

# Licensing Committee



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



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Friday, 20 September 2024 at 10.00 am  
Council Chamber - South Kesteven House,  
St. Peter's Hill, Grantham. NG31 6PZ

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**Committee Members:** Councillor Pam Bosworth (Chairman)  
Councillor Elvis Stooke (Vice-Chairman)

Councillor Harrish Bisnauthsing, Councillor Helen Crawford, Councillor Steven Cunnington, Councillor Patsy Ellis, Councillor Paul Fellows, Councillor Jane Kingman, Councillor Philip Knowles, Councillor Robert Leadenham and Councillor Nikki Manterfield

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## Agenda

- 1. Apologies for absence**
- 2. Disclosure of interests**  
Members are asked to disclose any interests in matters for consideration at the meeting.
- 3. Minutes of the meeting held on 23 August 2024** (Pages 3 - 11)
- 4. Local Government (Miscellaneous Provisions) Act 1982: Application to renew a Sexual Entertainment Venue Licence - Taboo Gentleman's Club, 99A Westgate, Grantham. NG31 6LE** (Pages 13 - 66)  
Committee to determine an application to renew a Sexual Entertainment Venue Licence.
- 5. Any other business which the Chairman, by reason of special circumstances, decides is urgent.**

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# Minutes

Licensing Committee  
Friday, 23 August 2024



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

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## Committee members present

Councillor Pam Bosworth (Chairman)  
Councillor Elvis Stooke (Vice-Chairman)  
Councillor Helen Crawford  
Councillor Paul Fellows  
Councillor Jane Kingman  
Councillor Robert Leadenhams  
Councillor Nikki Manterfield

## Officers

Licensing Officers, Elizabeth Reeve, Chris Clarke  
Licensing Manager, Heather Green  
Legal Advisor, Martha Rees  
Democratic Officer, Lucy Bonshor

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## 14. Apologies for absence

Apologies for absence were received from Councillor Harrish Bisnauthsing, Councillor Patsy Ellis and Councillor Philip Knowles.

## 15. Disclosure of interests

Councillor Helen Crawford declared an interest in respect of agenda item 6 as she was acquainted with the driver and therefore left the meeting during consideration of this item.

## 16. Minutes of the meeting held on 26 July 2024

The minutes of the meeting held on 26 July 2024 were proposed, seconded and **AGREED.**

## 17. EXCLUSION OF THE PRESS AND PUBLIC

It was proposed, seconded and **AGREED** to exclude the press and public in accordance with Section 100(A) of the Local Government Act 1972 (as amended) during consideration of the following items of business because of the likelihood that otherwise exempt information, as described in paragraphs 1 and 2 of the Act (as amended) would be disclosed them.

*(10:14 Councillor Helen Crawford left the meeting)*

## 18. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

### **Decision**

***The Committee determined that the driver is not a fit and proper person to hold a dual hackney carriage/private hire driving licence pursuant to Section 59 of the Local Government (Miscellaneous Provisions) Act 1976 and Section 51 of the Local Government (Miscellaneous Provisions) Act 1976.***

It was confirmed that the driver was not present at the meeting but he had submitted a letter for the Committee to consider in his absence and the Legal Advisor asked the Committee whether they wished to proceed in the driver's absence. The Committee **AGREED** to proceed with the matter.

The Licensing Officer then presented the report which concerned the fitness of a driver to hold a Hackney Carriage driving licence due to the accumulation of 12 DVLA points within a period of three years. The Licensing Officer stated that the driver had held a Dual Hackney Carriage and Private Hire Driver's licence with South Kesteven District Council since February 2022. His current licence was due to expire in February 2025.

The Licensing Officer detailed the history of the receipt of the speeding offences together with the Lincolnshire Road Safety Partnership driving assessment tests that had been undertaken. The driver had also undertaken a speeding awareness course; however, this was not a requirement of applying for a Hackney Carriage or Private Hire Licence and the Council had not requested that he complete the course.

In July the Licensing Team had chased up an overdue DVLA check code for 2024 and the driver had confirmed that they had just the day before attended court for a further speeding offence in October 2023. Due to accumulating 12 DVLA points over a three year period the driver had attended the Magistrates Court and due to mitigating circumstances the court had not banned the driver from driving, appendices detailed the circumstances. The driver had held a licence between March 2018 and December 2021 and the Licensing Officer detailed previous enforcement action during this period. Expired driving licence endorsements could be considered as the current Hackney Carriage and Private

Hire Licensing Policy stated that “*Where an applicant has more than one conviction showing a pattern or tenancy irrespective of time since the convictions, serious consideration will need to be given as to whether they are fit and proper*”. The driver had submitted a mitigating statement and supporting letter and these were appended to the report.

It was for the Committee to determine whether the driver was a fit and proper person to hold a dual Hackney Carriage/Private Hire driver’s licence taking into account the number of DVLA endorsements since holding a licence with South Kesteven. The Committee were reminded to have regard to all relevant guidance and policies including the Council’s current Hackney Carriage and Private Hire Licensing Policy and the Department of Transport Standards.

*(10:20 the Licensing Officers left the meeting)*

Members considered the issue before them, taking in to account the report, appendices, the letter received, legislation and the Council’s Hackney Carriage and Private Hire Licensing Policy together with the Councillor Handbook. Members expressed concern that the driver did not appear to have “learnt their lesson” by the number of speeding offences that they had received and the Lincolnshire Road Safety Partnership driving assessment tests undertaken. Members did consider a possible suspension but felt that it would not achieve the desired outcome. Members were also conscious that the driver undertook school contracts and that public safety was paramount and it was felt that the only reasonable and proportionate response open to them was that the driver was not a fit and proper person to hold a Hackney Carriage Driver’s Licence, on being put to the vote this was **AGREED**.

*(10:42 the Licensing Officers returned to the meeting)*

The Legal Advisor read out the Committee’s decision. The Committee had considered whether the driver was a fit and proper person to hold a Hackney Carriage Driver Licence having accumulated 12 DVLA points within three years.

The driver was unable to attend the meeting but had sent a letter for the Committee to consider in their absence. The Committee decided to continue to determine the matter in the driver’s absence.

Members heard from the Licensing Officer details of the drivers’ history of speeding and the number of DVLA points accumulated during the course of his current licence and also during the period 2016-2019 when the driver had held a Hackney Carriage Driver’s licence.

The Committee also considered the letter submitted by the driver; giving details of the need to retain a driving licence and that the court had not taken away his driving licence.

In reaching their decision the Committee had taken into consideration the report, appendices, legislation, the Council’s Hackney Carriage and Private Hire

Licensing Policy and the Councillor Handbook together with the letter received from the driver. Of particular note to Members was the drivers' prolific history of speeding, but also the fact that the driver transported children on school contracts. Public safety was of paramount importance, and the Committee held licensed drivers to a high standard in that regard.

Taking everything into consideration, the Committee determined that the driver was not a fit and proper person, and considered it reasonable and proportionate to revoke his Hackney Carriage/Private Hire Driver Licence.

There was a right of appeal of the decision to the Magistrates' Court within 21 days of receipt of written notice.

*(10:45 Councillor Crawford returned to the meeting)*

As the driver in respect of agenda item 6 was not present, the Chairman changed the order of the agenda and dealt with agenda item 7 next.

## 19. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

### **Decision**

***The Committee determined that the Council's policy regarding the Driver Proficiency Assessment cannot be waived. However, taking into account that the driver's vehicle was a specialist and fully wheelchair accessible vehicle, the Committee determined that this element of the policy should be waived in this one instance.***

The driver confirmed his name for the Committee.

The Licensing Manager presented the report which asked the Licensing Committee to determine whether the Euro 6 requirement for a wheelchair accessible vehicle and driver proficiency assessment should be adhered to in line with the Hackney Carriage and Private Hire Policy dated June 2024.

Following the issue of the Department for Transport (DfT) of updated Taxi and Private Hire Guidance in November 2023, the Hackney Carriage and Private Hire Licensing Policy was updated and approved by Council on 23 May 2024. One of the amendments related to the removal of the previous vehicle age limits both at first registration (no older than 5 years) and maximum age limit (10 years), replacing it with a requirement for all vehicles to be Euro 6 compliant, registered after September 2015.

An addition to the policy was to require all drivers, new and existing to undertake a driver proficiency assessment. The new Policy would be effective from 1 June 2024 for all new applicants, but for existing drivers/vehicles changes would be effective from their next renewal date after 1 August 2024.

The driver before the Committee had a wheelchair accessible hackney carriage which had been licensed since September 2016. The existing licence expired in September 2024 and having checked the Euro rating the vehicle was only Euro 5 and was not compliant with the Council's policy.

An email had been received from the driver, appended to the report requesting that the policy requirements for undertaking a driver proficiency assessment be reconsidered together with vehicles being Euro 6 compliant. The driver had been invited to Committee to present his case.

The driver then made his representation. In respect of taking a driver proficiency test, they had held a hackney carriage licence for over 19 years. For the proficiency test, the tester usually sat in the front passenger seat however, in their vehicle that wasn't possible, and they would have to sit in the back. Courses in respect of the disability awareness courses tended to be on-line and they felt that they were not technology proficient to access these courses, although they had found one organisation to have in person testing, they were not a recommended provider within the SKDC Policy and therefore did not have South Kesteven District Council as a registered contractor.

The drivers then spoke in respect of the requirement for vehicles to be Euro 6 rating. They felt that the "goal posts" had been moved. They had bought their vehicle on the understanding that it would be a taxi for a period of 10 years, however with the changes to the Policy this had reduced to seven and therefore had cost implications. They felt that it was unfair, especially as the vehicle was purpose built and one of the very few purpose built, wheelchair accessible vehicles in the district. The driver felt that the policy should include exceptions for this type of vehicle not having to be Euro 6 compliant.

Members then questioned the driver in respect of the vehicle and the costs involved to which the driver replied. Questions were also asked in respect of taking the driver proficiency test in person rather than on-line and the Licensing Manager stated that this would be looked into as a matter of urgency. Reference was also made to the number of Uber drivers located in the district from Wolverhampton and the lack of testing required to drive an Uber and the driver felt that it was grossly unjust.

*(11:03 Licensing Officers and driver left the meeting)*

Members discussed the matter before them taking into account the Council's Hackney Carriage and Private Hire Licensing Policy and all other relevant guidance and policies and the representation made. Members felt that when the Policy had been discussed reference to wheelchair accessible vehicles had not fully considered and it was felt that perhaps these should have been included within the vehicle exemptions especially as there was a lack of these vehicles across the district. Members did have some sympathy for the driver and felt that the Policy and the issue of wheelchair accessible vehicles and their ratings should be reviewed by the relevant Overview and Scrutiny Committee at the

earliest opportunity. Further discussion then followed in respect of the driver proficiency aspect and access to the disability awareness courses and it was acknowledged that the Licensing Manager would be looking into in person courses in respect of the disability awareness courses. Members felt that the driver proficiency was of paramount importance and therefore there would be no exemption. More discussion followed in respect of the wheelchair accessible vehicle and Members felt that due to the limited number of these type of vehicles available in the district that in this particular instance the need to be Euro 6 compliant in respect of this particular vehicle would be waived. On being put to the vote this was unanimously **AGREED**.

*(12 noon Licensing Officers returned to the meeting, the driver did not return to the meeting as he had a prior engagement)*

The Legal Advisor read out the Committee's decision. The Committee had convened to consider whether the Euro 6 requirement of the Council's Licensing Policy and the Driver Proficiency Assessment policy should apply to the driver's renewal applications that had been received by the Authority in respect of their licensed vehicle and Hackney Carriage/Private Hire Drivers Licence.

The Committee heard from the Licensing Manager changes to the Authority's policy, which removed the age of licensed vehicles and replaced it with a requirement that vehicles must meet Euro 6 standard instead. Additionally, the Authority's policy required drivers to undertake a proficiency assessment.

The driver stated their grievances with the two policy requirements; namely in respect of the proficiency assessment and that they struggled with online courses, but also that they had been driving for 19 years and any examiner may not have the same experience as them, and how could they effectively examine the driver.

In respect of the Euro 6 standard policy, they explained to Members how they felt the Authority had moved the goalposts; when they had purchased the current vehicle, they had anticipated being able to use it for ten years. Now, following the policy change, they would only be able to use it for seven years and that has considerable financial implications. The driver explained that they were one of very few drivers offering a fully wheelchair accessible hackney carriage, and it had been purchased especially for this use.

The driver had asked the Committee to disapply both elements of the policy in respect of the renewal applications.

In reaching their decision the Committee had taken into consideration the report, appendices, the representation made, legislation and the Council's Hackney Carriage and Private Hire Licensing Policy. Of particular note to the Committee was the fact that the driver's vehicle was one of very few fully wheelchair accessible vehicles operating in the district, which provided a much needed service.

The Committee noted that there were no other reported issues in respect of the driver's vehicle and its licence renewal.

The Committee considered the wording of the policy and noted that there were exemptions for some vehicles, but not fully wheelchair accessible vehicles.

With regards to the Driver Proficiency Assessment, the Committee considered this to be of paramount importance to maintain the standard of licensed drivers, and noted the officer's comments that they would urgently look into in-person courses.

Taking everything into consideration, the Committee determined that the Council's policy regarding the Driver Proficiency Assessment could not be waived. However, taking into account consideration that the driver's vehicle was a specialist and fully wheelchair accessible vehicle which was in high demand in the district, the Committee determined that this element of the policy should be waived in this one instance.

There was a right of appeal of the decision to the Magistrates' Court within 21 days of receipt of written notice.

## **20. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

### **Decision**

***The Committee determined that the driver was not a fit and proper person to hold a Hackney Carriage Driver's Licence pursuant to Section 59 of the Local Government (Miscellaneous Provisions) Act 1976.***

The Committee agreed to continue to determine the matter before them in the driver's absence.

The Licensing Manager presented the report which concerned whether a driver was a fit and proper person to hold a Hackney Carriage Licence having failed to comply with the requirements of the Council's Hackney Carriage and Private Hire Licensing Policy.

The Licensing Manager stated that the driver had held a Hackney Carriage Drivers Licence with South Kesteven District Council since November 2015. The licence was due for renewal in November 2024. An ongoing requirement to hold a hackney carriage badge was that drivers had to subscribe to the Disclosure and Barring online update service with a valid DBS certificate. The driver had subscribed to the DBS Update Service and subsequent six monthly checks carried out up to November 2022. When a check was initiated in May 2023 it was found that the subscription was no longer valid. The driver was contacted advising that a new DBS certificate was required but no response was received. Chasing emails were sent and documentation was submitted in August 2023. It

was confirmed that the DBS certificate had been sent to the driver in December 2023. The driver was notified in November 2023 that the annual driver licence check was required. Although various reminders had been sent to the driver by telephone and email no response had been received. The report also detailed previous enforcement action that had been carried out. Due to the lack of response the driver was invited to attend the Committee and a copy of the report was provided.

In August 2024 the Licensing Team received an email from the driver enclosing a copy of the DBS certificate and the DVLA driver check code and was advised that they could not attend the Committee. On reviewing the DBS certificate and DVLA check code issues were found as outlined in the supplementary report circulated. The driver now had nine DVLA penalty points which had not been notified to the Authority as required by the Hackney Carriage and Private Hire Policy.

Questions were asked of the Licensing Manager in respect of notice periods and when the driver had been contacted to which the Licensing Manager replied.

The Licensing Manager then gave her closing statement asking Members to consider the report and supplementary papers circulated and determine whether the driver remained a fit and proper person to hold a Hackney Carriage Drivers Licence.

*(12:10 Licensing Officers left the meeting)*

Members considered the issue before them having regard to the report and appendices, relevant guidance and the Council's Hackney Carriage and Private Hire Licensing Policy. Members were concerned about the lack of communication on the driver's behalf with the Authority and what seemed a lack of understanding in knowing what was expected of him as a licensed hackney carriage driver, especially as he had held a licence since 2015. It was felt that a reasonable and proportionate response was that the driver was not a fit and proper person to hold a Hackney Carriage Driver's licence and the licence be revoked. On being put to the vote this was unanimously **AGREED**.

*(12:25 the Licensing Officers returned to the meeting)*

The Legal Advisor read out the Committee's decision. The Committee had taken into consideration the report, supplementary papers, legislation and the Council's Hackney Carriage and Private Hire Licensing Policy. Members heard from the Licensing Manager who detailed the driver's history of failing to provide their DBS certificate and check codes, also their previous history of receiving SKDC penalty points for failing to follow procedure such as failing to disclose convictions for speeding to the Authority. Members heard that recently submitted documents by the driver were out of date and disclosed a further speeding conviction.

Of particular note to the Committee was the fact that the driver had been licensed since 2015, and so should know the rules and procedures that the Authority required them to comply with, and despite this, the driver repeatedly failed to do so and it was also noted that the driver had failed to disclose a further speeding offence.

Taking everything into consideration, the Committee determined that the driver was not a fit and proper person to hold a Hackney Carriage Drivers Licence and it was reasonable and proportionate to revoke the licence.

The decision was appealable to the Magistrates Court within 21 days of receipt of the written notice.

**21. Any other business which the Chairman, by reason of special circumstances, decides is urgent.**

None.

**22. Close of meeting**

The meeting closed at 12:25.

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SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



## Licensing Committee

20<sup>th</sup> September 2024

ENV 891

Report of Elizabeth Reeve, Licensing  
Officer

### **Local Government (Miscellaneous Provisions) Act 1982: Application to renew a Sexual Entertainment Venue Licence - Taboo Gentleman's Club, 99A Westgate, Grantham. NG31 6LE**

**Report Author** Elizabeth Reeve - Licensing Officer

01476 406080

 [licensing@southkesteven.gov.uk](mailto:licensing@southkesteven.gov.uk)

#### **Purpose of Report**

Committee to determine an application to renew a Sexual Entertainment Venue Licence.

#### **Recommendations**

Committee to decide whether to approve the renewal application for a Sexual Entertainment Venue Licence in accordance with Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by the Policing and Crime Act 2009).

When determining the application, the Committee shall have regard to: -

- The authority's sex establishment procedures
- The Humans Rights Act
- SKDC's regulations prescribing standard conditions
- Schedule 3 of the LGMPA

## Decision Information

Does the report contain any exempt or confidential information not for publication?

No

What are the relevant corporate priorities?

Connecting Communities & Effective Council

Which wards are impacted?

All

## 1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

### ***Finance and Procurement***

- 1.1 There are no specific financial implication associated with this report, however, in the event of an applicant, responsible authority or interested person making an appeal against a decision which was then subsequently upheld, the council may incur additional costs.

### ***Legal and Governance***

- 1.2 The grant, renewal and transfer of licences for sex establishments are governed by the LGMPA as amended by the Policing & Crime Act 2009. The Committee should consider any representations from the Chief Officer of Police or any other person who objects to the application and has submitted a representation in writing. The proper grounds for considering the application are found within the body of the report. The decision to grant or refuse the licence must be reasonable and proportionate and made in accordance with the attached sex establishment procedures. Any refusal must be supported by evidence that the statutory grounds for refusal are met and full reasons must be given to the applicant.

### ***Community Safety***

- 1.3 Community Safety implications will be considered in accordance with the licensing objectives and the duty to consider in accordance with S17 of the Crime and Disorder Act 1998

## **2. Background to the Report**

- 2.1 The Policing and Crime Act 2009 amends Schedule 3 of the LGMPA to permit the Licensing Authority to license sex establishments.
- 2.2 In accordance with the Authority's procedures, all applications relating to sexual entertainment venues, with the exception of uncontested transfer applications, will be heard by the Licensing Committee.
- 2.3 On 8<sup>th</sup> August 2024 an application was received by the Licensing Authority to renew the existing Sexual Entertainment Venue Licence for Taboo Gentleman's Club, 99a Westgate, Grantham (**Appendix 2**).
- 2.4 A sex establishment means any premises, vessel or stall where relevant entertainment is provided before a live audience for the financial gain of the organiser or entertainer.
- 2.5 The applicant has run a sexual entertainment venue at this premises since 2012.
- 2.6 There have been no objections from the police – the only responsible authority required to be served with a copy of the application under Schedule 3, paragraph 10 (14) of the LGMPA, or from any members of the public.

## **3. Key Considerations**

- 3.1 Each application will be determined on its own merits. However, applications may only be refused on certain defined mandatory or discretionary grounds. These are:

### **Mandatory grounds**

The Council must refuse an application if: -

- the applicant is under 18 years of age; or
- the applicant is for the time being disqualified from holding a licence under Schedule 3 Paragraph 17 (3) of the LGMPA 1982 following revocation of a previous licence; or
- the person applying is not resident in the United Kingdom, or was not so resident during period of six months immediately preceding the date when the application was made; or
- where a body corporate is the applicant - it is not incorporated in the United Kingdom; or
- the applicant has been refused the grant or renewal of a licence for the same premises within a period of 12 months immediately preceding the date when the application was made, unless the refusal has been reversed on appeal.

### **Discretionary grounds**

The Council may refuse an application for the grant or renewal of a licence if:-

- the applicant is unsuitable to hold the licence by reason of conviction of an offence or for any other reason;
- the business would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;

- the number of sex establishments or sex establishments of a particular type in the relevant locality at the time the application is made is equal to or exceeds the number which the Council consider is appropriate for that locality;
- “the grant or renewal of the licence would be inappropriate, having regard
  - (i) to the character of the relevant locality; or
  - (ii) to the use to which any premises in the vicinity are put; or
  - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.”

#### **4. Other Options Considered**

4.1 To renew the application as applied for.

4.2 To renew the application with modifications and/or additional conditions.

4.3 Refuse the renewal.

- If, having considered the renewal application the committee decides to refuse it, it must provide the applicant with the reasons for the decision in writing.

#### **5. Reasons for the Recommendations**

5.1 To ensure that the Council meets its obligations under the LGMPA as amended by the Policing & Crime Act 2009.

#### **6. Consultation**

6.1 Statutory 28 day consultation has taken place from 8<sup>th</sup> August 2024 until 5<sup>th</sup> September 2024.

#### **7. Background Papers**

7.1 [SKDC – SEX ESTABLISHMENTS PROCEDURES](#)

7.2 [Human Rights Act 1998](#)

7.3 [Schedule 3 of the LGMPA 1982](#)

#### **8. Appendices**

8.1 Appendix 1 – The Authority’s regulations prescribing standard conditions  
Appendix 2 – Application to renew a Sexual Entertainment Venue Licence



## SOUTH KESTEVEN DISTRICT COUNCIL

### **REGULATIONS PRESCRIBING STANDARD CONDITIONS APPLICABLE TO LICENCES FOR SEX ESTABLISHMENTS**

#### **Definition**

1. In these Regulations save when the context otherwise requires the following expressions shall have the following meanings:-
  - (i) "Sex Entertainment Venue" "Sex Cinema" "Sex Shop" and "Sex Article" shall have the meanings ascribed to them in the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982.
  - (ii) "Premises" (includes vessels, vehicles and stalls) means a building or part of a building and any forecourt yard or place of storage used in connection with a building or part of a building which is the subject of a licence for a Sex Establishment granted under the said Third Schedule.
  - (iii) "Approval of the Council" or "Consent of the Council" means the approval or consent of the Council in writing.
  - (iv) "Approved" means approved by the Council in writing.
  - (v) "The Council" means South Kesteven District Council.
  - (vi) "He" means he or she and "his" means his or her.

#### **General**

2. 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.
3. The grant of a licence for Sex Establishment shall 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.

### **Times of Opening**

4. Except with the previous consent of the Council a Sex Establishment shall only be open between \_ am and \_ pm Monday to Saturday inclusive.
5. Except with the previous consent of the Council a Sex Establishment shall not be open on Sundays or any Bank holidays or any public holidays.

### **Conduct and Management of Sex Establishments**

6. 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 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.
7. The Licensee or some responsible person nominated by him in writing for the purpose of managing the Sex Establishment in his absence and of whom details have been supplied to and approved in writing for the purpose of managing the Sex Establishment in his absence and of whom details have been supplied to and approved in writing by the Council shall be in charge of and upon the Premises during the whole time they are open to the public.
8. The name of the person responsible for the management of a Sex Establishment (the Licensee or a manager approved by the Council) shall be prominently displayed within the Sex Establishment throughout the period during which he is responsible for its conduct.
9. The Licensee shall retain control over all portions of the Premises and shall not let, licence or part with possession of any part of the premises.
10. The Licensee shall maintain good order in the Premises.
11. The Licensee shall ensure that there is no nuisance or annoyance to neighbouring residents or commercial occupiers arising from noise emanating from the premises.
12. No person under the age of 18 shall be admitted to the Premises or employed in the business of the Sex Establishment.
13. The Licensee shall 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. No part of the Premises shall be used by prostitutes (male or female) for the purposes of solicitation or of otherwise exercising their calling.
15. Neither the Licensee nor any employee or other person shall seek to obtain custom for the Sex Establishment by means of personal solicitation outside or in the vicinity of the Premises.
16. The Licensee shall comply with all statutory provisions and any regulations made thereunder.
17. A copy of the licence and of these Regulations must to be exhibited in accordance with paragraph 14(1) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 to the same scale as those issued by the Council. The copy of the licence required to be displayed as aforesaid shall be suitably framed and the copy of these Regulations shall be retained in a clean and legible condition.
18. A Sex Shop shall be conducted primarily for the purpose of the sale of goods by retail.

### **User**

19. No change of use of any portion of the Premises from that approved by the Council shall be made until the consent of the Council has been obtained thereto.
20. No change from a Sex Cinema to a Sex Shop or from a Sex Shop to a Sex Cinema shall be effected without the consent of the Council.
21. Neither Sex Articles nor other things intended for use in connection with, or the purpose of stimulating or encouraging sexual activity or acts of force or restraint which are associated with sexual activity shall be displayed, sold, hired, exchanged, loaned or demonstrated in a Sex Cinema.

### **Goods available in Sex Establishments**

22. All Sex Articles and other things displayed for sale, hire, exchange or loan within a Sex Shop shall be clearly marked to show to persons who are inside the Sex Shop the respective prices being charged.
23. All printed matter offered for sale, hire, exchange or loan shall be available for inspection prior to purchase and a notice to this effect is to be prominently displayed within the Sex Establishment.
24. The Licensee shall without charge display and make available in the Sex Establishment such free literature on counselling on matters related to sexual problems as may be published by the Family Planning Association and by such other similar organisations as may be specified by the Council.

Such literature is to be displayed in a prominent position approved by the Council adjacent to all cash collection points in the Sex Establishment.

### **External Appearance**

25. The licence holder shall comply with any requirements relating to the external appearance of the licensed premises as the Council may consider reasonably necessary for the preservation of public amenity.
26. Without prejudice to the generality of Regulation 19 above, no advertisement shall be displayed outside or on the exterior of the licenses premises or inside the licensed premises so as to be visible from outside such premises without the consent of the Council except:-
  - (i) as required by law or regulation; or
  - (ii) the name of the business carried on at the licensed premises, in not more than one place, in characters not exceeding 15 inches in height.
27. The licence holder shall ensure that the interior of the licensed premises shall not be visible to persons outside the premises.

### **State, Condition and Layout of the Premises**

28. The Premises shall be maintained in good repair and condition.
29. Lighting in all parts of the Premises as approved by the Council shall be in operation continuously during the whole of the time that the Sex Establishment is open to the public.
30. There shall be exhibited on the licensed premises:-
  - (i) A warning complying with the provisions of Section 1 of the Indecent Displays (Control) Act 1981 in cases where that section applies; or
  - (ii) in any case where the section does not apply a warning notice containing the following words and no others:-

### **"WARNING"**

### ***NO ADMITTANCE TO PERSONS UNDER 18 YEARS OF AGE***

- (a) the word "WARNING" must appear as a heading;
- (b) no pictures or other matter shall appear on the notice;

- (c) The notice must be so situated that no one could reasonably gain access to the licensed premises or any part of such premises without being aware of the notice and it must be easily legible by any person gaining such access.
31. The number, size and position of all doors or openings provided for the purposes of the ingress and egress of the public shall be approved by the Council and shall comply with the following requirements:-
    - (i) All such doors or openings approved by the Council shall be clearly indicated on the inside by the word "exit".
    - (ii) Doors and openings which lead to parts of the Premises to which the public are not permitted to have access shall have notices placed over them marked "private".
    - (iii) Save in the case of emergency no access shall be permitted through the Premises to any unlicensed premises adjoining or adjacent.
  32. The external doors of the licensed premises shall be fitted with self closing door mechanisms and such mechanism shall be maintained in good working order. No external door shall be fixed in the open position at any time during which the premises are open for the serving of customers. A partition shall be erected inside the premises in such a position so that the interior of the premises and the contents cannot be seen when the front door of the premises is opened.
  33. The Licensee shall make provision in the means of access both to and within the Sex Establishment for the needs of members of the public visiting the Sex Establishment who are disabled.
  34. 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.
  35. All parts of the Premises shall be kept in a clean and wholesome condition to the satisfaction of the Council.
  36. The Licensee shall provide and maintain satisfactory sanitary conveniences and personal washing facilities for any staff employed by him.

### **Safety**

37. The Licensee shall take all reasonable precautions for the safety of the public and employees.

38. The Licensee shall comply with any fire prevention and safety measures that may be required of him by the Council or the Fire Prevention Officer.
39. The Premises shall be provided with fire appliances suitable to the fire risks of the Premises and such fire appliances shall be maintained in proper working order and shall be available for instant use, in accordance with the requirements of the Fire Prevention Officer.



## **APPLICATION FORM**

Application for grant, renewal or transfer of sex establishment licence pursuant to Schedule 3, Local Government (Miscellaneous Provisions) Act 1982.

### IMPORTANT NOTES

- (1) All questions must be answered, save where otherwise stated. If relevant questions are not answered, the application will be deemed incomplete and returned to the Applicant.
- (2) Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20 000.
- (3) Please send the completed application form to (Licensing Section, South Kesteven District Council, Council Offices, St Peter's Hill, Grantham NG31 6PZ).

### **A THE APPLICANT**

#### Question 1

Is the applicant:

- |   |   |                                     |
|---|---|-------------------------------------|
| a | An individual?                            | <input checked="" type="checkbox"/> |
| b | A company or other corporate body?        | <input type="checkbox"/>            |
| c | A partnership or other incorporated body? | <input type="checkbox"/>            |

If the applicant is an individual, answer question **2**.

If the applicant is a company or other corporate body, answer question **3**.

If the applicant is a partnership or other unincorporated body, answer question **4**.

#### Question 2

***Answer only where the applicant is an individual***

- (1) What is the full name of the applicant?.....**MEHMET YUSUF YENIBERTIZ**

(2) Has the applicant ever been known by a different name? If so, state the applicants former name?... **NO**

**Go to question 5**

Question 3

**Answer only where the applicant is a company or other corporate body**

- (a) What is the name of the applicant?.....
- (b) Where is the applicant registered?.....
- (c) What is the registered number of the applicant?.....
- (d) Has the applicant previously been known by any and if so what name?.....
- (e) Has the applicant:

- Ever been convicted of a criminal offence?

Yes  No

- Ever had a grant or renewal of a sex establishment licence refused or a sex establishment licence revoked?

Yes  No

- Ever been served with a winding up petition?

Yes  No

If the answer to any of these questions is Yes, provide full details.

(f) What are the names of the applicants Directors and Company Secretary?.....  
.....  
.....

Are there persons responsible for the management of the applicant other than the Directors and the Company Secretary? If so, state their names:  
.....  
.....  
.....

(g) State the names of all persons with a shareholding greater than 10% in the application .....  
.....  
.....  
.....

- (h) Is the applicant a wholly owned subsidiary of another company or corporate body? If so state the name, place of registration and identity of its Directors and Company Secretary.....  
 .....  
 .....

**Go to question 5.**

Question 4

**Answer only where the applicant is a partnership or other unincorporated body**

- (a) What is the name of the applicant?.....  
 (b) What are the names of the applicants partners?.....  
 .....  
 (c) Are there persons responsible for the management of the applicant other than the partners? If so, state their names.....  
 .....  
 (d) Has the applicant ever had a grant or renewal of a sex establishment licence refused or a sex establishment licence revoked?

Yes  No

If the answer is "Yes", provide full details.....  
 .....  
 .....

**Go to question 5**

Question 5

Does the applicant have a trading name different from that given in answer to questions 2, 3 or 4 above? If so, state the trading name.

**NO**

Question 6

What is the applicants trading address?

**TABOO GENTLEMENS CLUB  
 99A WESTGATE  
 GRANTHAM  
 NG31 6LE**

Question 7

Will the business for which a licence is sought be carried on for the benefit of a person other than the applicant?

Yes  No

If the answer is "Yes", state the name of such person(s). If such person(s) are a company or other corporate body state their place of registration and registered number, and the identity of all Directors, the Company Secretary, and those with a greater than 10% shareholding.

.....  
.....  
.....  
.....  
.....

Question 8

Does the applicant operate any other sex establishments, whether licensed or not? If so, state the name, address and type of sex establishment (eg sex cinema, sex shop, sexual entertainment venue)of each.

**NO**

Question 9

For each of the individuals named in the answers to Questions 2, 3, 4, 7 and 8, please confirm that the form at Annex A to this application has been completed and submitted as part of this application.

Yes  No

**B THE PREMISES, VEHICLE, VESSEL OR STALL**

Question 10

Is this application in respect of:

- a) Premises
- b) Vehicle
- c) Vessel
- d) Stall

Question 11

**Answer only where the application is for a vehicle, vessel or stall**

Where is it proposed to use the vehicle, vessel or stall?.....  
.....

Question 12

**Answer only where the application is for a premise**

What is the full address of the premises for which a licence is sought?

**TABOO GENTLEMENS CLUB  
99A WESTGATE  
GRANTHAM  
NG31 6LE**

Question 13

(a) Is the whole of the premises to be used as a sex establishment?

Yes      **X**                      No     

(b) If not, state the use of the remainder of the premises: .....  
.....

(c) State the names of those who are responsible for managing the remainder of the premises: .....  
.....

Question 14

(a) State the nature of the applicants interest in the premises, vehicle, vessel or stall, eg owner, lessee, sub-lessee

**LESSEE**

(b) If the applicant is a lessee or sub-lessee, state:

(i) the name and address of the landlord

**STRIKERS LIMITED – SUITE 2, MAYDEN HOUSE,  
LONG BENNINGTON BUSINESS PARK, MAIN ROAD,  
LONG BENNINGTON, NG23 5DJ**

(ii) the name and address of the superior landlord (if any) .....  
.....

(iii) the length of the unexpired term ....**3 YEARS**

(iv) the length of notice required to terminate the tenancy.....**N / A**

Question 15

(a) State the current use of the premises

**LICENSED SEX ESTABLISHMENT AND BAR**

(b) Is there a planning permission for the use of the premises, vehicle, vessel or stall as a sex establishment?

Yes

No

**Not Known.**

**Previously long established use as a Licensed bar**

(c) If so, state the date of the planning permission

**NOT KNOWN**

(d) If not, state whether and why the use as a sex establishment is lawful, eg because there is a certificate of lawful use, giving full details.

**Established SEV licensed use since SEV legislation effective in 2012**

Question 16

(a) Are the premises, vehicle, vessel or stall licensed under any other Act, eg the Licensing Act 2003?

Yes

**X**

No

Provide full details including the name of any Designated Premises Supervisor

**PREMISES LICENCE NUMBER: 5118**

**DPS : CHELSEA SMITH**

(b) Does the applicant intend to obtain a licence under any other Act or to apply to vary any existing licence under any other Act?

Yes

No

**X**

(c) Does the applicant intend to operate the sex establishment in conjunction with any other licence?

Yes

**X**

No

If so, provide full details

**PREMISES LICENCE NUMBER 5118**

Question 17

(a) Is each customer access to the premises, vehicle, vessel or stall:

- Directly from the street or a public thoroughfare
- From other premises?

If from other premises, provide full details .....

(b) Is each customer access from the street to be supervised at all times the premises are open to the public?

- Yes  No

If the answer is "No" give full details of proposed door control and supervision .....

Question 18

Are the premises, vehicle, vessel or stall so constructed or adapted and laid out as to permit access to, from and within the premises (including WC facilities) for members of the public who are disabled?

- Yes  No

If the answer is "No", state the applicant's proposals for affording such access. ....

Question 19

(a) Are the premises, vehicle, vessel or stall being used as a sex establishment at the date of this application?

- Yes  No

(b) If the answer is "Yes", state the name and address of the person or body now operating the business

**MEHMET YUSUF YENIBERTIZ**



**C THE BUSINESS**

Question 20

Under what name will the business be known?.....**TABOO GENTLEMEN'S CLUB**

Question 21

Is the application in respect of:

- a a sex shop
- b a sex cinema
- c a sexual entertainment venue

Question 22

Has the applicant entered into any agreement (whether written or oral) in connection with the business, other than a tenancy agreement or lease, for example, a management agreement, partnership agreement or profit share arrangement?

Yes  No

If so, provide full details together with a copy of any such agreement

.....  
.....  
.....

Question 23

Give the name and addresses of any lenders, mortgagees or others providing finance with the full terms of such agreements

**NONE**

Question 24

Is the business required to purchase merchandise from a particular person or body?

Yes  No

**D MANAGEMENT OF THE BUSINESS**

Question 25

- (a) State the identity of the person who will be responsible for the day to day management of the business at the premises, vehicle, vessel or stall ('the Manager')..... **MEHMET YUSUF YENIBERTIZ**
- (b) Confirm that the Manager will be based at the premises, vehicle, vessel or stall and that management of the business there will be his / her sole and exclusive occupation..... **CONFIRMED**
- (c) Which person(s) will be responsible for the day to day management of the business in the absence of the Manager ('the Relief Manager(s)').....**MARIA KARLSSON DJUROVIC**
- (d) Confirm that the Relief Manager(s) or one of them will be based at the premises full-time in the absence of the Manager.....**CONFIRMED**
- (e) For each of the Manager and Relief Manager(s), confirm that the form at Annex A to this application has been completed and submitted as part of this application.

Yes **X** No

Question 26

***This question need not be answered in the case of renewals***

Give details of the times during which it is proposed to open the business.

**AS EXISTING**

Days of the week .....

**EACH DAY OF THE WEEK - SUBJECT TO DEMAND AND GOOD BUSINESS PRACTICE**

Hours of the day.....

**AS EXISTING 09.00 TO 04.15 THE FOLLOWING DAY EACH DAY OF THE WEEK**

Question 27

State proposals in respect of exterior signage and advertising, including the nature, content and size of such signage, and any images to be used

**AS EXISTING – BLACKED OUT WINDOWS AND LIMITED SIGNAGE, NAME OF PREMISES AND OPENING TIMES, CODE OF CONDUCT AND RULES OF CLUB DISPLAYED IN ENTRANCE PORCH**

Please note that a plan of the exterior showing such signage and advertising is required to be submitted with new applications.

Question 28

(1) What means are to be taken to prevent the interior of the premises being visible to passers-by?.....

**BLACKED OUT WINDOWS, SIA STAFF AT ENTRANCE LOBBY CONTROLLING ENTRY – DOOR KEPT CLOSED SAVE FOR ENTRY AND EGRESS**

(2) What if any window displays are to be exhibited? Please indicate size and nature of the intended display.....

**AS EXISTING – SMALL A4 SIGNAGE**

Question 29

State any proposals for solicitation of business in public areas, eg through fliers, business cards, billboard advertising, personal solicitation or advertising on motor vehicles.....

**FACEBOOK PREMISES TRADING NAME AND OPENING TIMES AND ASSOCIATED INFORMATION TO PROMOTE THE BUSINESS**

Question 30

State what age restrictions are to be applied in respect of admissions, and how are these to be enforced. (In answering, state what forms of identity will be accepted and whether it is proposed to use electronic identification systems. For sex shops provide details of arrangements for preventing proxy sales)

**OVER 18S ONLY  
CHALLENGE 21 SCHEME  
STRICT SIA DOOR CONTROL  
IF NO SATISFACTORY PROOF OF NAME AND AGE IS PRODUCED –  
ENTRY IS REFUSED**

Question 31

State the arrangements for CCTV and for retention of recordings (In answering, state whether all public areas are to be covered by CCTV at all times the business is open and whether the feed from all cameras will be recorded)

**AS EXISTING – CCTV SYSTEM AND RECORDING EQUIPMENT AS REQUIRED BY THE PREMISES LICENCE  
CCTV CAMERA LOCATED IN ENTRANCE LOBBY AND OFFICE - RECORDED IMAGES ARE RETAINED AND MADE AVAILABLE TO POLICE AS REQUIRED BY THE PREMISES LICENCE**

Question 32

**Answer only where the application is for a sexual entertainment venue**

(a) State whether the proposal is for full nudity

Yes      **X**                      No     

(b) Give full details of the nature of the entertainment, eg lap-dancing, pole dancing, stage strip-tease.....

**AS EXISTING – POLE DANCING, STRIP-TEASE LAP DANCING IN BAR AREA AND 3 DESIGNATED PRIVATE DANCE BOOTHS**

(c) State what, if any, separation between performers and audience is proposed, eg performers on stage, 1 metre, no contact or full contact.....

**AS PREVIOUSLY ADVISED FULL CONTACT ALLOWED BUT NO SEXUAL ACTIVITY OR UNAUTHORISED TOUCHING OF DANCERS IS ALLOWED BY PATRONS, AND NO INDECENT BEHAVIOUR IS ALLOWED AT ALL**

(d) State whether arrangements are proposed for private booths or areas. If so, provide full details, including proposals for supervision of such areas.....

**3 PRIVATE DANCE BOOTHS AS EXISTING AND PREVIOUSLY APPROVED**

Question 33

***This question need not be answered in the case of renewals***

(a) State proposals for preventing nuisance to residents and businesses in the vicinity .....

**SIA DOOR STAFF CONSTANTLY MONITOR AND CONTROL THE ENTRANCE AND THE VICINITY OUTSIDE IS ALSO MONITORED TO ENSURE NO NOISE DISTURBANCE FROM THE PREMISES TO NEIGHBOURING PROPERTIES**

(b) State proposals for promoting public safety.....

**SIA DOOR STAFF CONSTANTLY MONITOR INSIDE AND OUTSIDE – THESE ARE SMALL PREMISES AND DO NOT GIVE RISE TO ANY APPARENT RISK OR DANGER TO PATRONS OR THE PUBLIC AT LARGE**

(c) State proposals for preventing crime and disorder.....

**SIA DOOR STAFF ON DUTY AND CCTV SYSTEM**

(d) State proposals for protecting children from harm.....

**CHILDREN ARE NOT PERMITTED ENTRY**

- (e) Set out the applicants system for checking the age and right to work in the UK for all employees.....

**APPLICATION FORM AND REQUIREMENT TO PRODUCE PASSPORT AND IF NON-BRITISH BIOMETRIC RIGHT TO WORK OR UNLIMITED LEAVE CARD AND THE RIGHT TO WORK FOR EMPLOYERS CODE TO CHECK ONLINE**

- (f) For sexual entertainment venues, set out the system for training all staff in the Code of Practice for performers, and for monitoring and enforcing compliance. NOTE, the code of practice must be attached to this form

**PRINTED DOCUMENTATION IS GIVEN AND READ BY ALL STAFF AND DISCUSSED AT STAFF MEETINGS TO ENSUREFULL UNDERSTANDING OF RULES**

- (g) For sexual entertainment venues, set out the system for notifying customers of the Rules for Customers, and for monitoring and enforcing compliance. NOTE, the Rules for Customers must be attached to this form

**IF THERE IS A SERIOUS BREACH OF RULES PATRONS MAYBE EJECTED AND BARRED.**

**PRINTED RULES DISPLAYED IN ENTRANCE LOBBY AND DOOR STAFF ADVISE PATRONS GENERALLY OF THE RULES ON SEEKING ENTRY RULES ALSO DISPLAYED INSIDE THE PREMISES STAFF INCLUDING SIA STAFF CONSTANTLY MONITOR AND PROVIDE ADVICE AND WARNING AS MAY BE REQUIRED**

- (h) For sexual entertainment venues, set out the system for monitoring compliance with the venue's Policy for Welfare of Performers. NOTE, the Policy for Welfare of Performers must be attached to this form.....

**POLICY ATTACHED – DANCE PERFORMERS HAVE BASEMENT CHANGING ROOM AWAY FROM THE PUBLIC AREA – ALL STAFF ARE CONSTANTLY MONITORED BY EYE CONTACT AND VIA CCTV MONITOR**

- (i) Applicants are reminded that Health and Safety risk assessments are required by law. These assessments should cover all reasonably foreseeable risks (this will include violence or unacceptable behavior) to staff and others including the public. A format for carrying these risk assessments out is available on the HSE website and at the rear of the publication "An introduction to health and safety" ([www.hse.gov.uk/publications](http://www.hse.gov.uk/publications)). Any significant risks identified must be recorded in writing together with the actions taken to mitigate them. Further advice can be obtained from Environmental Health Services at SKDC".

Question 34

Set out any further information which you wish the authority to take into account. Include here any proposed conditions (you may attach a schedule of such conditions) or any reason relied upon to provide an exception to the authority's Sex Establishment Licensing Policy.....

**WELL KNOWN PREMISES**

**SEV LICENSED CONTINUOUSLY SINCE 2012**

**SAVE FOR A SHORT PERIOD DURING COVID PANDEMIC WHEN PREMISES WERE CLOSED**

Question 35

Is there any information on this form which you do not wish to be seen by members of the public? If so, state which information and the reasons why you do not wish it to be seen .....

**APPLICANTS HOME ADDRESS**

**MANAGERS HOME ADDRESS**

**ALL CONTACT TO BE THROUGH APPLICANTS' SOLICITOR**

**E APPLICANT CONTACT DETAILS**

Please give the contact details which you would like used for the purposes of this application

Name                   **JOHN KENT**

Organisation       **JOHN KENT SOLICITORS**

Address               **HUNTINGDON HOUSE BUSINESS CENTRE  
278-290 HUNTINGDON STREET, NOTTINGHAM, NG1 3LY**

Telephone number   **0115 9934286**

Mobile number       **07957 367478**

Fax number           **none**

Email address       **johnkentsolicitors@gmail.com**

**F SIGNATURE AND DECLARATION**

The following declaration must be signed in all cases:

- a If the applicant is an individual, by that individual;
- b If the applicant is a partnership, by all individuals who are partners;
- c If the applicant is a company, by a director or the company secretary;
- d In any other case, by a duly authorised officer of the applicant.

Should the information provided in relation to this application form cease to be correct, or if there are any changes in the information provided in the application form between the date the application is submitted and the date it is determined, the applicant must advise the licensing authority immediately. Failure to do so may result in any licence issued being revoked.

I/we certify to the best of my/our knowledge and belief that the information given in this application is complete and correct in every respect.

I/we agree to notify the Licensing Authority should any of the information given in this application change.

Name: **MEHMET YUSUF YENIBERTIZ**

Position in organisation: **PROPRIETOR AND LICENCE HOLDER**

Date: **8<sup>th</sup> AUGUST 2024**

Signature: .....



**ANNEX A**

Information on individuals

- 1 Name **MARIA KARLSSON DJUROVIC**
- 2 Former name (if any) .....
- 3 Position in relation to applicant (eg Director, Partner, Manager)

**PARTNER**

- 4 Date of birth **04/06/1977**
- 5 Gender: Male / **Female** (delete as appropriate)
- 6 Permanent residential address **AS APPLICANT**
- 7 If resident at this address for less than 3 years, state previous address **N/A**
- 8 Have you been resident in the United Kingdom for more than six months prior to the date of the application? **YES**
- 9 Have you ever been disqualified from holding a sex establishment licence under Schedule 3, paragraph 17 of the Local Government (Miscellaneous Provisions) Act 1982?
- Yes  No **X**

If so, give full details .....

.....

.....

- 10 Have you ever been involved in the management of a business, whether as proprietor, director, company secretary, partner, manager, supervisor or otherwise which has had any of the following types of licence refused, refused on renewal, reviewed or revoked?

- |   |                              |             |
|---|------------------------------|-------------|
| -Sex establishment licence  | Yes <input type="checkbox"/> | No <b>X</b> |
| -Licence for the sale or supply of alcohol                                    | Yes <input type="checkbox"/> | No <b>X</b> |
| -Licence for the provision of entertainment whether sexual or otherwise ..... | Yes <input type="checkbox"/> | No <b>X</b> |
| -Personal licence under the Licensing Act 2003                                | Yes <input type="checkbox"/> | No <b>X</b> |

If so, provide full details.....

11 Have you ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere?

Yes  No

If so provide details of the date, convicting court, offence and penalty imposed.....  
.....  
.....  
.....

12 To your knowledge are you currently the subject of any criminal investigation? Yes  No

If so provide full details.....  
.....  
.....  
.....

13 Have you ever had any civil legal action taken against you? Yes  No

If so, provide full details.....

**JUDGEMENT DEBT OVER 10 YEARS – PREVIOUSLY DISCLOSED**

14 Have you ever been declared bankrupt or entered into an arrangement with creditors or an Individual Voluntary Arrangement?

Yes  No

If so, provide full details.....

**14<sup>th</sup> MAY 2014 ARISING FROM JUDGMENT DEBT – DISCHARGED MAY 2015**

15 Have you ever been disqualified from acting as a company director?

Yes  No

If so, provide full details.....  
.....  
.....

16 Is there any other information which you believe the licensing authority would reasonably expect notice of or you would like the licensing authority to take into account when considering the information you have supplied?

Yes  No

If so, provide full details.....  
.....  
.....

17 Is there any information in this Annex which you do not wish to be seen by members of the public?

Yes  No

If so, state which information and the reasons why you do not wish it to be seen.....

**HOME ADDRESS – IT IS PERSONAL**

I DECLARE THAT THE INFORMATION ON THIS FORM IS TRUE AND COMPLETE.

Signed  ON BEHALF OF **MARIA KARLSSON DJUROVIC**  
John Kent  
SOLICITOR  
Dated **8th AUGUST 2024**

## **ANNEX B**

Documents supplied with this application (Items 1-3 for new applications only)

- |    |  |     |                                     |    |                          |
|----|--|-----|-------------------------------------|----|--------------------------|
| 1  | A site scale plan (1:1250)   | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| 2  | Drawings showing the front elevation as existing   | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| 3  | Drawings showing the front elevation as proposed (including proposed signage, advertising and window display). | Yes | <input type="checkbox"/>            | No | <input type="checkbox"/> |
|    | Scale layout plan of premises (Note, the requirements of the layout plan are set out below)                    | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| 4  | Planning permission  | Yes | <input type="checkbox"/>            | No | <input type="checkbox"/> |
| 5  | Certificate of lawful use or development   | Yes | <input type="checkbox"/>            | No | <input type="checkbox"/> |
| 6  | If the applicant is a company, copies of the memorandum and Articles of Association of the Company             | Yes | <input type="checkbox"/>            | No | <input type="checkbox"/> |
| 7  | If the applicant is a partnership, a certified copy of the Partnership Deed                                    | Yes | <input type="checkbox"/>            | No | <input type="checkbox"/> |
| 8  | A copy of any other licences for the premises, vehicle, vessel or stall<br><b>PREMISES LICENCE</b>             | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| 9  | Code of Practice for Performers  | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| 10 | Rules for Customers  | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| 11 | Policy for Welfare of Performers   | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |

### Requirements for layout plan

The layout plan must show:

- (1) The layout of the premises including, eg stage, bars, cloakroom, WCs, performance area, dressing rooms.
- (2) The extent of the boundary of the premises outlined in red.
- (3) The extent of the public area outlined in blue.
- (4) Uses of different areas in the premises, eg performance areas, reception.

- (5) Structures or objects (including furniture) which may impact on the ability of individuals to use exits or escape routes without impediment.
- (6) Location of points of access to and egress from the premises.
- (7) Any parts used in common with other premises.
- (8) Position of CCTV cameras.
- (9) Where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor.
- (10) Where the premises includes any steps, stairs, elevators or lifts, the location of the same.
- (11) The location of any public conveniences, including disabled WCs.
- (12) The position of any ramps, lifts or other facilities for the benefit of disabled people.
- (13) Any level changes at the entrance to or within public parts of the premises which may be inaccessible to disabled people.
- (14) The location and type of any fire safety and any other safety equipment.
- (15) The location of any kitchen on the premises.
- (16) The location of emergency exits.

I/We confirm the following:

- 1 An advertisement **WILL BE** placed in a newspaper circulating in the area of the authority Yes  No
- 2 A notice of application is displayed on or near the premises Yes  No
- 3 The application form and all enclosures has been serviced upon The Chief Officer of Police at (Licensing, Police Headquarters, PO Box 999, Lincoln LN5 7PH) within 7 Days after the date of this application.  
**ELECTRONIC APPLICATION** Yes  No   
**BY EMAIL COPY TO POLICE, LICENSING LINCOLN**

Note, when the application is made electronically, including all enclosures, the licensing authority will serve the chief officer of the police.

Signed ..... 

Name (in full) **MEHMET YUSUF YENIBERTIZ**

Dated:  **AUGUST 2024**



**South Kesteven District Council  
Council Offices  
St Peters Hill  
Grantham  
Lincolnshire  
NG31 6PZ**

**Premises licence summary**

<b>Premises licence number</b>	<b>5118</b>
--------------------------------	-------------

**Premises details**

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Taboo 99 Westgate	
<b>Post town</b>	<b>Post code</b>
Grantham Lincolnshire	NG31 6LE
<b>Telephone number</b>	

**Where the licence is time limited the dates**

**Licensable Activities authorised by the licence**

Films  
Live music  
Recorded music  
Performances of dance  
Anything of a similar description to that falling within(e),(f),(g)  
Late night refreshment  
Sale by retail of alcohol

**The times the licence authorises the carrying out of licensable activities**

Films Indoors  
00:00 to 04:15 Monday

09:00 to 24:00

00:00 to 04:15 Tuesday  
09:00 to 24:00

00:00 to 04:15 Wednesday  
09:00 to 24:00

00:00 to 04:15 Thursday  
09:00 to 24:00

00:00 to 04:15 Friday  
09:00 to 24:00

00:00 to 04:15 Saturday  
09:00 to 24:00

00:00 to 04:15 Sunday  
09:00 to 24:00

**Further details**

Showing recorded films including music and dance comensurate with Adult Entertainment venue.

**Non standard timings**

An extra 45 minutes until 05:00 each Friday and Saturday of a Bank Holiday weekend, Christmas Eve, Boxing Day and New Year's Eve.

**Live music indoors**

00:00 to 04:15 Monday  
09:00 to 24:00

00:00 to 04:15 Tuesday  
09:00 to 24:00

00:00 to 04:15 Wednesday  
09:00 to 24:00

00:00 to 04:15 Thursday  
09:00 to 24:00

00:00 to 04:15 Friday  
09:00 to 24:00

00:00 to 04:15 Saturday  
09:00 to 24:00

00:00 to 04:15 Sunday  
09:00 to 24:00

**Further details**

Occasional live performers and singers

**Non standard timings**

An extra 45 minutes until 05:00 each Friday and Saturday of a Bank Holiday weekend, Christmas Eve, Boxing Day and New Year's Eve.

**Recorded music Indoors**

00:00 to 04:15 Monday  
09:00 to 24:00

00:00 to 04:15 Tuesday  
09:00 to 24:00

00:00 to 04:15 Wednesday  
09:00 to 24:00

00:00 to 04:15 Thursday  
09:00 to 24:00

00:00 to 04:15 Friday  
09:00 to 24:00

00:00 to 04:15 Saturday  
09:00 to 24:00

00:00 to 04:15 Sunday  
09:00 to 24:00

**Further details**

Facilities as existing.

**Non standard timings**

An extra 45 minutes until 05:00 each Friday and Saturday of a Bank Holiday weekend, Christmas Eve, Boxing Day and New Year's Eve.

**Performances of dance indoors**

00:00 to 04:15 Monday  
19:00 to 24:00

00:00 to 04:15 Tuesday  
19:00 to 24:00

00:00 to 04:15 Wednesday  
19:00 to 24:00

00:00 to 04:15 Thursday  
19:00 to 24:00

00:00 to 04:15 Friday  
19:00 to 24:00

00:00 to 04:15 Saturday  
19:00 to 24:00

00:00 to 04:15 Sunday  
19:00 to 24:00

**Further details**

In accordance with SEV

Exotic Dancers  
Pole Dancers

Table and Personal Dancers

**Non standard timings**

An extra 45 minutes until 05:00 each Friday and Saturday of a Bank Holiday weekend, Christmas Eve, Boxing Day and New Year's Eve.

**Anything of a similar description to that falling within (e), (f) or (g) Indoors**

00:00 to 04:15 Monday  
09:00 to 24:00

00:00 to 04:15 Tuesday  
09:00 to 24:00

00:00 to 04:15 Wednesday  
09:00 to 24:00

00:00 to 04:15 Thursday  
09:00 to 24:00

00:00 to 04:15 Friday  
09:00 to 24:00

00:00 to 04:15 Saturday  
09:00 to 24:00

00:00 to 04:15 Sunday  
09:00 to 24:00

**Non standard timings**

An extra 45 minutes until 05:00 each Friday and Saturday of a Bank Holiday weekend, Christmas Eve, Boxing Day and New Year's Eve.

**Late night refreshment indoors**

00:00 to 04:15 Monday  
23:00 to 24:00

00:00 to 04:15 Tuesday  
23:00 to 24:00

00:00 to 04:15 Wednesday  
23:00 to 24:00

00:00 to 04:15 Thursday  
23:00 to 24:00

00:00 to 04:15 Friday  
23:00 to 24:00

00:00 to 04:15 Saturday  
23:00 to 24:00

00:00 to 04:15 Sunday  
23:00 to 24:00

**Further details**

Provision of light snacks and hot beverages

**Non standard timings**

An extra 45 minutes until 05:00 each Friday and Saturday of a Bank Holiday weekend, Christmas Eve, Boxing Day and New Year's Eve.

**Sale by retail of alcohol**

00:00 to 04:00 Monday  
09:00 to 24:00

00:00 to 04:00 Tuesday  
09:00 to 24:00

00:00 to 04:00 Wednesday  
09:00 to 24:00

00:00 to 04:00 Thursday  
09:00 to 24:00

00:00 to 04:00 Friday  
09:00 to 24:00

00:00 to 04:00 Saturday  
09:00 to 24:00

00:00 to 04:00 Sunday  
09:00 to 24:00

**Non standard timings**

An extra 45 minutes until 04:45 each Friday and Saturday of a Bank Holiday weekend, Christmas Eve, Boxing Day and New Year's Eve.

**The opening hours of the premises**

00:00 to 04:30 Monday  
09:00 to 24:00

00:00 to 04:30 Tuesday  
09:00 to 24:00

00:00 to 04:30 Wednesday  
09:00 to 24:00

00:00 to 04:30 Thursday  
09:00 to 24:00

00:00 to 04:30 Friday  
09:00 to 24:00

00:00 to 04:30 Saturday  
09:00 to 24:00

00:00 to 04:30 Sunday  
09:00 to 24:00

**Non standard timings**

An extra 45 minutes until 05:15 each Friday and Saturday of a Bank Holiday weekend, Christmas Eve, Boxing Day and New Year's Eve.

**Where the licence authorises supplies of alcohol whether these are on and/or off supplies**

On the premises

**Name of holder of premises licence**

Mehmed Yusuf Yenibertiz

**Registered number of holder, for example company number, charity number (where applicable)**

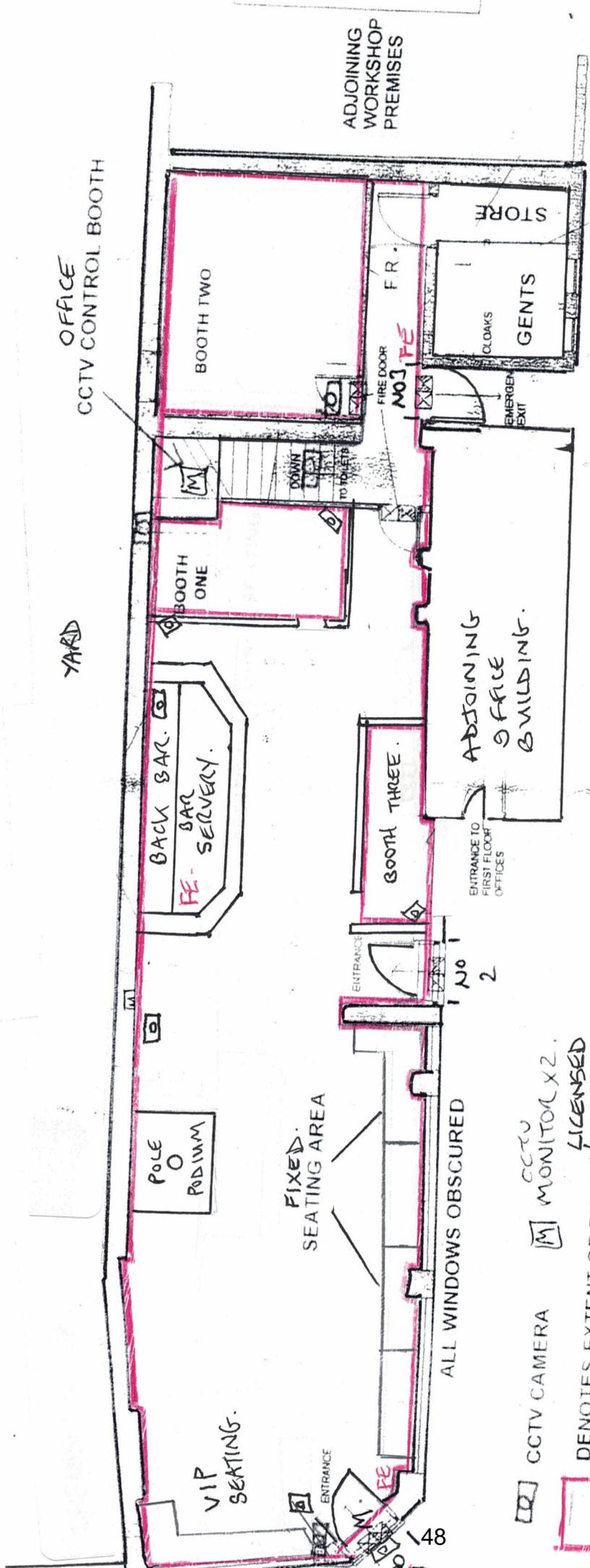
**Name of designated premises supervisor where the premises licence authorises the supply of alcohol**

Chelsea Smith

**State whether access to the premises by children is restricted or prohibited**

1A800 PREMISES No 99a WESTGATE, GRANTHAM, LINCS

# GROUND FLOOR PLAN



□ CCTV CAMERA □ MONITOR X2.

□ DENOTES EXTENT OF PUBLIC AREA AND 3 DANCE BOOTHS

FE DENOTES FIRE EXTINGUISHER

PODIUM HEIGHT 370 MM.

NO. 1, 2 and 3. Fire Exits. MC MAIN ENTRANCE.

SCALE 1:100  
PLAN NO MY/54/28.6.21

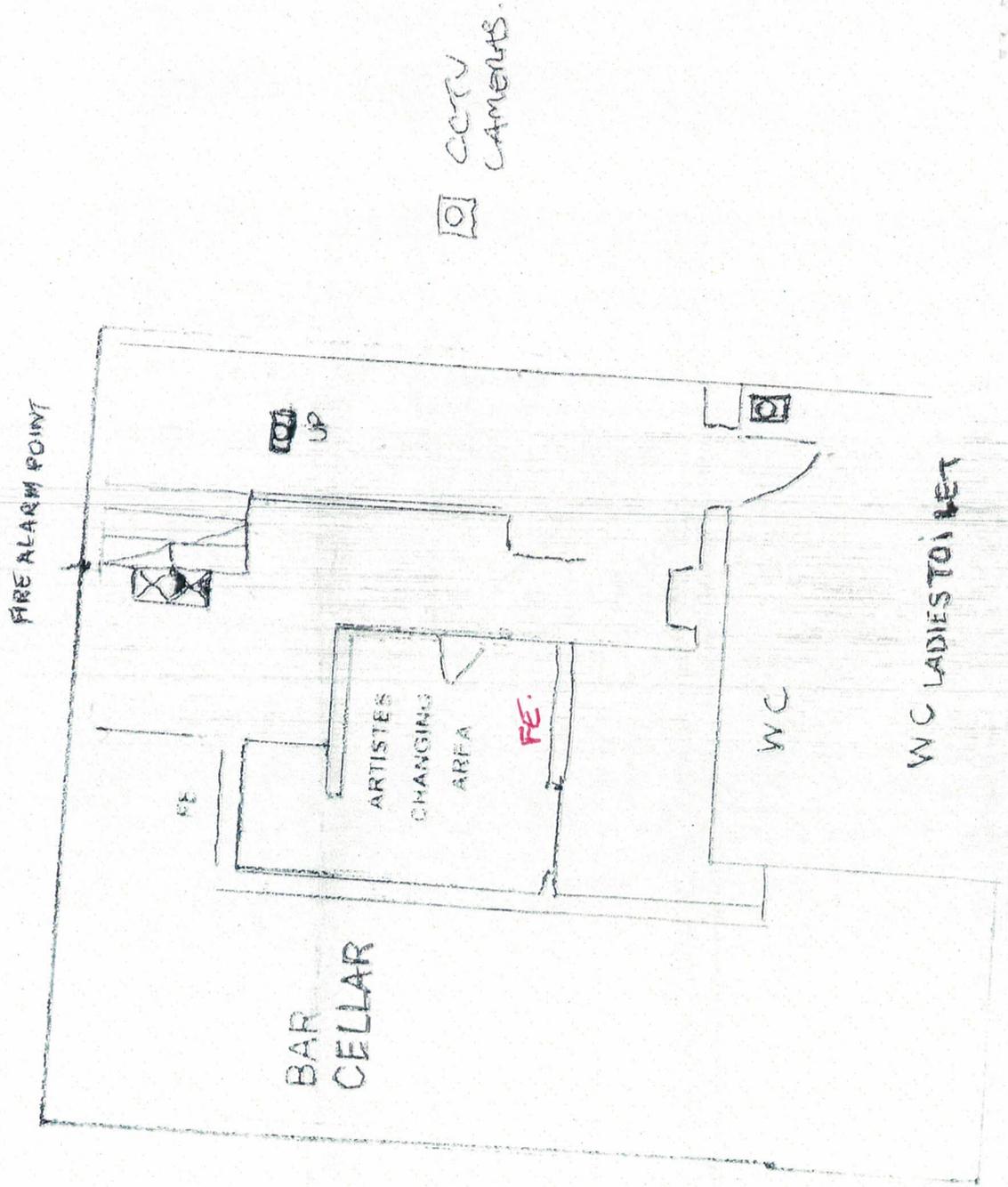
VEHICULAR ACCESS TO YARD

ADJOINING PREMISES

TABOO GENTLEMEN'S CLUBS

BASEMENT PLAN

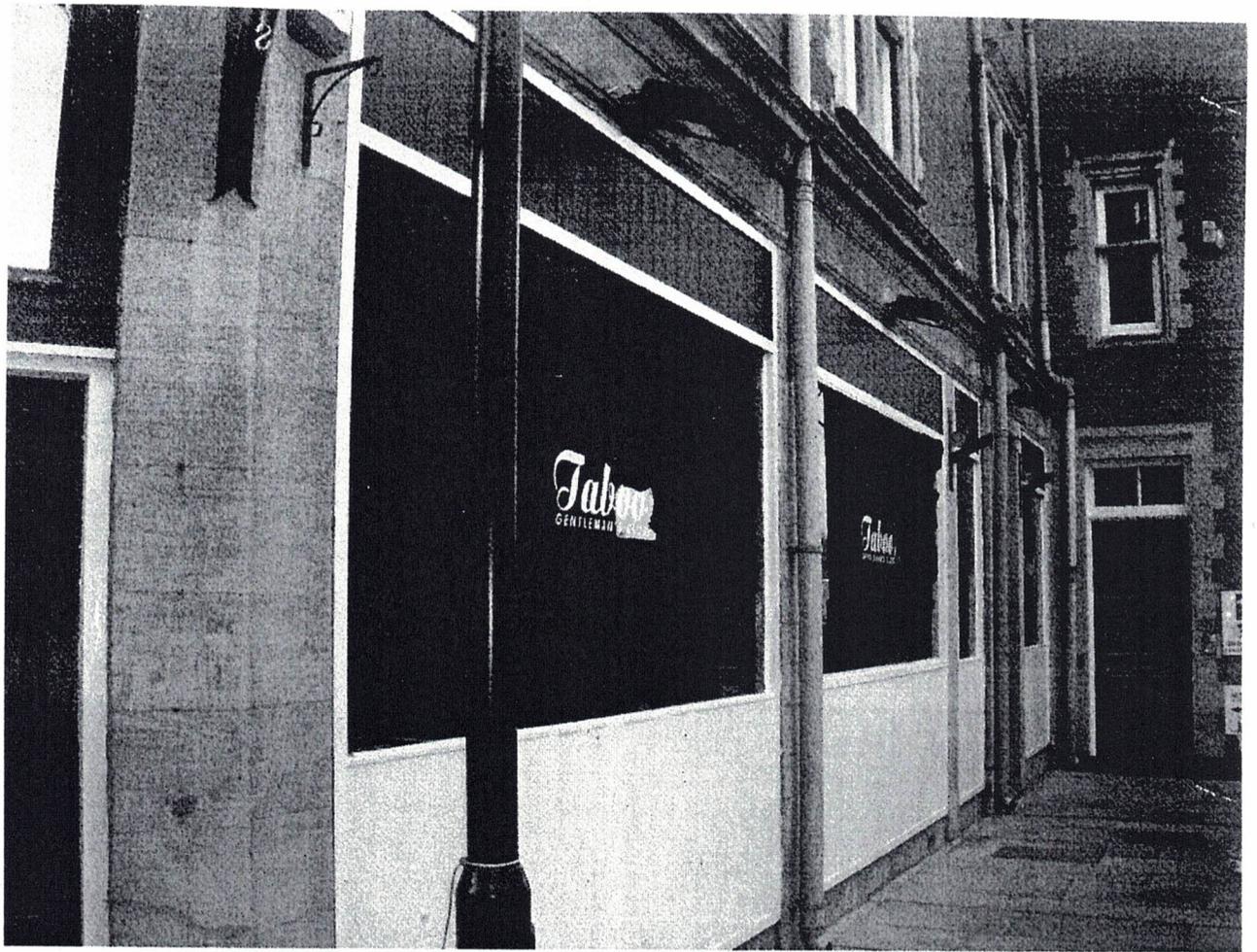
TABOO  
99A WESTGATE BASEMENT



THE ABOVE FLOOR PLAN IS UNDESIGNED  
FOR ANY PURPOSES IN A PUBLIC AREA

24.4.2014





# Members and Guest Code of Conduct

- Dress appropriately, smart attire, smart casual wear at the discretion of the management.
- Violence of any form shall not be tolerated in or around the establishment.
- Drug abuse in any form will not be tolerated, and if found they will be asked to leave the premises.
- Address staff of the establishment in an appropriate fashion, NO abusive or foul language will be tolerated.
- Respect the decision of the club, manager's word is final.
- Any member or guest will not gain admittance if in a state of drunkenness, also any member or guest found whilst in the establishment to have consumed excessive levels of alcohol shall be asked to leave the premises.
- Members or their guest will not touch the performers.
- Members or guest's when paid for their dance must sit on their hands by their sides.
- Members and their guest must not exchange phone numbers, or any personal information including business cards with any performer whilst on the premises.
- No photographic equipment of any description will be allowed to be used on the premises by members or their guest.
- Membership of the club does not entitle a member to admission to the club if at full occupancy.
- The decision to terminate membership shall be at the absolute discretion of the manager/proprietor and and will not be subject to review or appeal by the members.

## Members and Guest Code of Conduct

- Dress appropriately, smart attire, smart casual wear at the discretion of the management.
- Violence of any form shall not be tolerated in or around the establishment.
- Drug abuse in any form will not be tolerated, and if found they will be asked to leave the premises.
- Address staff of the establishment in an appropriate fashion, NO abusive or foul language will be tolerated.
- Respect the decision of the club, manager's word is final.
- Any member or guest will not gain admittance if in a state of drunkenness, also any member or guest found whilst in the establishment to have consumed excessive levels of alcohol shall be asked to leave the premises.
- Members or their guests will not touch the performers.
- Members or their guests will respect the performers at all times.
- Once a member or guest has paid they must sit on their hands or with their hands by their sides.
- No photographic equipment of any description will be allowed to be used on the premises by members of the public.
- The decision to terminate membership shall be at the absolute discretion of the manager/proprietor and will not be subject to review or appeal by the members.

**WARNING**

**NO  
ADMITTANCE  
TO PERSONS  
UNDER 18  
YEARS OF  
AGE**

**TABOO GENTLEMAN'S CLUB**

99 Westgate, Grantham, Lincolnshire NG31 6LE

**DANCER AGREEMENT AND CODE OF CONDUCT**

Full Name: .....Age:.....Tel No:.....

Address:.....

Date of Birth:.....Place of Birth:.....Nat. Ins. No:.....

As a condition of me working at Taboo Gentleman's Club on a self-employed basis I have read understand and agree to comply with the Dancers Code of Conduct below.

In particular:

- (1) Not to take or use drugs (unless prescribed for medicinal purposes)
- (2) Not to solicit patrons for drinks or contact details to meet outside the premises
- (3) Not to make physical contact with clients during a dance
- (4) Not to hard sell dances or pester clients if they do not wish to socialise
- (5) Not to become intoxicated whilst on duty

I confirm the above information is true and agree to abide by the Management code of conduct and terms and conditions. I understand that failure to comply with any of the rules may lead to instant dismissal and that I may be asked to leave the premises immediately.

Signature:..... Date:.....

**CODE OF CONDUCT FOR DANCERS**

- 1. If required any House fee must be paid on arrival at reception. Fines may be imposed by the management if you arrive late; cancel or fail to show up.
- 2. Dancers are reminded that they are entertainers and must adopt a warm and friendly manner at all times to all persons within the premises.
- 3. Dancers must arrive 30 minutes before their duty begins to allow time for putting on makeup and dressing in the dressing room so you are available on the floor of the premises when your duty begins.
- 4. It is strictly forbidden for dancers to fraternize with customers other than for the purpose of entertaining and providing permitted dances within the premises. Telephone numbers and business cards must not be exchanged and/or received.
- 5. Dancers must never arrange to meet customers outside the premises.
- 6. The premises operate a zero tolerance toward drugs and anyone found using or in possession of drugs inside the premises will be subject to immediate dismissal and the Police may be called.
- 7. Dancers may consume alcohol when on duty but only in moderation. Patrons may purchase drinks for Dancers, but these should not be solicited at any time.

**DANCING**

- 8. All dancers will be required to dance from time to time on the podium/stage free of charge subject to Management decision.
- 9. Dancers performing on the pole and in the open area may dance topless, but must wear at least a G string at all times when in the open area.

10. Dancers performing in the private/VIP rooms may dance topless or nude. However a top and G string must be worn at the beginning of each dance which may only be removed during the dance.
11. At the end of a dance you must replace your top and bottom before commencing another dance if a repeat dance is requested, or returning to the main floor area.
12. At all times during a dance routine you must not simulate any sexual act; and when nude must not touch or expose your anus or genitalia.
13. In the event of a patron breaking the no touch rule a warning must be given that if it occurs again the dance will stop immediately and security may be called resulting in exclusion from the premises.
14. In the event of a further or serious breach of this rule the dance must stop immediately and the dancer, leave the dance area and call security.
15. Any disorderly incident involving a patron must be reported to security staff and full details of the incident recorded in the incident book. Full relevant details recorded by the dancer and any witness.
16. At the end of the evening all payment tokens will be given to the management for earnings to be calculated and Payment to be made either immediately; or within the following 7 days at the discretion of the management depending on how many dances have been paid by credit or debit card.

Signature:..... Date.....

**TABOO GENTLEMAN'S CLUB**  
**CODE OF CONDUCT/RULES FOR PATRONS**

The following rules are imposed and enforced to establish and maintain the good reputation of the premises and to allow the Licence(s) to continue in force.

Breach of any of the rules may result in exclusion from the premises and in serious cases the Police may be called.

The Management reserves the right to admission to the premises and only persons over 18 years of age of smart appearance may be admitted to the premises.

1. Patrons may be subject to random searching on gaining admission to the premises; and customers should be aware they are not permitted to bring their own food or drink or any illegal substance or thing (e.g. drugs or weapons) into the premises.
2. The premises operate a zero tolerance towards drugs and anyone found in possession of or using drugs inside the premises will be subject to immediate exclusion or detention when the police would be called.
3. Patrons must show due respect to all staff including dance performers at all times when inside the premises.
4. No abusive or disorderly behaviour including bad language will be tolerated by any staff at any time.
5. Patrons shall not be allowed to enter onto the stage area or dance podium at any time whilst dancers are performing.
6. Patrons are not permitted to use the dance pole(s) at any time.
7. Payment for dances must be made at the bar or reception desk in exchange for a token which must be given to the Dancer at the beginning of the dance.
8. Before a dancer commences a private dance a customer must be seated and remain seated at all times, with hands placed either under their legs, at their side or on the arms of the chair.
9. Patrons must not touch the dancers at any time; save when making payment for the dance into the hand or garter at the beginning of the dance.
10. Patrons must not proposition the dancers at any time and this includes the giving of telephone numbers or business cards.
11. Patrons shall not be permitted to use any photographic equipment inside the premises including cameras, mobile phone cameras and video cameras or any other type of photographic equipment.

## TABOO GENTLEMAN'S CLUB

### DRUGS POLICY

1. The Licence Holder and Management of these premises operate a zero tolerance regarding the use and/or possession of any illicit drugs on these or immediately outside the premises.
2. Any person found in possession of any substance believed to be an illicit drug will not be admitted to the premises; and if already inside the premises may be excluded and banned from the premises in the future and in a serious case the person may be detained and the police called to effect an arrest if deemed necessary and appropriate.
3. Any person found in possession of any substance believed to be an illicit drug is liable to have the substance seized; and any such substances seized by door security or other staff shall be delivered to the Licence Holder or Designated Premises Supervisor of the premises for safe keeping until such time that such substance can be delivered to the police.
4. The Licence Holder and Designated Premises Supervisor shall keep a record of any substance seized in a Drugs Seizures Book and the member of staff and the Licence Holder or DPS shall both sign the book and show the date and time of seizure and a brief description of the substance seized.
5. Any illicit substance or drug seized shall be kept in a safe at the premises until it can be delivered to the police. The Police shall be informed of any seizure as soon as practicable and in any event within 48 hours; and arrangements made for the police to attend the premises to take delivery. The Police Officer attending and taking delivery shall sign the book to show receipt of any substance(s) delivered.
6. Door staff shall be required to carry out random searches of any person believed to be in possession of drugs at the entrance to the premises; and also inside the premises when considered necessary and appropriate to do so.
7. Door staff or Management of the premises shall endeavour to personally check both the ladies and gents toilets periodically and if possible at least every half hour the premises are open to check nothing untoward is occurring in these parts of the premises.
8. Any noteworthy incident or problem shall be recorded in an incident book (a page a day diary will suffice for this purpose) with all necessary and relevant details being recorded including the name of any member of staff concerned or witnessing the incident recorded.
9. The Licence Holder and Management of the premises shall co-operate at all times with the Police and liaise and take on board such advice as may be given from time to time to prevent the use of illicit drugs in these premises.

**TABOO GENTLEMAN'S CLUB**  
**THE LAW AND POLICY ON**  
**PREVENTING ILLEGAL ENTRY AND SALES**  
**CHALLENGE 21**

**PROOF OF AGE**

In order to prevent admission and sales of alcoholic drinks (and cigarettes) to persons under 18 years, it is necessary to require satisfactory proof of age from all young persons appearing to be under 21 years of age.

The Following instructions must therefore be followed by all door staff and bar staff in respect of any person you judge to be under 21 years of age to ensure no admission or sale to an under age person occurs.

1. Say because they appear to be under 21 years the Premises Licence requires you to have proof of age and ask their age.
2. If they give an age under 18 years you **MUST** refuse entry and/or service; and details of the refusal must then be entered in the "refusals" book.
3. If they give an age of 18 years or more you must then request proof of age.

**ONLY THE FOLLOWING ORIGINAL DOCUMENTS WHICH HAVE A PHOTOGRAPH, NAME, AND DATE OF BIRTH AND HOLOGRAM MAY BE ACCEPTED:**

- (i) **Passport**
- (ii) **Driving Licence with photograph**
- (iii) **A PASS accredited identity card with PASS hologram e.g. Citizen CARD**
- (iv) **A H M Forces Service identity card**

**YOU MUST CHECK THE PHOTOGRAPH MATCHES THE PERSON.**

If the photograph does not match (or if in doubt) or if the document is believed to be false or forged in any way you must refuse entry and/or service and enter the details in the refusals book.

You should if possible retain the document and tell the person the document is being retained and the Police are to be called because it is believed they have produced a document with intent to deceive. Ask the person for their home address and contact telephone number so these can be entered in the Refusals book so they can be contacted in due course and if it transpires the document is genuine for it to be returned.

Note: Only an original document is acceptable, a photocopy can never be accepted. Also a Birth Certificate and paper driving licence can **NEVER** be accepted because there is no photograph; and a Student identity card cannot because they are not PASS accredited

John Kent Solicitors 26.4.13

### **REFUSALS REGISTER**

Any refusal of entry or service must be recorded in a refusals book/register with all relevant details required in each column being recorded.

If no satisfactory documentary proof of age is produced you must politely refuse entry or the sale, pointing out because you are not satisfied the person is old enough, if you were to allow entry or sale of alcohol or cigarettes requested and it turned out that they are under age an offence would have been committed for which the assistant and owners could be fined and could also result in revocation of the Premises Licence.

### **PERSONS SELLING ALCOHOL MUST BE OVER 18 YEARS**

All persons selling alcohol must be over 18 years.

It will therefore be the policy of Taboo Gentleman's Club not to employ any staff under the age of 18 years.

### **INCIDENT/REFUSALS OF SALE REPORT BOOK**

In order to prove the above checks are being made in respect of sales to young persons all such challenges, and especially refusals of sale **must be recorded**, in a refusals of sale register/record book (a page a day diary may suffice for this purpose,) which should be available in the premises in which you work. The time and date of the incident including the name and date of birth given by the person challenged should be recorded, or if refuses to give details a brief description of the person should be recorded instead, and a note of any document produced to prove age; and the decision made whether or not to serve, including details if any other member of staff consulted.

### **WARNING POSSIBLE FIXED PENALTY £80.00 OR PROSECUTION**

Failure to comply with the above procedures could result in the Police or Trading Standards Department issuing YOU with a fixed penalty of EIGHTY POUNDS or alternatively you could be prosecuted in Court and fined up to FIVE THOUSAND POUNDS, which you would be liable to pay yourself.

### **DUE DILIGENCE DEFENCE IF ALL REASONABLE PRECAUTIONS HAVE BEEN TAKEN TO PREVENT THE COMMISSION OF AN OFFENCE**

The only defence to a charge or selling to a person under- age is if you took all reasonable precautions and exercised all due diligence to prevent the offence being committed; and even then only if no reasonable person would have believed the person to be under 18 years.

This is the reason why you must follow ALL the procedures outlined above including keeping proper records in the refusals book otherwise you run the risk of receiving heavy penalties.

John Kent Solicitors 26.4.13.

### **FINES, SUSPENSION AND REVOCATION OF THE LICENCE**

You must be aware of the very significant responsibility which attaches to all persons involved in the retail sale of alcohol i.e. to ensure all reasonable and necessary steps are taken to ensure that no person appearing to be under 21 years is served (or allowed to consume) alcohol in licensed premises unless they provide satisfactory documentary proof of age i.e. Passport, Driving licence or Pass accredited identity card which shows: Name; Date of birth; Photograph and PASS accredited Hologram.

If any single premise is found to have been responsible for selling alcohol on just TWO occasions in a period of TWO MONTHS apart from any fines that may be imposed the premises licence can be immediately suspended by Notice delivered by a Responsible Authority e.g. Police or Trading Standards Department and subsequently suspended for up to 3 months or even REVOKED which would be likely to result in significant Financial loss to the owner and likely loss of the business.

### **REFUSAL OF SERVICE TO DRUNK AND DISORDERLY CUSTOMERS**

You are warned it is an offence to serve any person who is already drunk or disorderly with alcohol; or to allow service to someone else who is purchasing for such a person. You must therefore remain vigilant at all times and refuse service whenever a person appears to have had too much to drink or is otherwise being argumentative, disorderly or unreasonable in his or her behaviour.

You must then advise a member of the door security staff or management of the refusal immediately, or as soon as possible and the reasons why, so they can determine whether or not the person concerned should be asked to leave the premises.

A full note of the reasons for refusal must also be recorded in the refusals book.

### **WARNING DISCIPLINARY ACTION**

Apart from any action that could be taken by the Police or Trading Standards Department you should be aware that a failure to comply with the above procedures would also amount to a serious Breach of your terms of contract for which disciplinary action could be taken, and in a serious case instant dismissal may be justified.

### **PROOF OF AGE NOTICES**

It is the policy of these premises, and may even be a condition on the premises licence to clearly display Notices requiring persons under 21 years to produce proof of age before they can be served alcohol. Therefore when you come on duty you also have a responsibility to check that there is at least one these notices clearly displayed to remind all concerned of the requirement to require proof of age before serving alcohol to any person appearing to be under 21 years and who is not already known by you to be over 18 years.

If no Notice is displayed please contact one of the management staff to obtain Notice(s) for immediate display in the area where you will be working.

John Kent Solicitors.26.4.13

**PERMITTED HOURS**

Alcoholic drinks may only be sold between the times allowed and stated on the Premises Licence which applies specifically to the premises you work in. You should be aware there is no universal time allowed, i.e. the times allowed for sale of alcohol in each premise are unique to those premises, so you have a duty and responsibility to check the times allowed shown on the Premises Licence or Summary. The Premises Licence Summary should be displayed in a prominent place in the premises usually in the vicinity of the servery.

It is also an offence to sell alcohol outside the hours allowed on the licence, punishable by a fine up to Twenty Thousand Pounds or 6 months imprisonment; and selling after hours could result in suspension of the licence for up to 3 months or even revocation forcing the premises to close.

**DRINKING UP TIME**

The law does not permit any specific time for drinking up; however the premises licence will say what the opening times of the premises are for each day of the week. It is usual for the closing time to be 30 minutes after the bar has closed by which time all drinks should be consumed or cleared away; and all patrons required to leave the premises.

It is therefore good practice to require patrons to drink up 10 or 15 minutes after the bar has closed and suitable warning should be given if they do not drink up immediately drinks may be taken away so the premises can be cleared by the specified closing time.

I acknowledge receipt of a copy of this memorandum and understand my duties and responsibilities in respect of the same.

Signed..... Employee's name

Date.....

Witness By..... Print name for and on  
Behalf of employer

John Kent Solicitors 26.4.13

B- Safe



**RISK ASSESSMENT FOR : GENERAL BAR ACTIVITIES - TABOO**

<b>Location</b>	99a Westgate, Grantham – Taboo.
<b>Operation</b>	Bar Activities – preparing & serving drinks etc

Risks	Affected Parties	
Risk of Slips Trips and Falls – spillages, slippery surfaces.	Own Staff	Yes
Risk of Cuts and Abrasions, e.g broken glass.	Other staff (eg dancers)	No
Risk of Physical / verbal abuse from the Clients.	Clients	Yes
Risk of inadvertently selling to underage members of public.	General Public	No
Risk of Electric shocks from work equipment, e.g. fridges.	Visitors	Yes
Manual Handling risk, e.g. lifting/moving heavy items.		
Risk of accidental contact with hidden sharps i.e. drug abuse.		
Risk of damage to hearing because of loud music.		
Risk of being caught in a fire.		
Risk of getting caught up in altercations or fights.		
“Lone-working” risks when working alone behind bar.		

<b>Initial Risk</b>				
Likelihood	4	Severity	4	Assessed Risk

Control Measures
All staff receive site specific induction on first day and training in emergency procedures eg fire action.
Non Slip Flooring provided throughout bar area. Floors in public areas inspected prior to opening.
Cracked broken damaged glass/glasses to be disposed of immediately and safely in receptacle behind bar.
Any spillages in public areas to be cleaned up immediately to minimise risk of slips occurring.
Bar and door staff to be vigilant and watch for aggressive signs from clientele, use of the CCTV system.
Door staff and bar staff to be extra vigilant on entry policy including “challenging clientele on their age.”
All electrical equipment is subject to periodic inspection and any defects remedied – “see it, sort it”.
No draught beers provided so that staff do not have to lift heavy beer barrels. Bottled beers and spirits only.
Bar is “prepped” and stocked by other staff to make sure it is fully stocked prior to opening.
Staff to be trained to be aware of discarded drug paraphernalia and signs of drug abuse. (See also entry policy).
Staff breaks may be taken in a quiet area. Strict noise controls to be observed throughout client areas.
Good relations with licensing authority and Police to be maintained; Police instructions to be followed at all times.
House policy to not serve overly intoxicated members of the public. Bar/Door staff to be vigilant.
Full co-operation to be maintained with Police and other Authorities at all times.
Staff rotas will be organised so that there is never only one person working in the establishment.

Personal Protective Equipment: All PPE to BHSR Directive 89/686/CEE (or equivalent)			
EN 471: High Vis waistcoats / jackets	N/a	EN 89/656/CEE: Gloves-when removing waste.	No
EN 397: Safety Helmets	N/a	Suitable clothing-for work being done.	Yes
EN344/5: Safety Boots	N/a	EN166: Eye Protection-where necessary	N/a
EN 352: Ear Defenders/protection	N/a	Other ( specify) –knee pads if kneeling	N/a.



### Justification of Risk Assessments

Risk assessments form an important part of our Health and Safety Procedure. They are intended to allow us to recognise potential hazards before they occur in the working environment. We are committed to reducing all risks to employees, other trades on site and the public. Due to the nature of our industry, such risks must be continually re-evaluated and new hazard assessed. At present, we hope the following figures will help to show how we evaluate and quantify risks.

### Evaluation of Potential Risks

#### Likelihood

- 1 Very Unlikely
- 2 Unlikely
- 3 Likely
- 4 Very likely
- 5 Certain

#### Severity of Risk

- 1 Delay only , no injury
- 2 Minor Injury or minor damage
- 3 Moderate (disabling) injury or non-disabling illness
- 4 Major injury or disabling illness
- 5 Death

#### Assessment of Risk

	1	2	3	4	5
1	1	2	3	4	5
2	2	4	6	8	10
3	3	6	9	12	15
4	4	8	12	16	20
5	5	10	15	20	25

#### Categorisation of Risk

1 – 6 Low
7 – 12 Medium
13 – 25 High

These figures have been derived by our management we use them to qualify our risk assessments. We feel it is important to note that these are our opinion as there is no official system in place on this matter. We have derived this system from experience and relate it directly to work we carry out.

#### Mitigation of Risks

**Low** – Considered be broadly acceptable, so long as existing controls are maintained and reviewed to ensure that they remain effective. However, if a low cost measure can be identified it will be considered further.

**Medium** – Will require further evaluation of the methods and procedures planned to put in place further controls/precautions to effectively reduce the risk wherever possible. Such additional controls shall as a minimum be clearly set out in the risk assessment report. In effect the risk may well be reduced to **low** by the introduction / implementation of additional controls, but the report shall remain stated as medium risk to ensure safety.

**High** – Serious consideration must be given to avoiding the activity entirely. If that is not possible the risk must be reduced as far as possible even if this involves additional cost or hassle. Any high-risk activities will be highlighted specifically to the client.



www.b-safe.org.uk

**RISK ASSESSMENT FOR: EXOTIC DANCING, TABOO 99a WESTGATE, GRANTHAM.**

<b>Location</b>	Taboo, 99a Westgate, Grantham	<b>Operation</b>	Exotic Dancing
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Risks	Affected Parties	
Risk of Slips, trips & falls eg inappropriate footwear or clothing.	Dancers	Yes
Risk of Slips, Trips & falls due to defects in floor surfaces.	Other Trades	No
Risk of verbal or physical assault (eg from Clients).	Visitors	Yes
Risk of slips or falls from stage due to poor stage covering.	General Public	No
Risk of falling from pole whilst dancing/entertaining.		
Risk of (dance) pole suddenly failing whilst in use.		
Risk of injury due to stage area being too small for dancing.		
Risk of sexual molestation eg whilst undertaking private dancing.		
Risk of exhaustion due to overwork/long dance routines.		
Risk of dehydration/exhaustion due to hot working conditions.		
Risk of inebriation due to being plied with alcoholic drinks.		
Risks associated with sharing make-up eg conjunctivitis.		
Risk of cross-contamination through pole becoming dirty.		
Risk of premises catching fire and dancer being unable to escape.		

<b>Initial Risk</b>					
Likelihood	5	Severity	4	Assessed Risk	

<b>Measures put in place by us to Control/reduce the risk.</b>
All dancers to receive site specific safety induction (eg fire safety, emergency arrangements) upon arrival.
Prior to opening the floor surfaces in all public areas to be checked for any signs of defects/tripping hazards.
Prior to opening the stage performance area to be thoroughly checked for signs of defect/tripping hazards.
Prior to opening and at least once during each session the pole to be checked: (i) top & bottom mountings, (ii) stability and (iii) signs of physical damage. If suspect DO NOT USE, report to management.
Prior to initial use and after each dance session the pole to be thoroughly cleaned with hypo-allergenic cleaner.
Dancers who wish to apply their own anti-slip powder to hands/pole prior to performing may do so.
Each Dancer must provide their own make-up which should not be shared with other dancers.
Clothing & footwear should be suitable for conditions. Max height of heel 4inches. Care with belts etc.
Dancers are allowed to perform ONE DANCE only (max 3 mins) on the pole & must then take a rest. We have made available a quiet lockable room to use if dancers wish to take a rest. Level of noise strictly controlled.
The nature of the dance is at sole discretion of dancer as she know her own capabilities better than anyone.
Bar staff and door staff will monitor the dancers and make sure they are not being plied with alcohol.
Our staff will monitor the dancers as they move about the premises; inappropriate contact not permitted.
Strict entry conditions and code of conduct applies to premises. This is clearly displayed at entrance to building.
Strict conditions apply for private dances in the booth areas. All areas are monitored by CCTV.
At end of evening suitable arrangements have been made (eg taxi) for dancers to leave safely.
The premises have been inspected by Fire Authority and suitable fire extinguishers are provided throughout.

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T.C.B Security UK Ltd. TAKING CARE OF YOUR BUSINESS



## Risk Assessment

### Risk Assessment Details

**Risk Assessment Number** 6  
**Risk Assessment Date** 06-Dec-2011  
**Risk Assessment Author**  
**Project/Contract** Lapdancing Nightclub ~~Security~~ *Taboo*  
**Start Date** Ongoing  
**Expected job duration** Ongoing  
**Client contact**  
**Description** Lapdancing Nightclub ~~Security~~ *Taboo*  
**Site Address** Taboo Lapdancing Club

### Signatures

	Name	Title	Signature	Date
<b>Document Author</b>				06/12/11
<b>Authorised by</b>				

### Data protection statement

The information and data provided herein applies only to the contract for which it was written, it shall not be duplicated, disclosed or disseminated by the recipient in whole or in part for any purpose whatsoever without the prior written permission from T.C.B Security UK Ltd.

It is the duty of all employees to observe the following Risk Assessment framed to provide a code of good practice and conduct with the object of preventing accidents. At all times employees must work in a safe manner both to prevent personal injury to themselves or to other personnel.

### Important Note:

It is the duty of all employees under regulation 14 of the "Management of Health and Safety at Work Regulations 1999" to inform the employer of any circumstances that may indicate any shortcomings in this assessment.