a stage, or in a booth.
40. The (Gentlemen Jacks Company Operation Manual/Performer Code Conduct) must be adhered too at all times. This must be made available for Police and Local Authority at ANY time. A dancer must print, sign and date a code of conduct manual, and her ID must also be attached to this file.
41. Any outside advertising shall be done tastefully and shall not include nudity.

Managers Code of Conduct

1. Managers must ensure all policies and licensing activities are adhered to.
2. Check on dancers performers at least two dancers for each performer to ensure rules and been adhered to.
3. To ensure the safety of staff and customers AT ALL TIMES
4. Be honest, and act with integrity.
5. Be aware at ALL times what is going on within the club within door staff, bar staff, performers, door staff and DJ's
6. Make sure all Due-Diligence paperwork in up to date, and available upon request for inspection.

Code Of Conduct For Staff

1. Any suspicious activity must be reported to a manager.
2. Challenge 21 is in place at this venue, if unsure ALWAYS ask for ID
3. Anyone who appears to be highly intoxicated or on drugs must be reported to Manager/Door Staff
4. Check on all areas of venue including booth for smashed glass at regular intervals throughout the night.
5. There must be NO bad language used towards customers, performers or other staff.

Code of Conduct for Security

1. Random searches must be carried out at this venue upon entry to performers
2. Random searches must be carried out upon entry to this venue to customers
3. If a customer appears highly intoxicated entry must be refused.
4. This venue will operate challenge 21, please ensure this is followed.
5. Be polite to ALL customers
6. Booths to be checked on during regular intervals, and performers dancers must also be checked on.
7. Be aware what is going on within the venue at all times, camera phones are not to be used by customers to take photographs when in the venue, watch to ensure dancers are not exchanging numbers with customers.
8. Look out for customers trying to touch the performers.
9. Please report any breeches, and anything suspicious to the manager.

Dancers Code of Conduct

1. Dancers will adhere to ALL rules highlighted within the Gentlemen Jacks Performers Code of Conduct.
2. ID shall be provided to a manager and shall be stored on site, within each dancer's individual files (Dancer Files will be within each dancers Gentlemen Jacks Performers Code of Conduct Handbook).
3. Dancers shall ALWAYS adhere to ZERO customer contact when performing.
4. Dancers will be made aware of all security measures in place for their safety and the customers at the venue.
5. Dancers shall ALWAYS be polite when working within the venue.
6. Dancers will be offered the option to be walked back to their vehicle by a member of our SIA door team.

Customer Rules

1. Customers must remain seated for the duration of the performance
2. No propositioning of the dancers is permitted.
3. You must NOT give your contact details to any of the dancers
4. Customers must remain fully clothed
5. There will be NO touching of dancers during the performance expect when paying the fee into the dancers hand, or the placing of tokens in the dancers garter.
6. Any breach of rules will result in the customer been excluded from the Gentlemen's Club.

Draft of Conditions for Gentlemen Jacks Operational Code of Conduct/Dancer Files

1. Dancers must supply a photo copy of ID this will be photocopied, and will be attached to the back of each dancers Operational Code of Conduct/Dancer files before their first shift begins.
2. Dancers will be allowed to read each condition, and shown ALL security measures in place they will then be asked to print, sign and date on front page of their Gentlemen Jacks Operational Code of Conduct/Dancer Files.
3. Dancers MUST also provide a NI/Right to work within the UK; this will also be photocopied and attached to the back of each dancer Operational Code of Conduct/Dancer files.
4. Dancers will be made AWARE they are self employed; it is the dancer's responsibility to pay their own tax and national insurance contributions the venue is not liable and the dancer as a self employed individual is liable.
5. Mobile phones are not permitted to be used when working within the venue; you may leave your phone in a locker. Or you may hand it into management and it will be placed in a secure safe within the office.
6. Dancers must be aware when in the main club area a minimum of a full bikini must be worn unless performing on the stage or in a designated booth.
7. Panic buttons are available within each booth, should you ever need IMMEDIATE assistance please flick the switch and security will be arrive imminently.
8. Dancers will be showed round the venue and shown security measures such as panic buttons, CCTV and where to find security and management to ensure they are aware of ALL our measures in place to protect them and us.
9. Dancers must be made aware that during ALL performances it is ZERO contact unless having money placed into your hand or tokens placed in garter.
10. Dancers will be made aware should they wish to be walked back to their car by a manager or a member of SIA door staff upon completion of their shift this is available.
11. Dancers will be made aware we operate a ZERO tolerance to drugs policy, and regular and random searches will be carried out upon entry and throughout the night.
12. Should a dancer see any suspicious activity they are to report this to a manager or security.
13. Dancers will NOT give any contact details to a customer, and will not accept any contact details from a customer.
14. Dancers must conduct their-self in a professional manor towards customers, staff, and other dancers whilst working within the venue.

Premise Plan

Theatre Royal
Wellington Street
S70 1SS

Ground Floor- Trading As Cheeky Tiki
Second Floor -Trading As-Gentlemens Club

Premise Plan Code:

PB-Panic Button/Alarm

FS-Fire Signage/Notices

FD-Fire Detection

C-CCTV Camera location

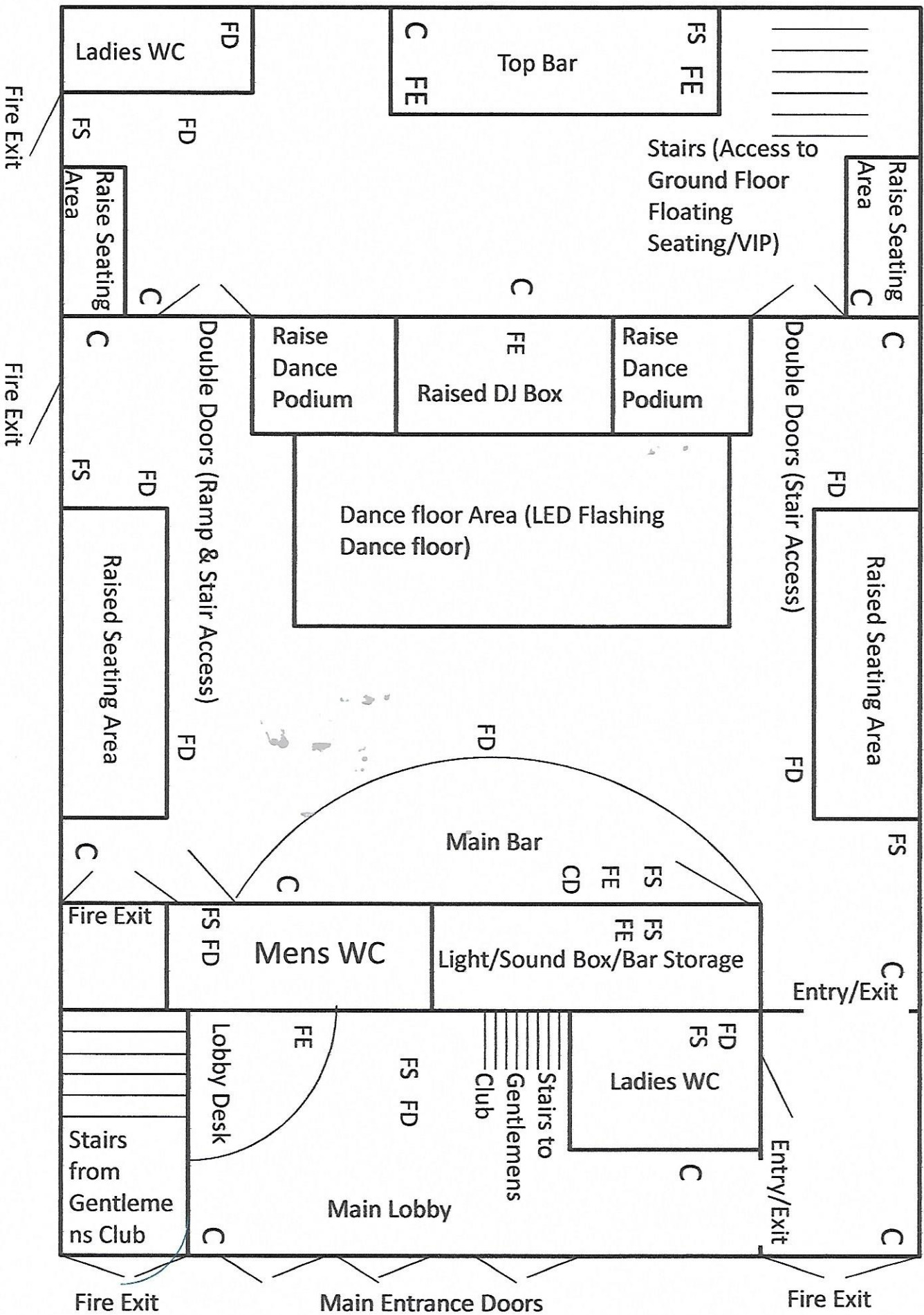
FE-Fire Extinguisher (Combination of Water, Foam &n Carbon Dioxide)

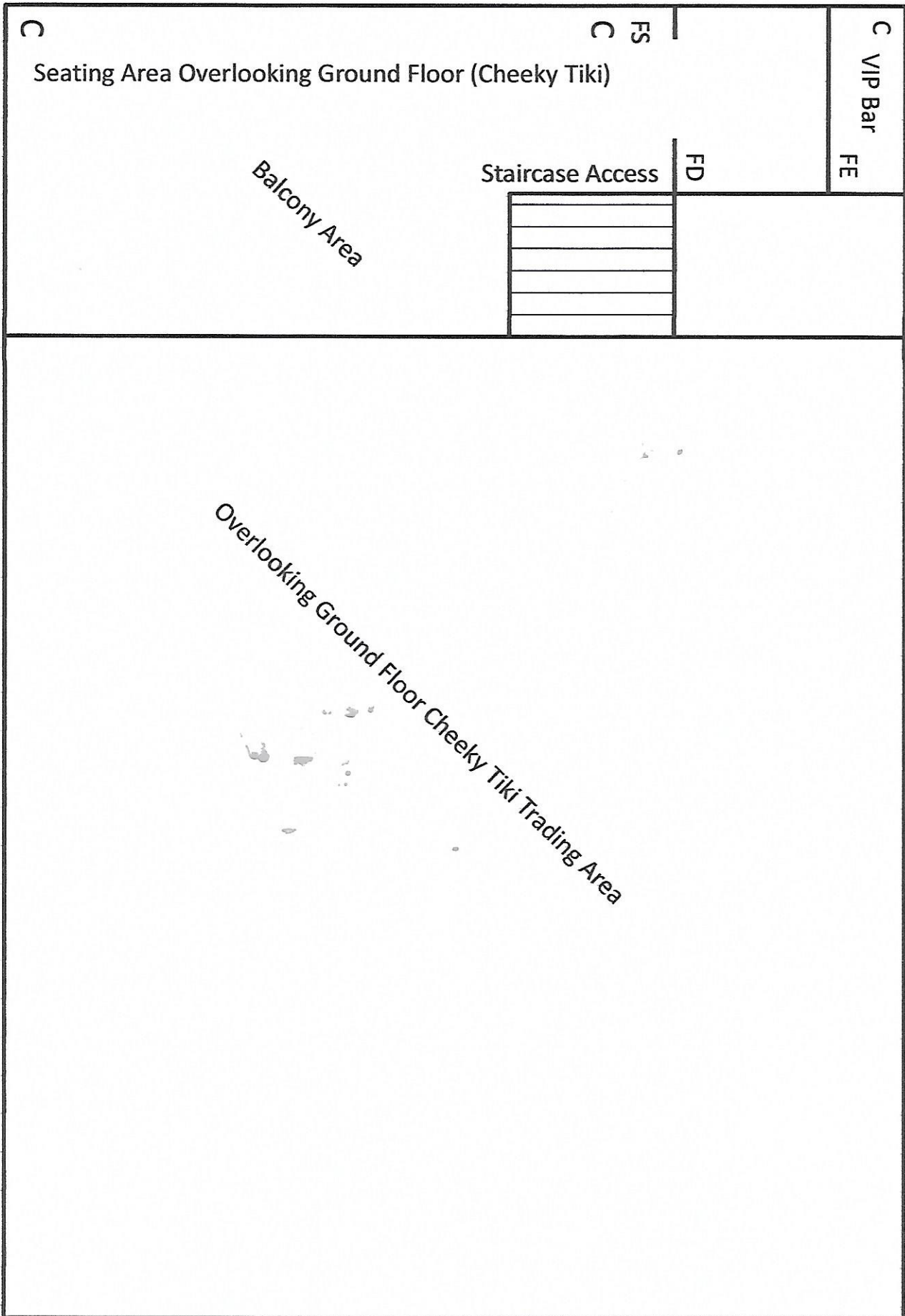
CD- Carbon Detector

-Sign for a door/double door

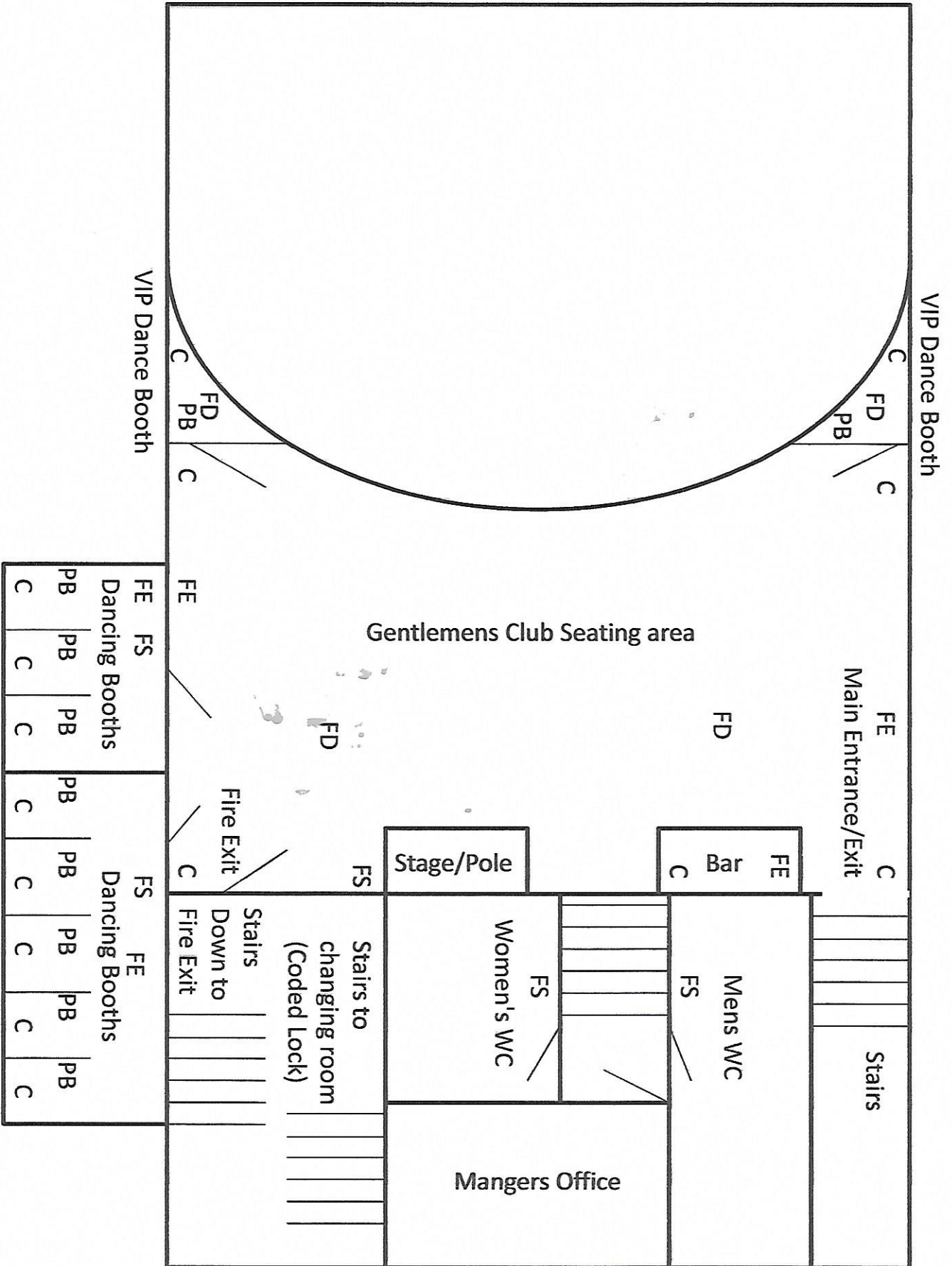


Ground Floor (Trading as Cheeky Tiki-Party Bar)

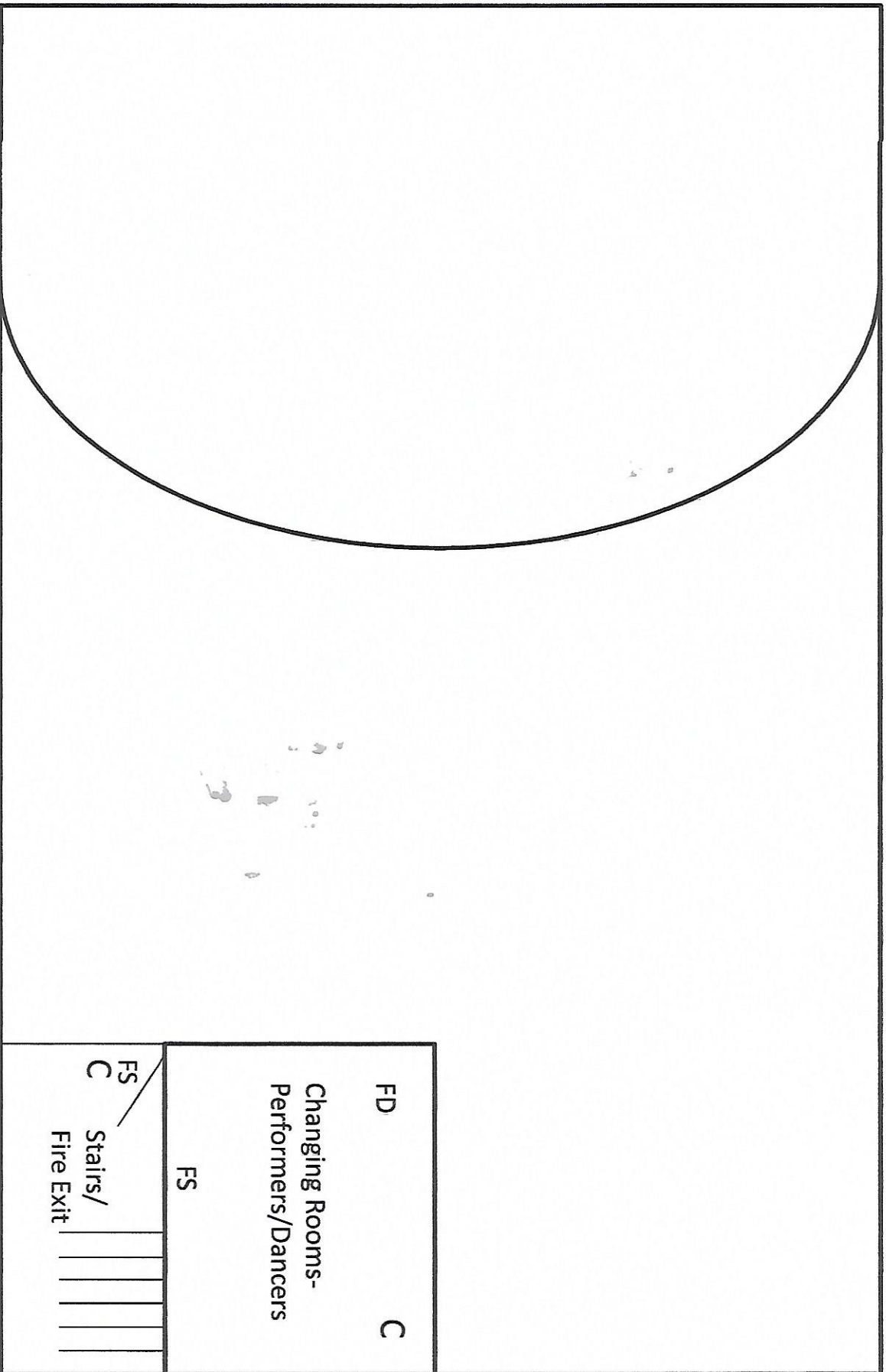




Second Floor- (Trading as Gentlemens Club-Fully enclose not visible from Ground Floor)



Third Floor- (Gentlemen's Club-NO Customer Access- Staff, Mangers, Dancers/Performers ONLY)



Item 4

**Report of the Service Director Legal Services
to the General Licensing Regulatory Board
to be held on the 9 September 2020**

ENFORCEMENT UPDATE

1. Purpose of Report

The purpose of this report, is to provide Members with an overview of the work Licensing Officers are currently undertaking to advise and support the Hackney Carriage and Private Hire trade during the COVID pandemic.

2. Background

Members are minded to note, that Licensing Officers are continuing to proactively work with the Hackney Carriage and Private Hire Trade and other Local Authorities to ensure that those who choose to work through this COVID pandemic can do so whilst ensuring to the best of everyone's ability that both customers and drivers remain safe.

At the time of writing this report no specific official guidance has been released in relation to Hackney and Private hire vehicles, drivers and operators.

3. Current Position

Officers have been working extremely hard in difficult circumstances to help and support drivers and Operators whether they have chosen to work or not during the COVID pandemic.

With limited access to our Office in Westgate, Officers have been attending the building for a few hours every week to produce vehicle licence plates and driver badges and posting these to drivers to ensure the continuity of their business where possible.

The decision has been made not to grant any extensions to vehicle or driver licences at this time as there is still a matter of public safety with the view that if a vehicle is licensed and working then it should be maintained and tested accordingly. As members will be aware we outsourced our MOT testing of licensed vehicles a few years ago to private garages and the majority of these

have remained open during the lock down and so have maintained the facility for drivers to obtain the required n MOT.

We have cancelled all local knowledge tests and are not accepting any new applications for drivers whilst the COVID restrictions remain in place.

Existing drivers are expected to maintain and renew their licence as normal if they are still working.

Partition Screens

Officers have received several enquiries in relation to the use of partition screens in licensed vehicles to divide the driver from passengers. Transport for London has a guidance document in relation to partition screens and we are asking that all drivers follow this guidance accordingly. A copy of the guidance is attached as Appendix 1.

Face Masks

Officers have also received several enquiries in relation to the mandatory requirement for both drivers and customers to wear face masks. Officers are following the guidance issued by The Department for Transport in relation to the mandatory wearing of face masks on public transport in that it does not apply to taxis and private hires. However, in an attempt to support our licensed drivers and keep both them and their customers safe, Officers have distributed in excess of 1700 face masks to all hackney carriage vehicles. We have also given a supply to our taxi marshals so these can be distributed to customers who may have forgotten or lost their mask during the course of their evening in town.

4. Proposal

Members are asked to support Officers and encourage licensed drivers to keep themselves and their customers as safe as possible during this current COVID situation.

5. Background Papers

None available

6. **Officer Contact**

Debbie Bailey

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Guidelines for Driver Safety Partition Screens in Private Hire Vehicles

1. Introduction

- 1.1 The installation of driver safety partition screens in vehicles used for private hire purposes is supported by Transport for London (TfL) for the purposes of improving the safety of private hire drivers and reducing the threat of attack from passengers. However TfL also recognises that in fitting and using such devices the safety of drivers and passengers is vital.
- 1.2 All newly manufactured vehicles have achieved European Whole Vehicle Type Approval following comprehensive safety testing. Changing or adding to the interior of the vehicle can alter the 'type approval' of the vehicle and also have consequences as to what might happen inside the vehicle in the event of a collision.
- 1.3 The purpose of these guidelines is to provide private hire vehicle owners, drivers and operators with guidance as to TfL's requirements in relation to the use of driver safety partition screens.
- 1.4 These guidelines apply to all driver safety partition screens which are installed after the original manufacture of the vehicle.

2. General requirements

- 2.1 Due to the wide and diverse variety of vehicles licensed in London and different types of driver safety partition screens available it is not possible for TfL to offer specific purchase or installation advice in respect of these devices.
- 2.2 Whether a driver safety partition screen should be installed is a matter for vehicle owners, drivers and/or operators to consider. In making this decision, TfL considers that a number of matters should be considered including, but not limited to, the following.
 - i. Ensuring that all relevant safety, UK and European Community (EC) legislation is complied with.
 - ii. Ensuring that this guidance is complied with.
 - iii. Consideration of health and safety responsibilities and personal liability to employees, hirers and passengers.
 - iv. Informing insurers of the intention to fit such a device.

3. Specific Requirements

3.1 If a driver safety partition screen is installed in a vehicle being used for private hire purposes, TfL requires the following specific requirements to be satisfied.

- i. The installation and/or design of the device must not adversely influence or interfere in any way with vehicle type approval.
- ii. Installation and maintenance of the driver safety partition screen should be in full accordance with the manufacturer's specification and recommendations.
- iii. The device installed should not be significantly changed or modified from the original manufactured design. In cases where it is necessary to modify the original design of the device (for example, to facilitate installation of the device in the vehicle), assurances should be sought from the supplier/installer that the modification does not raise any concerns in relation to safety of the device and complies with the relevant UK and/or EC safety legislation.
- iv. Devices should remain clear and be free of scratches, clouding or stickers which would impede the drivers or passengers' visibility.
- v. Devices should not impede entry or egress or present a trip hazard to passengers using the vehicle.

4. Compliance

4.1 Private hire vehicle owners, drivers and operators should seek to fully comply with these guidelines.

4.3 If during the annual licensing inspection (or during a compliance inspection) of the vehicle, it is found that these guidelines have not been complied with the vehicle may not be licensed or an existing licence may be suspended.

4.4 The Driver Safety Partition Screen inspection criteria in Section 13 of the Vehicle Licensing Inspection Manual will apply.

