

Licence for a Sexual Entertainment Venue

This Licence is granted pursuant to Schedule 3 of the Local Government Miscellaneous Provisions) Act 1982, as amended by Section 27 of the Police and Crime Act 2009, to permit relevant entertainment to

to use the premises as a sexual entertainment venue at

Temptation

1 Yelverton Road Bournemouth BH1 1DA

1. This Licence, which will remain in force until 15 June 2024, unless it is revoked or surrendered before that date, is granted on the terms and conditions overleaf and subject to the restrictions contained in regulations, made from time to time by Bournemouth, Christchurch and Poole Council, under Paragraph 13 of the Third Schedule to the Local Government (Miscellaneous Provisions) Act 1982.
2. This Licence is subject to Special Conditions for Sexual Entertainment Venues overleaf (unless expressly varied or excluded) and additional conditions as imposed by the Licensing Board on 16 December 2014..

PERMITTED HOURS

Monday to Sunday inclusive – 00:01 to 00:00 hours

Dated this 12 day of July 2022

Licensing Manager
Mrs Nananka Randle

General condition for Sexual Establishments

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 shall prevail.
2. The grant of a licence for a Sex Establishment shall not be deemed to convey any approval or consent which may be required under any enactment, bylaw, order or regulation other than Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.
3. A refusals register shall be kept and made available for inspection by an authorised officer of the Council or Police Officer.
4. The Premises shall be maintained in good repair and condition.
5. Alterations or additions either internal or external and whether permanent or temporary to the structure, lighting or layout of the Premises shall not be made except with the prior approval of the Council.
6. The licence holder shall ensure a copy of the licence and of these Regulations are required to be exhibited in accordance with paragraph 14(1) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended and shall be reproduced to the same scale as those issued by the Council.
7. The copy of the licence required to be displayed shall be suitably framed and the copy of these Regulations shall be retained in a clean and legible condition.

Standard Conditions – Sexual Entertainment Venues Conduct and Management

1. Where the licence holder is a body corporate or an unincorporated body, any change of director, company secretary or other person responsible for the management of the body is to notify the Council in writing within 14 days of such change and such written details as the Council may require in respect of any new director, secretary or manager are to be furnished within 14 days of a request in writing from the Council.
2. The licence holder shall retain control over all portions of the premises as defined on the approved premises plans, and shall not let, licence or part with possession of any part of the licensed premises.
3. The licence holder shall nominate a Duty Manager for the premises on each occasion they are open to the public and being used for the purposes of providing relevant entertainment.
4. The licence holder shall ensure the name of the Duty Manager is displayed in the foyer or reception of the premises so the name can easily be viewed by Police or authorised Council officers carrying out an inspection of the premises, or otherwise by persons using the venue.
5. The Duty Manager shall be responsible for ensuring the premises operate in accordance with the conditions applicable to the sex establishment licence.
6. The Duty Manager shall remain on the premises while they are on duty save in the event of an emergency situation.
7. The Licensee must ensure that a suitable number of trained staff are employed to supervise the interior of the premises ("floor supervisors") whilst performances are given under this licence.
8. The Licensee must ensure that a sufficient number of floor supervisors are employed in the premises to supervise customers and performers whilst sexual entertainment is provided.

9. No person under the age of 18 shall be admitted to the licensed premises whilst the sex establishment licence is being used. A notice advising no admittance to persons under the age of 18 shall be prominently displayed at each public entrance to the premises.
 10. No person under the age of 18 shall be employed to work at the licensed premises in any capacity, or allowed to work in the premises on a self-employed basis.
 11. The premises shall follow the 'Think 25' initiative, whereby any customer who enters the premises who appears to be under the age of 25 shall be asked for age identification. The only ID accepted shall be photo identification such as a picture driving licence, a passport or a PASS ID.
 12. An incident / refusal log book shall be maintained at the premises. The incident / refusal log shall, as a minimum, give details of:
 - Any persons refused entry to the premises and the reason for refusal
 - Any persons ejected from the premises and the reason for ejection
 - Any inappropriate behaviour by customers
 - Any incidents of crime or disorder
 - Any complaints made by customers, dancers or staff
 13. The incident / refusal log shall show the date, the time of the incident, the name of the staff member reporting the incident, a brief description of the customer involved / name of dancer or staff member where appropriate and brief description of the incident and any action taken by staff.
 14. The incident / refusal log shall be kept in a place where it can be easily accessed by staff working at the premises and all staff shall be aware of the procedure to follow.
 15. The licence holder and/or Duty Manager shall ensure the incident / refusal log is checked periodically, at least once a week, to ensure the log is being effectively used.
 16. The incident / refusal log shall be made available for inspection to the Police and or an authorised officer of the council on request.
 17. The licence holder and/or Duty Manager shall ensure that the public is not admitted to any part or parts of the premises other than those, which have been approved by the Council.
 18. No part of the licensed premises shall be used by prostitutes for the purpose of solicitation or otherwise exercising their calling.
- Advertising, Premises Appearance and Layout**
19. There shall be no touting for business in any area for the premises by but not limited to persons holding advertising boards, leafleting, advertising on branded vehicles or personal solicitation, this includes leafletting.
 20. The Council shall not permit the display of any form of imagery or photographs that the Council believes could be construed as offensive to public decency.
 21. No display or advertisement of the activities permitted by the sex establishment licence shall be exhibited so as to be visible from outside of the premises except:
 - any notice required by law, by these regulations, or by any condition of the sex establishment licence granted by the Council
 - the name of the premises as specified in the sex establishment licence
 - the hours of opening of the premises
 - notice of any admission charge to the premises

• unless the Council has given its prior consent in writing that such display or advertisement may be used.

22. All windows must be dressed or designed so as to prevent persons outside the premises having a view of the interior.

23. The premises shall not contain any sign, advertising material, goods or display without the written consent of the Council.

24. No alterations or additions either internal or external and whether permanent or temporary to the structure, lighting or layout of the premises shall be made except with the prior approval of the Council.

25. The layout of the premises shall be such that performers cannot be seen from outside the premises.

26. Performers may not stand in lobby, reception or foyer areas or outside the premises entrance for the purposes of greeting customers or encouraging customers to enter the venue.

CCTV

27. A suitable CCTV system shall be installed and maintained at the premises in accordance with the requirements of Dorset Police.

28. The system shall be operational at all times the premises is open to members of the public and will cover all public areas including booths and VIP areas.

29. The positioning of the CCTV cameras will be agreed with Dorset Police prior to installation and will comply with that agreement at all times. Changes to the CCTV system and / or positioning of the cameras may only be made with the written consent of Dorset Police.

30. The licence holder shall retain recordings for 31 days, which will be delivered to the Police on request (subject to Data Protection legislation as appropriate).

31. At all times that the premises are open to the public there will be a member of staff on duty who is conversant with the operating of the CCTV system and who is able to download immediately any footage requested by the Police, an officer from the Licensing Authority or an authorised agent.

Requirements for a code of Conduct for Dancers

32. There shall be a Code of Conduct for Dancers in place at the venue that has been agreed in writing by the licence holder and the Council.

33. The Code of Conduct shall, as a minimum, contain the conditions set out in the section below entitled "Code of Conduct for Dancers" and provide information to support whistleblowing and give dancers encouragement to report concerns to the Licensing Authority.

34. No change shall be made to the Dancer's Code of Conduct without the prior written consent of the Council.

35. The Dancers Code of Conduct must state that dancers who do not comply with the Code of Conduct will face disciplinary proceedings.

36. The licence holder shall require all dancers to sign an acknowledgement that they have received a copy of the Dancer's Code of Conduct and have read and understood its contents and shall comply with such Code of Conduct at all times they are working at the premises as dancers.

37. The licence holder shall retain original records showing that each dancer has signed to acknowledge receipt of the Dancer's Code of Conduct.

38. The premises management and staff (including security staff) shall be aware of the content of

the Dancer's Code of Conduct and shall ensure it is complied with.

Requirements for a Code of Conduct for Customers

There shall be a Code of Conduct for Customers in place at the venue that has been agreed in writing by the licence holder and the Council.

39. The Code of Conduct shall, as a minimum, contain the conditions set out in the section below entitled "Code of Conduct for Customers".

40. The Code of Conduct for Customers shall be displayed in prominent positions throughout the premises where it is visible to all customers.

41. No change shall be made to the Customers Code of Conduct without the prior written consent of the Council.

42. The Customer's Code of Conduct must state that customers who do not comply with the Code of Conduct will be ejected from the premises.

43. The premises management and staff (including security staff) shall be aware of the content of the Customer's Code of Conduct and shall ensure it is complied with.

44. Where a customer breaches the Customers Code of Conduct, this shall be recorded in the incident/ refusals log.

Disciplinary Procedure

45. The Code of Conduct for Dancers shall be detailed in writing and a copy of it provided to each dancer prior to their taking up their first shift at the premises together with a copy of the licence holder's Policy on breach of such Code.

46. The licence holder shall require all dancers to sign an acknowledgement that they have been provided with a copy of the Code of Conduct for Dancers and the Policy on breach and have read and understood its content.

Code of Conduct for Dancers

47. The Dancer's Code of Conduct shall apply whilst the Dancer is working or on shift at the premises and include the following conditions as a minimum:

a) Dancers shall only perform on the stage(s), to a seated audience or in other such other areas of the licensed premises as may be agreed in writing with the Council. ("the performance areas")

b) Dancers may not accept any telephone number, email address, address or contact information from any customer, except in the form of a business card, which must be surrendered to the Licensee or their representative before leaving the premises.

c) Dancers may not touch a customer during a performance

d) Dancers may not permit a customer to touch them during a performance

e) Dancers must not when performing, touch a customer at any time during the performance unless accidentally or due to a third party or for the purpose of restraint. For the avoidance of doubt if a performer has to intentionally touch a customer for the purpose of restraint, the touch should only be made above the customer's chest or on their limbs and only with the performer's hands

f) Dancers may not straddle the customer

g) If a customer attempts to touch or speak to a dancer inappropriately, the dancer shall stop the performance and advise the customer of the rules of the Code of Conduct. If the customer continues with their inappropriate behaviour, the dancer shall stop the performance and inform the management

h) If a customer engages in acts of masturbation or other sexual behaviour, the dancer shall

cease the performance immediately and inform the premises management.

i) Dancers may not touch their own breasts, anus or genitals with their fingers, lips or tongue

j) Dancers may not intentionally touch the genitals, anus or breasts of another dancer, nor knowingly permit another dancer to touch their genitals, anus or breasts

k) Dancers may not perform any act which simulates masturbation, oral sex or sexual intercourse, including the insertion of any object, including their own finger, into the anus or vagina

l) Dancers shall not solicit for gratuities or payment for sexual act. Dancers shall not engage in any act of prostitution

m) Dancers may not be in the company of a customer unless it is in an area of the premises that is open to the public

n) Dancers shall not perform if under the influence of alcohol or drugs.

o) Dancers shall use the dressing room facilities provided for their exclusive use to change for their performance.

p) Dancers shall only use the smoking area provided specifically for their use.

q) Dancers shall only use the sanitary facilities specifically provided for their use.

r) Dancers shall not leave the premises or otherwise be visible outside the premises, including for smoking breaks, unless dressed in suitable attire

s) All dancers shall comply with this Code of Conduct. Any failure to adhere to the Code of Conduct shall render the dancer subject to the Policy on breach, a copy of which must be provided to each dancer.

t) Customers must be seated in an upright position against the back of the booth or seat with their hands by their sides or on their knees before a dancer can start a table dance

48. Customers must remain seated during the entire performance of a private dance.

49. During times when performances of sexual entertainment are taking place, customers may only dance in areas specifically designated by the Council as being separate from the areas for performance of sexual entertainment.

50. Customers must remain fully dressed at all times.

51. Customers may not touch dancers during a performance.

52. Customers may not make lewd or offensive remarks to dancers.

53. Customers may not harass or intimidate dancer.

54. Customers may not ask dancers to perform any sexual favour.

55. Customers may not perform acts of masturbation or indulge in other sexual behaviour

Staff welfare

56. Dancers under the age of 18 will not be permitted to work at the premises. All reasonable steps shall be taken to verify the age of the dancer such as the production of photo identification.

57. The licence holder shall ensure dancers have secure dressing rooms and facilities to secure valuables.

58. The licence holder shall ensure that there are sanitation facilities for the use solely of the dancers and other employees of the premises.

59. Each dancer shall be provided with an information pack which will include the following:

- A copy of relevant conditions attached to the Sex Establishment Licence

- Details of any other conditions applied by the management of the premises

- A copy of the Dancers Code of conduct

- A copy of the Customers Code of Conduct

- The premises Disciplinary Procedure Policy including breach of Dancers Code of Conduct

- Pricing policy

- Nationally recognised unions, trade organisations or other bodies that represent the interest of the dancers

60. The licence holder shall maintain written records of all dancers working at the premises. The records shall show the full name of the dancer, home address, date of birth and the date the dancer was provided with the information pack as stated above.

61. Such records shall be kept on the licensed premises and produced for inspection by the Police or an authorised council officer on request.

62. Any instances of the dancer breaching the Dancers Code of Conduct and any instances of discipline and fines imposed will be recorded on their record. The record shall include the date and time of the incident and the breach that occurred.

63. All booths/areas for VIP's used for private dances must be visible to supervision and must not have closed doors or closed curtains that prevent performances from being observed.

64. All booths/areas for VIP's used for private dances must be directly supervised by either an SIA registered door supervisor, or a member of staff who has direct contact with SIA registered door supervisors working on the premises at all times the booths/areas are in use. Direct supervision does not include remote supervision by CCTV.

65. Dancers will only be present in the licensed area in a state of nudity when they are performing on stage or providing a private dance

TEMPTATION, 1 YELVERTON ROAD, BOURNEMOUTH, BH1 1DA
ADDITIONAL SPECIAL CONDITIONS IMPOSED BY LICENSING BOARD ON 16 DECEMBER 2014

1. On Thursday, Friday and Saturday, a manager and a dance marker shall be employed to cover the booth floor.
2. On a Thursday, Friday and Saturday, a door supervisor will look into each occupied booth on at least one occasion during each song
3. All private dancing shall be monitored at all times by a person physically on the premises, as well as by CCTV.
4. The CCTV will be checked at least every 2 weeks by a senior manager, for the avoidance of doubt this is a member of staff who holds the position of the DPS or above. Records shall be maintained recording the date and time of the check, the senior managers name, whether any breach observed and what action taken.
5. Notices shall be prominently displayed throughout the premises, setting out the customers' code of conduct
6. Signs will be displayed prominently throughout the club informing customers that dancers are not permitted to touch them.
7. Performers shall be reminded every 72hrs of all relevant codes of conduct and license conditions. Written records shall be maintained of this procedure, detailing the date, time, the performers name and the name of the manager carrying out the procedure. A1 posters listing the code of conduct and license conditions will be displayed in the performers changing / rest room.
8. Upon appointment and at least every 6 months thereafter, every performer and employee at the premises shall undergo training on all codes of conduct and license conditions. Full records of training shall be retained and made available on request.
10. A senior manager/director shall be available to meet with the police and licensing authority to review policies and practices at least once every 4 months as required by the police and licensing authority.
11. The Applicant shall establish a written protocol for the charging of customers once they have entered the premises. The protocol shall be agreed in consultation with and in writing by Trading Standards. The protocol shall include consideration of the following matters:
 - (a) The font size of information on surcharges on forms provided for customer signature.
 - (b) The prominent display of notices for products and services within the premises.
 - (c) Greater transparency on the prices charged per performer.
 - (d) Greater transparency around any handling or administration fee.
12. The Applicant shall establish a written protocol for the treatment and welfare of vulnerable people when they attend the premises. Vulnerable people are to include those whose mental capacity is or appears reasonably to be impaired. The written protocol shall be implemented no later than 1 February 2015.
13. The Applicant shall establish a written operator's manual for all management and staff at the premises. The written operator's manual shall be implemented no later than 1 February 2015. The contents of such manual must form a part of induction and ongoing training for all staff.