

Proposed Standard Conditions

Standard Conditions for Sex Shops

1. Premises licensed as a Sex Shop under the provisions of Schedule III of the Local Government (Miscellaneous Provisions) Act, 1982, shall be used only for the purposes of a Sex Shop as defined in Paragraph 4 of said Schedule III and shall not be used, wholly or in part, for any other purposes during the period the premises are licensed as a Sex Shop.
2. Over each entrance to the premises, in a position approved by the City Council, the Licensee shall affix and maintain in a permanent form a notice stating that the premises are licensed as a Sex Shop under the provisions of the Local Government (Miscellaneous Provisions) Act, 1982. Such a notice shall also carry the address of the registered or principal office and the full name of the Secretary of the Company. The lettering on such a notice shall be 75mm tall and at least 6.25mm thick and shall be in white on a dark background.
3. At each entrance there shall be prominently displayed so as to be visible at all times to persons approaching the premises a notice prohibiting entry to all persons under 18 years of age. There shall also be a notice prominently stating that any person suspected of being under 21 years of age shall be required to produce valid photographic identification that they are over 18 years of age.
4. The Licensee of every premises licensed as a Sex Shop shall ensure that all persons employed on the premises are aware of the age restriction on clients and that they exclude or remove from the premises any person attempting to evade the restriction.
5. The Licensee shall not display outside, near to, or within the premises any advertising material, sign or pictorial display referring to the licensed premises or the goods, articles or services provided at the premises, in such a position or manner that it is visible to any person using adjacent highways, streets, foot plates or forecourts except any notice displaying the name or trading title of the Licensee, any notice indicating the times of opening of the premises for business, any notice required by any statute, regulation or bylaw applicable to the premises or business carried thereon or any notice prescribed by these conditions.

6. The licensed premises shall be so arranged by screening or obscuring windows, doors and other openings so that the interior of the licensed premises and the displays of articles sold at the premises shall not be visible to persons outside the building.
7. Except as allowed by a licence issued permitting public music under the provisions of the, Licensing Act 2003, no music of any kind shall be played on licensed premises and no public entertainment of any nature shall be provided or permitted by the Licensee to take place on the premises.
8. No moving picture or display or recorded sound of any description or however provided shall be permitted on the licensed premises except for a period of not more than one minute for the sole purpose of demonstrating to a prospective purchaser or hirer of the article in question and such display shall be in a booth to which there shall only be permitted the prospective purchaser or hirer and any one person employed by the Licensee to sell or hire such articles. The Licensee shall not make any charge or permit any charge to be made for such a display as mentioned in this condition.
9. The Licensee shall not supply or permit to be supplied to any person, other than a person employed to work on the premises, any article of food or drink whether for consumption on or off the premises.
10. All refuse produced on the premises and materials, goods or articles discarded for any reason shall be securely stored within the premises and delivered in sealed containers to the refuse collection service.
11. The Licensee shall make such provision for the reception of goods and articles for sale, hire or display on the premises so that they are received directly into the premises and not subject to storage for any period of time on any pavement, footpath, forecourt or yard.
12. The Licensee or some responsible person nominated by him in writing for the purpose shall be in charge of and upon the licensed premises during the whole time they are open to the public. Such written nominations shall be continuously available for inspection by authorised officers of the Council or the Police.
13. Where the Licensee is a body corporate or an unincorporated body-, any change of Director, Company Secretary or other person responsible for the management of the body is to be notified in writing to the Council within 14 days and such written details as the Council may require in respect of any new Director, Secretary and Manager are to be furnished within 14 days of a request in writing from the Council.

14. A copy of the licence shall be kept on the premises and be immediately available for inspection upon request by the Police or an authorised officers of the Council.
15. External doors shall be closed at all times except when persons are entering or leaving the premises. External doors shall be fitted with a device to provide their automatic closure and such devices shall be kept in good working order.
16. There shall be a CCTV system installed at the premises to the satisfaction of the Council.

Standard conditions for Sexual Entertainment Venues

External Appearance of the Premises and Public Displays of Information

The exterior of the premises must be presented in a manner appropriate for the character of the area. There shall be no advertisement or promotional material used by the premises that is unsuitable to be viewed by children. Any exterior signage shall be discreet and shall not suggest that striptease or similar entertainment takes place at the premises. Any external displays or advertising may only be displayed with the prior approval of the Licensing Unit Manager of Manchester City Council.

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

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

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

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

There shall be no performers or persons employed at the premises in a state of undress, or scantily-clad, outside the premises at any time it is open.

The use of cruising cars to solicit for custom for the premises is prohibited.

The use of flyers and similar promotional material for the premises is prohibited.

Control of Entry to the Premises

There shall be no persons under the age of 18 on the premises at any time the premises is open.

The Challenge 25 proof of age scheme shall be operated at the premises whereby any person suspected of being under 25 years of age shall be required to produce identification proving they are over 18 years of age. The only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport. OR

The premises shall operate an ID Scan system at all entrances to the premises and admittance shall only be permitted upon valid identification being scanned. Acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport. All persons, shall register their details upon initial entry to the premises. Any person employed at the premises to provide a security activity (within the meaning of paragraph 2(1)(a) of Schedule 2 to the Private Security Act 2001) shall be required to scan their SIA badge as a condition of their employment. All persons employed at the premises, as well as performers, shall be required to register their ID at the start and finish of each term of duty. 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.

All individuals employed on the premises to conduct a security activity (within the meaning of paragraph 2(1)(a) of Schedule 2 to the Private Security Act 2001) must be licensed by the Security Industry Authority.

Any person who appears to be drunk/intoxicated or under the influence of illegal drugs shall not be permitted entrance to the premises.

A policy of random searches of persons entering the premises shall be operated.

Any person found to be in possession of illegal drugs upon entry shall be prevented entry and, where possible, restrained until the Police can take such person into custody. Any persons found using illegal drugs on the premises shall be removed from the premises or, where possible, restrained until the Police can take such person into custody.

The licensed premises shall be so arranged by screening or obscuring windows, doors and other openings so that the interior of the licensed premises shall not be visible to persons outside the building.

The premises shall subscribe to the NiteNet radio system and radios shall be operational at all times the premises is open to the public.

Conduct of performers and Rules relating to performances of sexual entertainment

There shall be a written code of conduct for performers. All performers shall be required to certify their agreement to comply with the code and a record shall be kept on the premises and be made available upon request by the Police or an authorised officer of the Council. The code shall include the following:

There shall be no intentional physical contact between performers and customers at any time, before, during or after the performance, with the exception of leading a customer by the hand to, or from, an area permitted for performances of sexual entertainment in advance of, or following, a performance.

During any performance, there shall be a minimum of 1 metre separation between the performer and the customer.

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

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

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

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

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

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

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

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

Customers must remain seated for the duration of a performance.

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

The protection of performers and the prevention of crime on the premises

Performers shall be provided with secure and private changing facilities.

There shall be separate and private sanitary facilities for performers.

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

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

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

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

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

All booths shall be fitted with a panic button or security alarm.

There shall be no alterations to the layout plan of the premises without the prior written approval of the Council.

All escape routes and emergency exits shall be clearly sign and shall be kept clear. Emergency exits must be remain unlocked at all times any person is on the premises. Emergency lighting must be provided to the satisfaction of Greater Manchester Fire and Rescue Service.

Record Keeping and Management

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

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

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

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

CCTV

There shall be digital hard drive CCTV system to be in operation to cover internal and external areas of the premises, Any area where customers have legitimate access must be sufficiently illuminated for the purposes of CCTV.

All CCTV recorded images will have sufficient clarity / quality / definition to enable facial recognition.

CCTV will be kept in an unedited format for a period of 28 days. Any DVD's subsequently produced will be in a format so it can be played back on a standard personal computer or standard DVD player.

Any person left in charge of the premises must be trained in the use of any such CCTV equipment and able to produce / download / burn CCTV images upon request by a person from a police officer or authorised officer of the Council..

CCTV will be maintained on a regular basis and kept in good working order. CCTV maintenance records to be kept details of contractor used and work carried out to be recorded.

Plans indicating the position of CCTV cameras to be submitted to be lodged with the Licensing Unit at the Council..

Where the recording is on a removable medium (i.e. videotape, compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

Dress Code

The premises shall operate a dress code for customers to the satisfaction of Greater Manchester Police.