



## **Licensing and Appeals Sub Committee Hearing Panel**

Date: Monday, 15 February 2021  
Time: 10.10 am (or at the rise of the Licensing Sub-  
Committee Hearing Panel)  
Venue: Dial: 033 3113 3058 Room number: 37978770 # PIN:  
2991 #

Everyone is welcome to attend this committee meeting.

**The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.**

Under the provisions of these regulations the location where a meeting is held can include reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.

This meeting is by way of a telephone conference. You can listen to the call as it takes place, the number of people able to listen to the live call is limited to 90.

## **Membership of the Licensing and Appeals Sub Committee Hearing Panel**

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**Councillors** – Reid (Chair), Andrews and Jeavons

## Agenda

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**1. Urgent Business**

To consider any items which the Chair has agreed to have submitted as urgent.

**2. Appeals**

To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.

**3. Interests**

To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.

**4. Baby Platinum, 109 Princess Street, Manchester, M1 6JB - Sex Establishment Licence - Renewal 254609**

5 - 64

The report of the Director of Planning, Building Control and Licensing is enclosed.

**5. Long Legs, Basement, 46-46a George Street, Manchester, M1 4HF - Sex Establishment Licence - Renewal 254604**

65 - 120

The report of the Director of Planning, Building Control and Licensing is enclosed.

**6. Exclusion of the Public**

The officers consider that the following item or items contains exempt information as provided for in the Local Government Access to Information Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. The Committee is recommended to agree the necessary resolutions excluding the public from the meeting during consideration of these items. At the time this agenda is published no representations have been that this part of the meeting should be open to the public.

**7. Application for a Street Trading Consent - Kaffe and Kaka - Morrisons car park near to the entrance, 418b Wilbraham Road, Manchester, M21 0UA**

121 - 144

The report of the Director of Planning, Building Control and Licensing is enclosed.

## Information about the Committee

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The Licensing and Appeals Committee fulfills the functions of the Licensing Authority in relation to the licensing of taxi drivers.

A procedure has been agreed which governs how the Panel will consider such applications.

Decisions made by the Panel will be under delegated authority and will not require to be referred to the Council for approval. Meetings are controlled by the Chair, who is responsible for seeing that the business on the agenda is dealt with properly.

Copies of the agenda are published on the Council's website. Some additional copies are available at the meeting from the Governance Support Officer.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Smoking is not allowed in Council buildings.

Joanne Roney OBE  
Chief Executive  
Level 3, Town Hall Extension,  
Albert Square,  
Manchester, M60 2LA

## Further Information

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For help, advice and information about this meeting please contact the Committee Officer:

Ian Hinton-Smith  
Tel: 0161 234 3043  
Email: [i.hintosmith@manchester.gov.uk](mailto:i.hintosmith@manchester.gov.uk)

This agenda was issued on **Thursday, 4 February 2021** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing and Appeals Subcommittee Hearing Panel – 15 February 2021

**Subject:** Baby Platinum, 109 Princess Street, Manchester, M1 6JB  
(App ref: Sex Establishment Licence - Renewal 254609)

**Report of:** Head of Planning, Building Control & Licensing

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### Summary

Application for the renewal of a sex establishment licence.

### Recommendations

That the Panel determine the application.

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**Wards Affected:** Piccadilly

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**Full details are in the body of the report, along with any implications for:**

- Equal Opportunities Policy
  - Risk Management
  - Legal Considerations
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**Financial Consequences – Revenue** None

**Financial Consequences – Capital** None

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### Contact Officers:

Name: Fraser Swift  
Position: Principal Licensing Officer  
Telephone: 0161 234 1176  
E-mail: f.swift@manchester.gov.uk

Name: Helen Howden  
Position: Technical Licensing Officer  
Telephone: 0161 234 4294  
E-mail: premises.licensing@manchester.gov.uk

**Background documents (available for public inspection):**

- Manchester City Council Sex Establishment Policy Document (Revised August 2013)
- Section 10 of Manchester City Council's Statement of Licensing Policy 2016 – 2021 (pertaining to adult entertainment)
- Any further documentary submissions by any party to the hearing

## 1. Introduction

- 1.1 The Local Government (Miscellaneous Provisions) Act 1982 provides the legislative framework in relation to the licensing of sex establishments. Section 27 of the Policing and Crime Act 2009 introduced a new category of sex establishment called a 'sexual entertainment venue', which allows local authorities to regulate lap dancing clubs and similar venues under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. The new powers were adopted by the Council with effect from 9 January 2011.

### **Sexual Entertainment Venues and Relevant Entertainment**

- 1.2 A sexual entertainment venue is defined as:

“A premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or entertainer unless an exemption applies.”

- 1.3 There are 2 categories of 'relevant entertainment':

- live performances, and
- live displays of nudity.

- 1.4 In each case, the entertainment must be of such a nature that, ignoring financial gain, it must be reasonably assumed to be provided solely or principally for the purposes of sexually stimulating any member of the audience whether by verbal or other means. An audience can consist of just one person e.g. private shows.

## 2. Application

- 2.1 On 21/12/2020, an application for the renewal of a sexual entertainment venue (SEV) licence was made in respect of Baby Platinum, 109 Princess Street, Manchester, M1 6JB in the Piccadilly ward of Manchester.
- 2.2 A copy of the application is provided at **Appendix 1**. However, personal and commercially sensitive information has been redacted. This information will be provided by way of a separate bundle and may be considered by the Committee at the hearing under Part B. A location map and photograph of the premises is attached at **Appendix 2**.
- 2.3 The current sex establishment licence is attached at **Appendix 3**.
- 2.4 The premises is currently operating as a lap dancing premises and is licensed under the Licensing Act 2003 (licence attached at **Appendix 4**).
- 2.5 A public consultation exercise was undertaken in accordance with Schedule 3 of the 1982 Act, requiring the publication of an advertisement in a local newspaper circulating in the appropriate authority's area, not later than 7 days after the date of the application, and the display of a notice for 21 days

beginning with the date of the application, on or near the premises and in a place where the notice can conveniently be read by the public.

- 2.6 Any person objecting to an application for the grant, renewal, transfer or variation of a licence under Schedule 3 shall give notice in writing of his objection to the appropriate authority, stating in general terms the grounds of the objection, not later than 28 days after the date of the application.
- 2.7 All applications for the grant, renewal, transfer or variation of a sex establishment are determined by a delegated sub-committee of the Licensing and Appeals Committee, whether or not objections to the application have been received.

### 2.8 **Further documentation accompanying the application**

- 2.8.1 The applicant has not submitted any further documentation.

## 3. **Relevant Objections**

- 3.1 Any person can object to an application but the objection should be relevant to the grounds set out in paragraph 12 of Schedule 3 of the Act for refusing a licence, as set out in Section 4 of this report.
- 3.2 Objections should not be based on moral grounds/values and objections that are not relevant to the grounds set out in paragraph 12 should not be considered.
- 3.3 Although the council is under a duty to consider any objections made within 28 days of the application, it has discretion to hear later objections provided the applicant is given the opportunity to deal with those objections.
- 3.4 The council shall not without the consent of the person making the objection reveal their name or address to the applicant.
- 3.5 No objections have been received in respect of this application.

## 4. **Mandatory and Discretionary Grounds for Refusal of a Licence**

- 4.1 Paragraph 12 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 sets out the grounds for refusing an application for the grant, renewal, transfer or variation of a licence. A decision to refuse a licence must be relevant to one or more of the below grounds.

### **Mandatory Grounds**

- 4.2 A licence must not be granted:
- to a person under the age of 18;



- to a person who is for the time being disqualified due to the person having had a previous licence revoked in the area of the appropriate authority within the last 12 months;
- to a person, other than a body corporate, who is not resident in an EEA state or was not so resident throughout the period of six months immediately preceding the date when the application was made; or
- to a body corporate which is not incorporated in an EEA state; or
- to a person who has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

### **Discretionary Grounds**

#### 4.3 A licence may be refused where:

- the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- if the licence were to be granted, renewed, or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal, transfer or variation of such a licence if he made the application himself;
- the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality;
- that the grant or renewal of the licence would be inappropriate having regard
  - to the character of the relevant locality; or
  - to the use to which any premises in the vicinity are put; or
  - to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

#### 4.4 Applications should only be refused where the Council considers it as necessary and proportionate to do so, and any decision shall be on a non-discriminatory basis.

### **Human Rights Act**

#### 4.5 When determining a licence application Manchester City Council will have regard to any rights the applicant may have under Article 10 (right to freedom of expression) and Article 1, Protocol 1 (protection of property) of the European Convention on Human Rights

#### 4.6 Article 1 of Protocol 1 of the European Convention of Human Rights states:

“Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the

public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.”

4.7 A licence is a possession.

4.8 When considering matters relating to the grant, revocation, renewal or refusal of licences and the placing of conditions on licences, the Committee must consider whether the decision affects an individual, group or company’s Human Rights as set out in the Convention and if it does, whether the interference with those rights is permissible by reason of the justifications set out in the Convention. In addition consideration must be given to whether the interference is proportionate to the general purpose.

## 5. Applicant Considerations

5.1 The Council needs to be satisfied that the applicants for a sex establishment licence are suitable to operate the business by ensuring:

- that the operator is honest;
- that the operator is qualified by experience to run the type of sex establishment in question;
- that the operator understands the general conditions;
- that the operator is proposing a management structure which will deliver compliance with operating conditions e.g. though:
  - managerial competence;
  - attendance at the premises;
  - a credible management structure;
  - enforcement of rules internally, e.g. through training and monitoring
  - a viable business plan, e.g. sufficient to employ door staff and install CCTV;
  - policies for the welfare of performers (SEV only).
- that the operator can be relied upon to act in the best interests of the performers, e.g. in how they are remunerated, the facilities they enjoy, how they are protected and how and by whom their physical and psychological welfare is monitored (SEV only);
- that the operator can be relied upon to protect the public, e.g. transparent charging, freedom from solicitation;
- that the operator can show a track record of management of compliant premises, or that s/he will employ individuals who will have such a track record;

5.2 All applications will be considered but they are unlikely to be granted if the following apply:

- 5.2.1 the applicant has a criminal record. Offences that would be considered particularly relevant include:
- convictions for dishonesty
  - violence
  - sexual offences
  - drugs
  - public order
  - people trafficking
- 5.2.2 the applicant has previously been involved in running an unlicensed sex establishment.
- 5.2.3 if the licence were to be granted, the business to which it relates would be managed by or run for the benefit of a person other than the applicant who would be refused the grant of such a licence if they made it themselves.
- 5.3 It is anticipated that these expectations would be demonstrated by the operator through their completed application form and any accompanying submissions as part of the application process. However, the Council may also take into account any oral submissions made at any hearing to determine the application.

## **6. Location Considerations**

- 6.1 A licence can be refused if either, at the time the application, it is determined that the number of sex establishments, or sex establishments of a particular kind, in the relevant locality is equal to or exceeds the number that the authority considers appropriate for that locality; or that a sex establishment would be inappropriate having regard to the character of the relevant locality, the use to which any premises in the vicinity are put or the layout, character or condition of the premises.
- 6.2 Manchester City Council's Policy for Sex Establishments states that that areas located outside the City Centre, as defined by the Planning Department's definition of the City Centre, are not appropriate locations for sex establishments. Therefore, the policy is that the appropriate number for sex establishments outside of the City Centre is nil.
- 6.3 Within the City Centre, an appropriate number for sex establishments has not been set. Applications will be determined as they arise.
- 6.4 Sex establishments will not normally be licensed near to:
- housing;
  - schools, play areas, nurseries or children's centres;
  - family shopping or leisure areas;
  - places of worship;
  - historic buildings or tourist attractions;

- other places where relevant entertainment takes place;
- other sensitive uses that may be relevant e.g. women's hostel;

where the proximity to such uses is likely to be considered by the Council to be inappropriate in having regard to the character of the relevant locality and the use to which any premises in the vicinity are put.

6.5 The spatial distribution of licensed premises is very relevant particularly with consideration to their impact upon the character of the locality. The Council will have regard to the uses of all other premises in the area as well as any potential adverse impact upon:

- regeneration;
- tourism;
- the retail or commercial attraction of the area;
- social issues e.g. prostitution, anti-social behaviour.

6.6 Within the city centre no licences shall be granted for premises within the following locations:

- a. parks or external areas/squares that attract large numbers of children such as, but not limited to, Castlefield Arena, Piccadilly Gardens, Albert Square, St Anne's Square, Exchange Square;
- b. entertainment centres which have children/family focussed entertainment;
- c. community buildings such as, but not limited to, places of worship, libraries, GPs surgeries;
- d. the area (framed by Deansgate to the west; Peter Street, Mount Street and Lower Mosley Street to the north; Portland Street, Oxford Street and Lower Mosley Street to the east; and Whitworth Street West to the south) as set out in Appendix A of the Council's Policy for Sex Establishments;
- e. where further sex oriented uses would change the character of an area;
- f. where further sex oriented uses would deter people from using the area comfortably/at all;
- g. where further sex oriented uses raises the fear of crime in the locality; or where such locations form part of the relevant locality.

6.7 The decision regarding what constitutes the 'relevant locality' is a matter for the Committee. However, such questions must be decided on the facts of the individual application.

6.8 The Council may also have regard to the following factors:

- access routes to schools, play areas, nurseries or children's centres or other uses normally attended by children;
- any existing licensing permissions for the premises;
- the proximity of other licensed premises in the surrounding area and the terms of those licences;

- the Planning permission for the premises and surrounding uses;
- any existing Planning or Regeneration policy/plan/strategy relevant to the area;
- history of complaints relevant to the premises;
- the nature of the daytime and night-time economies in the surrounding area.

6.9 This premises is located within the City Centre (see 6.3).

6.10 This premises is not located within the area set out in 6.6(d) above.

## **7. Licence Conditions**

7.1 The Council has adopted standard conditions in respect of sexual entertainment venues, which will apply to all respective licences granted, unless such conditions have been expressly excluded or varied. These proposed standard conditions will be provided separately to the report.

7.2 However, following a hearing, the Licensing and Appeals Committee may attach such further conditions to a licence as are considered necessary and proportionate in the public interest including, but not limited to, the interest of public policy, public security, public health or the protection of the environment. This could include conditions restricting the opening and closing times of the premises.

7.3 The applicant has not requested any variations to the standard conditions.

## **8. Conclusion**

8.1 In determining an application for a sex establishment licence, any decision to refuse an application may only be made in accordance with the mandatory and discretionary grounds for refusal as set out in Section 4 of the report.

8.2 None of the mandatory grounds for refusal are met in respect of this application.

8.3 The discretionary grounds are set out in full at 4.3.

8.4 The decision regarding what constitutes the 'relevant locality' is a matter for the Committee. However, such questions must be decided on the facts of the individual application.

8.5 When considering a particular application case law has indicated that the relevant locality does not have to be a clearly pre-defined area nor are local authorities required to be able to define its precise boundaries. Therefore, while a local authority is not prevented from defining the exact area of the relevant locality, it is equally free to conclude that it simply refers to the area which surrounds the premises specified in the application and does not require further definition. Nevertheless a local authority's view of what constitutes a locality could be open to challenge if they took a completely

unreasonable view of the area covered. Case law also indicates that a relevant locality cannot be an entire local authority area or an entire town or city.

- 8.6 Once the Committee has determined the relevant locality, it should seek to make an assessment of the 'character' of the relevant locality and whether it considers any sex establishments, or sex establishment of a particular kind, are appropriate for that relevant locality.
- 8.7 When considering the application, the Committee must have regard to:
- the Council's Policy for Sex Establishments;
  - information submitted as part of the application;
  - any observations submitted to it by the chief officer of police;
  - any objections received from anyone else within 28 days of the application
- 8.8 Members may also take into account any oral submissions made at any hearing to determine the application. Additionally, the Committee may have regard to any objections received after 28 days of the application.
- 8.9 Applications should only be refused where the Council considers it as necessary and proportionate to do so, and any decision shall be on a non-discriminatory basis.
- 8.10 Where the Committee has decided to grant a licence, it may impose terms, conditions and restrictions on that licence, either in the form of conditions specific to the individual licence under paragraph 8 of Schedule 3 or standard conditions made by the Council under paragraph 13 of Schedule 3.
- 8.11 The Council has adopted Standard Conditions applicable to Sexual Entertainment Venues.
- 8.12 Any licence granted shall be subject to those Standard Conditions, save for where they have been expressly excluded or varied by the Committee.

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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**MANCHESTER  
CITY COUNCIL**

**Premises Licensing Team**

Telephone: +44 (0)161 234 5004  
 premises.licensing@manchester.gov.uk  
 Level 1 Town Hall Extension, Albert  
 Square, PO Box 532, M60 2LA

**Application for Renewal of a Sex Establishment Licence pursuant to  
 Schedule 3, Local Government (Miscellaneous Provisions) Act 1982**

This form should be completed and forwarded to the Manchester City Council Premises Licensing Team at the above address with the required fee. Cheques, etc. should be made payable to the Manchester City Council. Payment may also be made by credit or debit card upon request.

**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.**

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**Part 1 – Premises Details**

I/We ABA Leisure Limited

*(Insert name(s) of applicant)*

**apply for the Renewal of a Sex Establishment Licence as described below.**

**1. This renewal application is for a:**

Sex Shop

Sex Cinema

Sexual Entertainment Venue

<b>Please state the Licence Number of the Sex Establishment premises to be renewed</b>	242438
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<b>Name and Postal address of premises</b>			
Baby Platinum, 109 Princess Street			
<b>Post town</b>	Manchester	<b>Post code</b>	M1 6JB

Telephone number	
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## Part 2 – The Applicant

### 2. Please state whether you are applying for a renewal as:

- a) an individual  please complete section (A)
- b) a company or other corporate body  please complete section (B)
- c) a partnership or other unincorporated body  please complete section (C)

### (A) INDIVIDUAL APPLICANT (fill in as applicable)

You must complete and submit the form at Annex A for the individual named in this section

		Annex A completed?
Full Name of Applicant		<input type="checkbox"/>

Former name (if applicable) <sup>1</sup>	
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### (B) A COMPANY OR OTHER CORPORATE BODY

You must complete and submit the form at Annex A for all individuals named in this section

Applicant Name <sup>1</sup>	ABA Leisure Ltd
Address	299 Chillingham Road, Newcastle-Upon-Tyne, NE6 5SB
Registered number <sup>2</sup>	06766232
Telephone number	██████████
E-mail address	██████████████████

<sup>1</sup> If the Applicant has been formerly known by a different name, please provide details

<sup>1</sup> If your business is registered, use its registered name

<sup>2</sup> If business is not registered, put "none"

<b>Previous Name</b> (if applicable) <sup>3</sup>	n/a
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<b>Please state the names of:</b> (i) the Applicant's Directors; (ii) Company Secretary; (iii) any other persons responsible for the management of the Applicant; and (iv) any persons with a shareholding of greater than 10% in the Applicant		
<u>Position</u>	<u>Name of Individual</u>	Annex A completed?
Director	John Bradley Hutchinson	<input checked="" type="checkbox"/>
Director/Company Secretary	Anthony Boyd	<input checked="" type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

<b>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</b>		
Name		
Place of registration		
<b>Names of Directors and Company Secretary</b>		
<u>Position</u>	<u>Name of Individual</u>	Annex A completed?
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

### (C) A PARTNERSHIP OR OTHER UNINCORPORATED BODY

You must complete and submit the form at Annex A for all individuals named in this section

<b>Applicant Name</b>	
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<sup>3</sup> If the Applicant has been formerly known by a different name, please provide details

<b>Names of Partners</b>	<b>Annex A completed?</b>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

<b>Please state the names of than other persons responsible for the management of the Applicant other than the partners.</b>		
<u>Position</u>	<u>Name of Individual</u>	<b>Annex A completed?</b>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

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**Questions 3-6 to be completed in all cases**

<b>3</b>	<b>Does the applicant have a different trading name from that given above in (A), (B) or (C)? If yes, please provide details.</b>
	Baby Platinum

<b>4</b>	<b>What is the Applicant's trading address?</b>
	109 Princess Street, Manchester, M1 6JB

<b>5</b>	<b>Will the business be carried on for the benefit of a person other than the applicant? If yes, please provide full details.</b>
	No

6	<b>Does the applicant operate any other sex establishment? If yes, please provide full details.</b>
	Baby Platinum, 10 Victoria Street, Derby, DE1 1EQ Baby Platinum, 58 King Street, Wigan, WN1 1BT

### Part 3 – Operation of the Business

I confirm that the following matters related to the Operation of the Business have <b>not</b> changed since the last grant of the licence, as below:	Tick to confirm
The name of the Business from that stated on the licence	<input checked="" type="checkbox"/>
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 agreement.	<input checked="" type="checkbox"/>
Any requirement of the business to purchase merchandise from a particular person or body	<input checked="" type="checkbox"/>
The identity of the person responsible for the day to day management of the business at the premises, vehicle, vessel or stall ('the Manager')	<input checked="" type="checkbox"/>
The identity of the person(s) responsible for the day to day management of the business in the absence of the Manager ('the Relief Manager(s)')	<input checked="" type="checkbox"/>
The system for checking the age and right to work in the UK for all employees.	<input checked="" type="checkbox"/>
The exterior signage and advertising, including the nature, content and size of such signage and any images used.	<input checked="" type="checkbox"/>
The means taken to prevent the interior of the premises being visible to passers-by.	<input checked="" type="checkbox"/>
The window displays exhibited at the premises.	<input checked="" type="checkbox"/>
Methods for solicitation of business in public areas, e.g. through fliers, business cards, billboard advertising, personal solicitation or advertising on motor vehicles.	<input checked="" type="checkbox"/>
The age restrictions applied in respect of admissions, and how these are enforced.	<input checked="" type="checkbox"/>
The arrangements for CCTV (including the location of cameras). and for retention of recordings	<input checked="" type="checkbox"/>
The arrangements for private booths or areas for sexual entertainment, including supervision for such areas. (SEV only)	<input checked="" type="checkbox"/>
The nature of the entertainment, e.g. lap-dancing, pole dancing, stage striptease. (SEV only)	<input checked="" type="checkbox"/>
The Code of Practice for performers, as well as the methods for monitoring and enforcing compliance in it. (SEV only)	<input checked="" type="checkbox"/>

The Rules for Customers as well as the methods for monitoring and enforcing compliance in it. (SEV only)	<input checked="" type="checkbox"/>
The Policy for the Welfare of Performers as well as the methods for monitoring and enforcing compliance in it. (SEV only)	<input checked="" type="checkbox"/>
<p><b>If there are changes to any of the matters listed above, please provide full details.</b></p> <p><i>Where the Code of Practice for Performers, Rules for Customers, or Policy for the Welfare of Performers have been amended, copies must be provided.</i></p>	

## Part 4 – Further Information

<p><b>Please include any further information which you wish the authority to take into account here.</b></p>
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## Part 5 – Checklist and Declaration

Checklist	Mark as appropriate
I have completed all relevant section of the application	<input checked="" type="checkbox"/>
I declare that a public notice advertising this application shall be displayed upon the premises where it may be conveniently read by the public and shall remain displayed for a period of no less than 21 consecutive days. A copy of the notice and completed statutory declaration shall be provided to the Licensing Unit.	<input checked="" type="checkbox"/>
I declare that within seven days of the date of this application a public notice advertising this application will be publicised in the legal notices column of the Manchester Evening News and an original copy of the published advertisement shall be forwarded to the Licensing Unit at Manchester City Council forthwith.	<input checked="" type="checkbox"/>
I understand that if I do not comply with the requirements above that my application shall be rejected.	<input checked="" type="checkbox"/>
I declare I have served a copy of this application on Greater Manchester Police.	<input checked="" type="checkbox"/>

I have completed Annex A for each person whose details have been included in this application	<input checked="" type="checkbox"/>
I have enclosed the relevant fee	<input checked="" type="checkbox"/>

### Declaration & Signature

The following declaration must be signed in all cases

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 our/my 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	████████████████████
Position in organisation	██
Date	21 December 2020
Signature	████████████████████

### Contact Details

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) ██			
Post town	Manchester	Post code	████████
Telephone number (if any)	██		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) ██			

### DOCUMENTS EVIDENCING PUBLIC NOTICE AND SERVICE *(for office use only)*

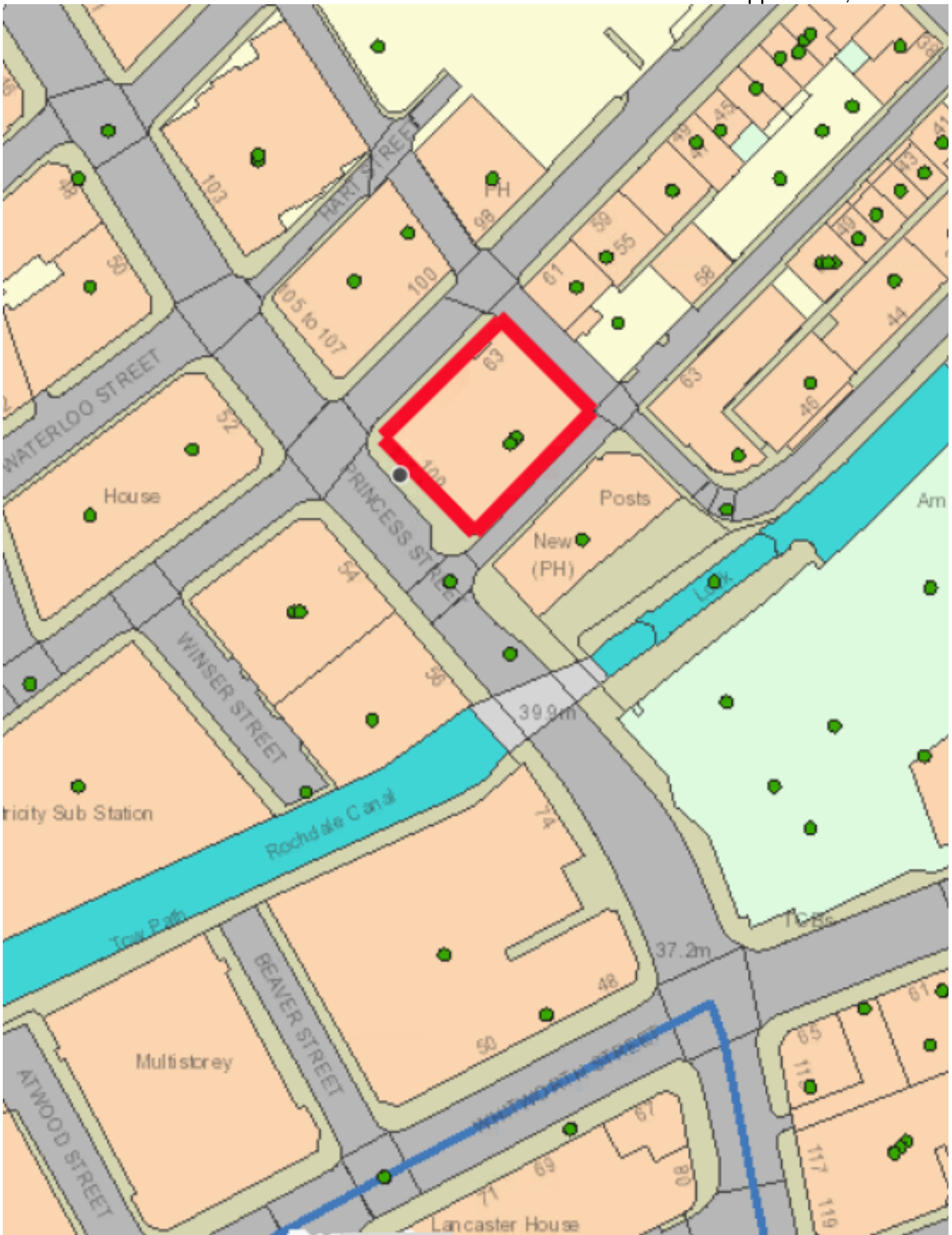
Complete copy of newspaper circulating in this area of the authority, containing advertisement of this application to be provided upon publication	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Copy of notice of application displayed on or near the premises	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Copy of affidavit or statutory declaration that notice has been displayed as required by Schedule 3 paragraph 10(10) Local Government (Miscellaneous Provisions) Act 1982.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Evidence of service of this application form and all enclosures upon <i>Licensing Partnership Office at Bootle Street Police Station, Bootle Street, Manchester, M2 5GU</i> within 7 days after the date of this application.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

*When the application is made electronically, including all enclosures, the licensing authority will serve the Chief Officer of Police.*

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Baby Platinum  
109 Princess Street, Manchester, M1 6JB

The premises lies within the marked area

Premises Licensing  
Manchester City Council

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**PREMISE NAME:** Baby Platinum

**PREMISE ADDRESS:** 109 Princess Street, Manchester, M1 6JB

**WARD:** Piccadilly

**HEARING DATE:** 15/02/2021



# MANCHESTER CITY COUNCIL

## LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982, PART II, SCHEDULE 3

### SEX ESTABLISHMENT LICENCE

<b>Licence number</b>	<b>242438</b>
<b>Effective Date</b>	<b>09/01/2020</b>
<b>Expiry Date</b>	<b>08/01/2021</b>

#### Part 1 - Premises details

Name and address of premises		
<b>Baby Platinum</b> 109 Princess Street, Manchester, ,		
<b>Post town</b>	<b>Post code</b>	<b>Telephone number</b>
Manchester	M1 6JB	0845 618 7222

#### Activities authorised by the licence

##### 1 Operation as a sexual entertainment venue –

- a Provision of relevant entertainment before a live audience for the financial gain of the organiser or the entertainer. “Relevant entertainment” means –
- i any live performance; or
  - ii any live display of nudity;

which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).

#### Hours premises are open to the public

##### Standard timings

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0630	0630	0630	0630	0630	0630	0630

##### Seasonal variations and Non standard Timings:

None

#### Designated areas permitted for performances of sexual entertainment

Performances of sexual entertainment may only take place in areas of the premises as outlined in blue on the plans attached to the licence.

#### State whether full nudity is permitted or restricted

Permitted.

**Part 2****Name and (registered) address of holder of licence**

ABA Leisure Limited  
299 Chillingham Road, Newcastle upon Tyne, NE6 5SB

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

06766232

**Annex 1 – Licence conditions****External Appearance of the Premises and Public Displays of Information**

1. The exterior of the premises must be presented in a manner appropriate for the character of the area. There shall be no advertisement or promotional material used by the premises that is unsuitable to be viewed by children, for example, by way of sexually provocative imagery. Any exterior signage shall be discreet and shall not display any imagery that suggests or indicates relevant entertainment takes place at the premises. Any external displays or advertising may only be displayed with the prior approval of the Licensing Unit Manager of Manchester City Council.
2. The prices for entrance and any compulsory purchases within the venue, shall be clearly displayed on the exterior of the premises.
3. All charges for products and services shall be displayed in prominent areas within the premises, and at each customer table and in the bar area.
4. Rules for customers shall be displayed in prominent areas within the premises, and at each customer table and in the bar area.
5. No charge shall be applied unless the customer has been made aware of the tariff of charge by the performer in advance of the performance.
6. There shall be no performers or persons employed at the premises in a state of undress, or scantily-clad, outside the premises at any time it is open.
7. The use of cruising cars by the premises to solicit for custom and/or transport people to or from the premises is prohibited.
8. The use of flyers and similar promotional material for the premises is prohibited.

**Control of Entry to the Premises**

9. The Challenge 25 proof of age scheme shall be operated at the premises whereby any person suspected of being under 25 years of age shall be required to produce identification proving they are over 18 years of age. The only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
10. The premises shall maintain a Refusals log whereby any occasion a person is refused entry shall be recorded and available upon request by the Police or an authorised officer of the Council.
11. All individuals employed on the premises to conduct a security activity (within the meaning of paragraph 2(1) (a) of Schedule 2 to the Private Security Act 2001) must be licensed by the Security Industry Authority.
12. Any person who appears to be drunk / intoxicated or under the influence of illegal drugs shall not be permitted entrance to the premises.
13. A policy of random searches of persons entering the premises shall be operated.

14. Any person found to be in possession of illegal drugs upon entry shall be prevented entry and, where possible, restrained until the Police can take such person into custody. Any persons found using illegal drugs on the premises shall be removed from the premises or, where possible, restrained until the Police can take such person into custody.
15. The licensed premises shall be so arranged by screening or obscuring windows, doors and other openings so that the interior of the licensed premises shall not be visible to persons outside the building.
16. The premises shall subscribe to the NiteNet radio system and radios shall be operational at all times the premises is open to the public.

**Conduct of performers and Rules relating to performances of sexual entertainment**

17. There shall be a written code of conduct for performers. All performers shall be required to certify their agreement to comply with the code and a record shall be kept on the premises and be made available upon request by the Police or an authorised officer of the Council. The code shall include the following:
  18. There shall be no intentional physical contact between performers and customers at any time, before, during or after the performance, with the exception of leading a customer by the hand to, or from, an area permitted for performances of sexual entertainment in advance of, or following, a performance.
  19. The performer may not simulate any sexual act during a performance.
  20. Performers must not use any inappropriate, lewd, suggestive or sexually graphic language in any public or performance areas of the premises.
  21. Performers must not touch the breasts or genitalia of another performer, at any time as part of a performance.
  22. There shall be no use of sex articles (as defined by paragraph 4(3) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982) at any time.
  23. There shall be no nudity by performers in public areas of the premises, unless the Council has agreed in writing that area may be used for performances of sexual entertainment.
  24. Performers must fully dress (i.e. no nudity) at the end of each performance.
  25. Performances of sexual entertainment may only take place in designated areas of the premises as agreed in writing by the Council
  26. There shall be no photography permitted by customers on the premises.
  27. Customers must remain seated for the duration of a performance.
  28. Performers shall not arrange to meet, or have further contact with, customers outside of the premises.

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

29. Performers shall be provided with secure and private changing facilities.
30. All entrances to private areas to which members of the public are not permitted access shall have clear signage stating that access is restricted.
31. Any exterior smoking area for use by performers shall be kept secure and separate to any public smoking area.
32. The licence holder shall implement a written policy to ensure the safety of performers when leaving the premises following any period of work.
33. Private booths must not be fully enclosed. There must be a clear sight-line from outside the booth so that any performance of sexual entertainment can be directly monitored.

34. There must be a minimum of one member of security staff present on any floor where a performance of sexual entertainment is taking place.
35. Any private booths shall be fitted with a panic button or security alarm.
36. There shall be no alterations to the layout plan of the premises without the prior written approval of the Council.

### **Record Keeping and Management**

37. All performers shall be required to provide valid identification prior to first employment at the premises. Acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or national ID card.
38. All performers and staff shall be eligible to work in the UK and proof of eligibility records shall be kept on the premises. Management shall ensure that such records are regularly checked to ensure compliance.
39. Employment records for performers and staff shall be kept for a minimum of 6 months following the cessation of their employment.
40. Accurate payment and remuneration records shall be maintained and shall be made available upon request to the Police or an authorised officer of the Council. All fees and charges for performers shall be stated in writing and prominently displayed within the changing area.
41. No films may be shown at the premises unless they have been passed by the British Board of Film Classification. No films classified as R18 shall be shown on the premises.

### **CCTV**

42. The CCTV system must comply with:
  - a. *British Standard 7958:2009 - Closed circuit television (CCTV). Management and operation. Code of practice.*
43. Where CCTV system incorporates a digital recording function, it must also comply with:
  - a. *British Standard 8495:2007 - Code of practice for digital CCTV recording systems for the purpose of image export to be used as evidence.*
44. The DPS / premise owner must maintain an annual registration with the Information Commissioners Office - as stipulated under the Data Protection Act 1998.
45. At all times, the CCTV system and recordings must be kept in a secured environment under the control of the DPS or other nominated responsible named individual. Also a full instruction manual for the CCTV system must be available to the Police and other Responsible Authorities.
46. The CCTV system must be maintained in good working order to:
  - a. *Operate on 'real-time' at a minimum rate of 20 frames-per-second, with constant, correct time/date generation.*
  - b. *Have a recording capability capable of providing individual pictures.*
  - c. *Provide clean, clear and unobstructed camera views of evidential quality in all lighting conditions.*
  - d. *Provide correctly timed and date stamped recordings - which must be stored in date order, numbered sequentially and kept for a period of 31 days and handed to the Police on request.*
  - e. *Export footage to a removable storage medium with a time and date integral to the image – where possible, to also include any software needed to replay the footage.*
  - f. *Ensure exported footage at the same, or similar quality to that recorded on the system recording.*



47. During all periods of licensable activity a nominated and trained 'CCTV Operator' must be on duty, in order to:
- a. *inspect the CCTV system on a daily basis, and ensure that all cameras are in full working order.*
  - b. *record each inspection on a 'CCTV maintenance' log sheet, and endorse with their signature.*
  - c. *facilitate the downloading CCTV footage.*
48. During all periods of non-licensable activity, a 'CCTV Operator' must be contactable by the police on a designated emergency-only telephone number. This number must be registered with the local police licensing officer.
49. The CCTV system must:
- a. *Incorporate at least one camera on every entrance and exit to the premises - individuals must identifiable, and occupy at least 120% of the available screen height.*
  - b. *Incorporate at least one camera on all areas where the sale/supply of alcohol occurs - individuals must recognisable, and occupy at least 50% of the available screen height.*
  - c. *Incorporate at least one camera on any potential queue area external to the premises, and car parking area within the boundary of the premises - individuals must be detectable, and occupy at least 10% of the available screen height.*
  - d. *Ensure that all other cameras at the premises allow for individuals to be recognisable, and occupy at least 50% of the screen height.*
50. In the event of a technical failure of the CCTV system, the nominated CCTV Operator or DPS will ensure the matter is reported to the MCC Licensing Unit within 24 hours.
51. A camera which records a facial picture of customers entering the premises shall be situated at the reception and a monitor situated there so customers entering can see same.
52. CCTV shall cover all public areas of the premises including all areas where performances of sexual entertainment are conducted.
- Dress Code**
53. The premises shall operate a dress code for customers to the satisfaction of Greater Manchester Police

## Annex 2 – Plans

See attached.

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By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# MANCHESTER CITY COUNCIL

## LICENSING ACT 2003 PREMISES LICENCE

Premises licence number	117678
Granted	19/02/2009
Latest version	Minor Variation 209443 (27/03/2018)

### Part 1 - Premises details

<b>Name and address of premises</b>
<b>Baby Platinum</b> 109 Princess Street, Manchester, M1 6JB
<b>Telephone number</b> 0161 237 5847/9694

<b>Licensable activities authorised by the licence</b>
<ol style="list-style-type: none"> <li>The sale by retail of alcohol*.</li> <li>The provision of regulated entertainment, limited to: Exhibition of films; Live music; Recorded music; Performances of dance;</li> <li>The provision of late night refreshment.</li> </ol> <p>* All references in this licence to "sale of alcohol" are to sale by retail.</p>

<b>The times the licence authorises the carrying out of licensable activities</b>
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<b>Sale by retail of alcohol</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0530	0530	0530	0530	0530	0530	0530
The sale of alcohol is licensed for consumption on the premises only.							
<b>Seasonal variations and Non-standard Timings:</b>							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							
On the day British Summer Time commences: One additional hour following the terminal hour.							

<b>Exhibition of films; Live music; Recorded music; Performances of dance</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0600	0600	0600	0600	0600	0600	0600
Licensed to take place indoors only.							
<b>Seasonal variations and Non-standard Timings:</b>							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							
On the day British Summer Time commences: One additional hour following the terminal hour.							

<b>Provision of late night refreshment</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	2300	2300	2300	2300	2300	2300	2300
Finish	0500	0500	0500	0500	0500	0500	0500
Licensed to take place indoors only.							
<b>Seasonal variations and Non-standard Timings:</b>							
None							

<b>Hours premises are open to the public</b>							
<b>Standard timings</b>							
Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1000	1000	1000	1000	1000	1000	1000
Finish	0630	0630	0630	0630	0630	0630	0630
<b>Seasonal variations and Non-standard Timings:</b>							
New Year: From the start time on New Year's Eve to the terminal hour for New Year's Day.							
On the day British Summer Time commences: One additional hour following the terminal hour.							

## Part 2

<b>Details of premises licence holder</b>	
<b>Name:</b>	ABA Leisure Limited
<b>Address:</b>	299 Chillingham Road, Newcastle upon Tyne, NE6 5SB
<b>Registered number:</b>	06766232

<b>Details of designated premises supervisor where the premises licence authorises for the supply of alcohol</b>	
<b>Name:</b>	Kay Marie Miller
<b>Address:</b>	
<b>Personal Licence number:</b>	1557
<b>Issuing Authority:</b>	Bury Metropolitan Borough Council

<b>Annex 1 – Mandatory conditions</b>	
<b>Door Supervisors</b>	
1.	Only individuals licensed by the Security Industry Authority shall be used at the premises to undertake security activities, which include guarding against: - <ul style="list-style-type: none"> <li>(a) Unauthorised access or occupation (e.g. through door supervision),</li> <li>(b) Outbreaks of disorder, or</li> <li>(c) Damage,</li> </ul> unless otherwise entitled by virtue of section 4 of the Private Security Industry Act 2001 to carry out such activities.
<b>Supply of alcohol</b>	
2.	No supply of alcohol may be made under this premises licence: <ul style="list-style-type: none"> <li>(a) At a time when there is no designated premises supervisor in respect of the premises licence or,</li> <li>(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.</li> </ul>
3.	Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.
4.	(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
- a holographic mark, or
  - an ultraviolet feature.
5. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price, which is less than the permitted price.
- (2) For the purposes of the condition set out in (1) above–
- “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
  - “permitted price” is the price found by applying the formula–
- $$P = D + (D \times V)$$
- where –
- P is the permitted price,
  - D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
- the holder of the premises licence,
  - the designated premises supervisor (if any) in respect of such a licence, or
  - the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by paragraph (2)(b) would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (a) Sub-paragraph (4)(b) applies where the permitted price given by paragraph (2)(b) on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (b) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
6. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
- games or other activities which require or encourage, or are designed to require or encourage, individuals to –

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

7. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

8. The responsible person must ensure that –

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold the customer is made aware that these measures are available.

For the purposes of conditions 6, 7 and 8 above, a responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

#### Exhibition of films

9. The admission of children under the age of 18 to film exhibitions permitted under the terms of this certificate shall be restricted in accordance with any recommendations made:
- (a) by the British Board of Film Classification (BBFC) where the film has been classified by that Board, or
  - (b) by the Licensing Authority where no classification certificate has been granted by the BBFC, or where the licensing authority has notified the club which holds the certificate that section 20 (3) (b) (74 (3)(b) for clubs) of the Licensing Act 2003 applies to the film.



**Annex 2 – Conditions consistent with the operating schedule**

1. Whilst entertainment consisting of striptease or nude dancing is taking place, no persons under 18 years of age shall be permitted within the premises at any time.
2. A notice shall be clearly displayed at the entrance to the premises in a prominent position so that it can be easily read by persons entering the premises, stating, "no persons under 18 will be admitted".
3. The area to which the public have access shall be supervised and signs advising clients of the rules and conditions of the licence regarding improper performances shall be displayed.
4. Performers shall not be aged less than 18 years.
5. Nothing shall be done, recited, sung, exhibited or performed which is likely to cause a breach of the peace.
6. Customers shall not be allowed to dance with the performers.
7. The performer must wear at least a g-string (female) / pouch (male), covering the genitalia when not performing a dance. This may be removed during the performance but must be replaced at the conclusion.
8. During any performance of lap-dancing, striptease or nude dancing (including performances usually termed "private dances") there must not be any physical contact by the performer with any persons in the viewing audience except:
  - a) Leading a patron hand in hand to and from a chair or private room;
  - b) A simple handshake greeting at the beginning and/or end of the performance;
  - c) The placing of monetary notes or dance vouchers in the hand or garter worn by the performer;
  - d) Pecking the cheek of a patron at the conclusion of the performance.
9. No performance shall include any sex act with any other performers, persons in the audience or the use of any objects.
10. A price list shall be displayed in a prominent position giving the prices and time allowed for the dance routine.
11. Performers/dancers not performing must not be in the licensed area in a state of nudity.
12. CCTV shall be installed and maintained in the premises to the satisfaction of Manchester Police.
13. CCTV recordings shall be produced to a police constable or authorised officer of the council on request.
14. Any persons on the premises who can be observed from the outside of the premises must be properly and decently dressed. Scantily clad individuals must not exhibit in the entranceway or in the areas surrounding the premises.
15. The licence holder must not display outside the premises photographs, which indicate and suggest that striptease or similar dancing takes place on the premises.
16. Booths, private rooms and areas must be visible to supervision and must not have closing doors or non-transparent curtains that prevent the performance from being supervised.
17. The licence holder shall ensure that a personal licence holder is on the premises at all times when the sale of alcohol is taking place.
18. The licence holder or nominated person shall provide receptacles for the disposal of glass and other sharp objects and ensure the receptacle is situated in a secure area to which the public may not gain or have access.
19. The licence or nominated person shall discourage criminal conduct, in particular the use of illegal substances, by displaying notices in and at the entrance to the licensed premises stating clearly that:-
  - a) Entry shall be refused to any person who is drunk, threatening or violent.
  - b) Entry may be refused to any persons who is known to have been convicted of any offence.
  - c) Evidence shall be recorded on imaging equipment for CCTV and offences will be reported to the police.
20. The licence holder or nominated person shall discourage offences outside the venue, in particular the use and distribution of illegal substances and persons engaged in soliciting for the purpose of prostitution. The police shall be informed at the earliest opportunity.

21. The licence holder or nominated person shall record full details of the circumstances surrounding any seizure of drugs, articles taken as a consequence of a criminal offence or other incident. Items shall be retained and the police informed of their existence.
22. The licence holder or nominated person shall provide a suitable receptacle in accordance with police guidance for the safe retention of illegal substances and inform the police to arrange appropriate disposal.
23. The licence holder or nominated person shall participate in a radio or other communication system (Nitenet).
24. Members of staff shall have first aid training and treatment shall be available on the premises.
25. The premises shall be managed by a sufficient number of staff.
26. The premises shall be risk assessed from time to time in accordance with existing legislation.
27. The licence holder shall ensure that no nuisance is caused by noise or vibration emanating from the premises.
28. Noise shall be inaudible at the nearest noise sensitive premises after 2300.
29. The licence holder shall ensure that all licensable activities are conducted and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to any adjoining residential properties.
30. Staff shall be trained to intercept and manage any incidents and sufficient staff shall be employed to properly manage queues to prevent noise and aggression.
31. The licence holder shall ensure that the premises are operated so as to prevent the emission of unwanted odours.
32. Queues shall be restricted to cordoned areas to prevent them from obstructing footpaths and spilling out onto roads and to keep noise and obstructions away from residential properties.
33. Any queue to the premises shall be monitored by door staff and any person who is causing a nuisance or who appears to be intoxicated shall not be allowed onto the premises and shall be asked to leave the queue.
34. Clear and legible notices shall be displayed at exits and other circulatory areas requesting patrons to leave the premises having regard to the needs of local residents and in particular, emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos and anti-social behaviour.
35. The activity of persons leaving the premises shall be monitored and they shall be reminded to leave quietly where necessary.
36. Door supervisors shall take reasonable steps to prevent the removal of glasses and bottles from the premises.
37. No persons under the age of 18 shall be allowed to enter the premises.
38. No licensable activities to take place at the premises until such time as all conclusions and recommendations contained the SLR report dated 7<sup>th</sup> March 2008 have been completed to the satisfaction of Environmental Health, and a sound limiter is to be set at a level agreed with Environmental Health.
39. There shall be provided at the premises a minimum of 2 door supervisors who are registered with the Security Industry Authority or to such a number as the management of the premises consider are sufficient to control the entry of persons to the premises and for the keeping of order in the premises when they are used for a licensable activity.
40. A written record shall be kept on the premises of every person employed on the premises as a door supervisor in a register kept for that purpose. That record shall contain the following details:-
  - I. The door supervisor's name, date of birth and home address;
  - II. His/her Security Industry Authority licence number;
  - III. The time and date he/she starts and finished duty;
  - IV. The time of any breaks taken whilst on duty;
  - V. Each entry shall be signed by the door supervisor.

That register shall be available for inspection on request by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.

41. The premises shall join the Manchester Pub and Club Watch, and the DPS, General Manager or an authorised representative shall attend at least 6 of its meetings annually.
42. There shall be in place a CCTV tape management system, which covers 28 days retention of images recorded in unedited form. The video system shall be in operation at all times the premises are open.
43. A floor plan indicating where CCTV cameras are to be sited shall be supplied to the City Safe Unit.
44. There shall be in place for the premises a written policy to prevent the sale or supply of alcohol to persons under 18 years of age. That policy shall require any person who appears to be under the age of 18 years to produce a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS) or if a proof of age card is not available a photo driving licence, passport or accredited student card.
45. Any events at the premises, promoted by an external source, shall be risk assessed and the City Safe Unit be informed 28 days prior to the event-taking place.
46. There shall be facilities available to customers at the premises to allow them to call for a taxi.
47. Posters shall be displayed at the premises reminding customers to leave the venue quietly and consider the neighbours in the vicinity.
48. Door staff shall endeavour to remind customers to leave the premises quietly.
49. The Fire exit on Bloom Street will not be used for egress and ingress except in the event of emergencies.
50. The style and operation of the licensable activities permitted under this licence will not be altered without consultation with the Environmental Health Department and an application for variation of the licence in accordance with the new proposed style of operation made if so required.
51. A direct contact number of the on duty manager shall be supplied to the residents of 63 Bloom Street, Manchester.
52. Save for the re-admittance of smokers, no person shall be permitted entry to the premises after 0500 daily.
53. Stag and hen parties shall not be allowed in the premises.
54. Four additional HD cameras shall be added to the reception area.
55. All drinks shall be served in toughened glassware, except those drinks served in bottles. The DPS shall be able to produce evidence that glassware in use at the premises is toughened glass.
56. An ID Club Scan or equivalent is to be operational at the premises. All patrons to be checked via this system before being allowed access to the premises. Any person refusing to comply will be refused access to the premises.
57. Any door company employed by the premises licence holder shall be ACS registered.

### Annex 3 – Conditions attached after hearing by the licensing authority

1. No more than 4 patrons shall be allowed to smoke outside the premises at any one time. The smoking area will be to the front of the premises on Princess Street and will be subject to monitoring by a member of staff who will be expected to ensure that no noise nuisance arises from the smoking activity.
2. Signage shall be displayed in the smoking area requesting patrons to keep noise to a minimum out of respect for local residents. Patrons shall be advised that if they ignore the warning they may not be re-admitted.

### Annex 4 – Plans

See attached

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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**Manchester City Council  
Report for Resolution**

**Report to:** Licensing and Appeals Subcommittee Hearing Panel – 15 February 2021

**Subject:** Long Legs, Basement, 46-46a George Street, Manchester, M1 4HF -  
(App ref: Sex Establishment Licence - Renewal 254604)

**Report of:** Head of Planning, Building Control & Licensing

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### **Summary**

Application for the renewal of a sex establishment licence.

### **Recommendations**

That the Panel determine the application.

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**Wards Affected:** Deansgate

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**Full details are in the body of the report, along with any implications for:**

- Equal Opportunities Policy
  - Risk Management
  - Legal Considerations
- 

**Financial Consequences – Revenue** None

**Financial Consequences – Capital** None

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### **Contact Officers:**

Name: Fraser Swift  
Position: Principal Licensing Officer  
Telephone: 0161 234 1176  
E-mail: f.swift@manchester.gov.uk

Name: Bryan Johnson  
Position: Technical Licensing Officer  
Telephone: 0161 234 1248  
E-mail: premises.licensing@manchester.gov.uk

**Background documents (available for public inspection):**

- Manchester City Council Sex Establishment Policy Document (Revised August 2013)
- Section 10 of Manchester City Council's Statement of Licensing Policy 2016 – 2021 (pertaining to adult entertainment)
- Any further documentary submissions by any party to the hearing



## 1. **Introduction**

- 1.1 The Local Government (Miscellaneous Provisions) Act 1982 provides the legislative framework in relation to the licensing of sex establishments. Section 27 of the Policing and Crime Act 2009 introduced a new category of sex establishment called a 'sexual entertainment venue', which allows local authorities to regulate lap dancing clubs and similar venues under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. The new powers were adopted by the Council with effect from 9 January 2011.

### **Sexual Entertainment Venues and Relevant Entertainment**

- 1.2 A sexual entertainment venue is defined as:

"A premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or entertainer unless an exemption applies."

- 1.3 There are 2 categories of 'relevant entertainment':

- live performances, and
- live displays of nudity.

- 1.4 In each case, the entertainment must be of such a nature that, ignoring financial gain, it must be reasonably assumed to be provided solely or principally for the purposes of sexually stimulating any member of the audience whether by verbal or other means. An audience can consist of just one person e.g. private shows.

## 2. **Application**

- 2.1 On 21/12/2020, an application for the renewal of a sexual entertainment venue (SEV) licence was made in respect of Long Legs, Basement, 46-46a George Street, Manchester, M1 4HF in the Deansgate ward of Manchester.
- 2.2 A copy of the application is provided at **Appendix 1**. However, personal and commercially sensitive information has been redacted. This information will be provided by way of a separate bundle and may be considered by the Committee at the hearing under Part B. A location map and photograph of the premises is attached at **Appendix 2**.
- 2.3 The current sex establishment licence is attached at **Appendix 3**.
- 2.4 The premises is currently operating as a lap dancing premises and is licensed under the Licensing Act 2003 (licence attached at **Appendix 4**).
- 2.5 A public consultation exercise was undertaken in accordance with Schedule 3 of the 1982 Act, requiring the publication of an advertisement in a local newspaper circulating in the appropriate authority's area, not later than 7 days after the date of the application, and the display of a notice for 21 days

beginning with the date of the application, on or near the premises and in a place where the notice can conveniently be read by the public.

- 2.6 Any person objecting to an application for the grant, renewal, transfer or variation of a licence under Schedule 3 shall give notice in writing of his objection to the appropriate authority, stating in general terms the grounds of the objection, not later than 28 days after the date of the application.
- 2.7 All applications for the grant, renewal, transfer or variation of a sex establishment are determined by a delegated sub-committee of the Licensing and Appeals Committee, whether or not objections to the application have been received.

### 2.8 **Further documentation accompanying the application**

- 2.8.1 The applicant has not submitted any further documentation.

## 3. **Relevant Objections**

- 3.1 Any person can object to an application but the objection should be relevant to the grounds set out in paragraph 12 of Schedule 3 of the Act for refusing a licence, as set out in Section 4 of this report.
- 3.2 Objections should not be based on moral grounds/values and objections that are not relevant to the grounds set out in paragraph 12 should not be considered.
- 3.3 Although the council is under a duty to consider any objections made within 28 days of the application, it has discretion to hear later objections provided the applicant is given the opportunity to deal with those objections.
- 3.4 The council shall not without the consent of the person making the objection reveal their name or address to the applicant.
- 3.5 No objections have been received in respect of this application.

## 4. **Mandatory and Discretionary Grounds for Refusal of a Licence**

- 4.1 Paragraph 12 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 sets out the grounds for refusing an application for the grant, renewal, transfer or variation of a licence. A decision to refuse a licence must be relevant to one or more of the below grounds.

### **Mandatory Grounds**

- 4.2 A licence must not be granted:
- to a person under the age of 18;

- to a person who is for the time being disqualified due to the person having had a previous licence revoked in the area of the appropriate authority within the last 12 months;
- to a person, other than a body corporate, who is not resident in an EEA state or was not so resident throughout the period of six months immediately preceding the date when the application was made; or
- to a body corporate which is not incorporated in an EEA state; or
- to a person who has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

### **Discretionary Grounds**

4.3 A licence may be refused where:

- the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- if the licence were to be granted, renewed, or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal, transfer or variation of such a licence if he made the application himself;
- the number of sex establishments, or of sex establishments of a particular kind, in the relevant locality at the time the application is determined is equal to or exceeds the number which the authority consider is appropriate for that locality;
- that the grant or renewal of the licence would be inappropriate having regard
  - to the character of the relevant locality; or
  - to the use to which any premises in the vicinity are put; or
  - to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

4.4 Applications should only be refused where the Council considers it as necessary and proportionate to do so, and any decision shall be on a non-discriminatory basis.

### **Human Rights Act**

4.5 When determining a licence application Manchester City Council will have regard to any rights the applicant may have under Article 10 (right to freedom of expression) and Article 1, Protocol 1 (protection of property) of the European Convention on Human Rights

4.6 Article 1 of Protocol 1 of the European Convention of Human Rights states:

“Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.”

4.7 A licence is a possession.

4.8 When considering matters relating to the grant, revocation, renewal or refusal of licences and the placing of conditions on licences, the Committee must consider whether the decision affects an individual, group or company’s Human Rights as set out in the Convention and if it does, whether the interference with those rights is permissible by reason of the justifications set out in the Convention. In addition consideration must be given to whether the interference is proportionate to the general purpose.

## **5. Applicant Considerations**

5.1 The Council needs to be satisfied that the applicants for a sex establishment licence are suitable to operate the business by ensuring:

- that the operator is honest;
- that the operator is qualified by experience to run the type of sex establishment in question;
- that the operator understands the general conditions;
- that the operator is proposing a management structure which will deliver compliance with operating conditions e.g. though:
  - managerial competence;
  - attendance at the premises;
  - a credible management structure;
  - enforcement of rules internally, e.g. through training and monitoring
  - a viable business plan, e.g. sufficient to employ door staff and install CCTV;
  - policies for the welfare of performers (SEV only).
- that the operator can be relied upon to act in the best interests of the performers, e.g. in how they are remunerated, the facilities they enjoy, how they are protected and how and by whom their physical and psychological welfare is monitored (SEV only);
- that the operator can be relied upon to protect the public, e.g. transparent charging, freedom from solicitation;
- that the operator can show a track record of management of compliant premises, or that s/he will employ individuals who will have such a track record;

5.2 All applications will be considered but they are unlikely to be granted if the following apply:

5.2.1 the applicant has a criminal record. Offences that would be considered particularly relevant include:

- convictions for dishonesty
- violence
- sexual offences
- drugs
- public order
- people trafficking

5.2.2 the applicant has previously been involved in running an unlicensed sex establishment.

5.2.3 if the licence were to be granted, the business to which it relates would be managed by or run for the benefit of a person other than the applicant who would be refused the grant of such a licence if they made it themselves.

5.3 It is anticipated that these expectations would be demonstrated by the operator through their completed application form and any accompanying submissions as part of the application process. However, the Council may also take into account any oral submissions made at any hearing to determine the application.

## 6. Location Considerations

6.1 A licence can be refused if either, at the time the application, it is determined that the number of sex establishments, or sex establishments of a particular kind, in the relevant locality is equal to or exceeds the number that the authority considers appropriate for that locality; or that a sex establishment would be inappropriate having regard to the character of the relevant locality, the use to which any premises in the vicinity are put or the layout, character or condition of the premises.

6.2 Manchester City Council's Policy for Sex Establishments states that that areas located outside the City Centre, as defined by the Planning Department's definition of the City Centre, are not appropriate locations for sex establishments. Therefore, the policy is that the appropriate number for sex establishments outside of the City Centre is nil.

6.3 Within the City Centre, an appropriate number for sex establishments has not been set. Applications will be determined as they arise.

6.4 Sex establishments will not normally be licensed near to:

- housing;
- schools, play areas, nurseries or children's centres;
- family shopping or leisure areas;

- places of worship;
- historic buildings or tourist attractions;
- other places where relevant entertainment takes place;
- other sensitive uses that may be relevant e.g. women's hostel;

where the proximity to such uses is likely to be considered by the Council to be inappropriate in having regard to the character of the relevant locality and the use to which any premises in the vicinity are put.

6.5 The spatial distribution of licensed premises is very relevant particularly with consideration to their impact upon the character of the locality. The Council will have regard to the uses of all other premises in the area as well as any potential adverse impact upon:

- regeneration;
- tourism;
- the retail or commercial attraction of the area;
- social issues e.g. prostitution, anti-social behaviour.

6.6 Within the city centre no licences shall be granted for premises within the following locations:

- a. parks or external areas/squares that attract large numbers of children such as, but not limited to, Castlefield Arena, Piccadilly Gardens, Albert Square, St Anne's Square, Exchange Square;
- b. entertainment centres which have children/family focussed entertainment;
- c. community buildings such as, but not limited to, places of worship, libraries, GPs surgeries;
- d. the area (framed by Deansgate to the west; Peter Street, Mount Street and Lower Mosley Street to the north; Portland Street, Oxford Street and Lower Mosley Street to the east; and Whitworth Street West to the south) as set out in Appendix A of the Council's Policy for Sex Establishments;
- e. where further sex oriented uses would change the character of an area;
- f. where further sex oriented uses would deter people from using the area comfortably/at all;
- g. where further sex oriented uses raises the fear of crime in the locality; or where such locations form part of the relevant locality.

6.7 The decision regarding what constitutes the 'relevant locality' is a matter for the Committee. However, such questions must be decided on the facts of the individual application.

6.8 The Council may also have regard to the following factors:

- access routes to schools, play areas, nurseries or children's centres or other uses normally attended by children;

- any existing licensing permissions for the premises;
- the proximity of other licensed premises in the surrounding area and the terms of those licences;
- the Planning permission for the premises and surrounding uses;
- any existing Planning or Regeneration policy/plan/strategy relevant to the area;
- history of complaints relevant to the premises;
- the nature of the daytime and night-time economies in the surrounding area.

6.9 This premises is located within the City Centre (see 6.3).

6.10 This premises is not located within the area set out in 6.6(d) above.

## **7. Licence Conditions**

7.1 The Council has adopted standard conditions in respect of sexual entertainment venues, which will apply to all respective licences granted, unless such conditions have been expressly excluded or varied. These proposed standard conditions will be provided separately to the report.

7.2 However, following a hearing, the Licensing and Appeals Committee may attach such further conditions to a licence as are considered necessary and proportionate in the public interest including, but not limited to, the interest of public policy, public security, public health or the protection of the environment. This could include conditions restricting the opening and closing times of the premises.

7.3 The applicant has not requested any variations to the standard conditions.

## **8. Conclusion**

8.1 In determining an application for a sex establishment licence, any decision to refuse an application may only be made in accordance with the mandatory and discretionary grounds for refusal as set out in Section 4 of the report.

8.2 None of the mandatory grounds for refusal are met in respect of this application.

8.3 The discretionary grounds are set out in full at 4.3.

8.4 The decision regarding what constitutes the 'relevant locality' is a matter for the Committee. However, such questions must be decided on the facts of the individual application.

8.5 When considering a particular application case law has indicated that the relevant locality does not have to be a clearly pre-defined area nor are local authorities required to be able to define its precise boundaries. Therefore, while a local authority is not prevented from defining the exact area of the relevant locality, it is equally free to conclude that it simply refers to the area

which surrounds the premises specified in the application and does not require further definition. Nevertheless a local authority's view of what constitutes a locality could be open to challenge if they took a completely unreasonable view of the area covered. Case law also indicates that a relevant locality cannot be an entire local authority area or an entire town or city.

- 8.6 Once the Committee has determined the relevant locality, it should seek to make an assessment of the 'character' of the relevant locality and whether it considers any sex establishments, or sex establishment of a particular kind, are appropriate for that relevant locality.
- 8.7 When considering the application, the Committee must have regard to:
- the Council's Policy for Sex Establishments;
  - information submitted as part of the application;
  - any observations submitted to it by the chief officer of police;
  - any objections received from anyone else within 28 days of the application
- 8.8 Members may also take into account any oral submissions made at any hearing to determine the application. Additionally, the Committee may have regard to any objections received after 28 days of the application.
- 8.9 Applications should only be refused where the Council considers it as necessary and proportionate to do so, and any decision shall be on a non-discriminatory basis.
- 8.10 Where the Committee has decided to grant a licence, it may impose terms, conditions and restrictions on that licence, either in the form of conditions specific to the individual licence under paragraph 8 of Schedule 3 or standard conditions made by the Council under paragraph 13 of Schedule 3.
- 8.11 The Council has adopted Standard Conditions applicable to Sexual Entertainment Venues.
- 8.12 Any licence granted shall be subject to those Standard Conditions, save for where they have been expressly excluded or varied by the Committee.



By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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**MANCHESTER  
CITY COUNCIL**

**Premises Licensing Team**

Telephone: +44 (0)161 234 5004  
 premises.licensing@manchester.gov.uk  
 Level 1 Town Hall Extension, Albert  
 Square, PO Box 532, M60 2LA

**Application for Renewal of a Sex Establishment Licence pursuant to  
 Schedule 3, Local Government (Miscellaneous Provisions) Act 1982**

This form should be completed and forwarded to the Manchester City Council Premises Licensing Team at the above address with the required fee. Cheques, etc. should be made payable to the Manchester City Council. Payment may also be made by credit or debit card upon request.

**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.

---

**Part 1 – Premises Details**

I/We Sandra Chan

*(Insert name(s) of applicant)*

apply for the Renewal of a Sex Establishment Licence as described below.

**1. This renewal application is for a:**

- |                            |                                     |
|----------------------------|-------------------------------------|
| Sex Shop                   | <input type="checkbox"/>            |
| Sex Cinema                 | <input type="checkbox"/>            |
| Sexual Entertainment Venue | <input checked="" type="checkbox"/> |

<b>Please state the Licence Number of the Sex Establishment premises to be renewed</b>	241453
--	--------

<b>Name and Postal address of premises</b> Long Legs, Basement, 46A George Street			
<b>Post town</b>	Manchester	<b>Post code</b>	M1 4HF

<b>Telephone number</b>	0161 2373977
-------------------------	--------------

## Part 2 – The Applicant

### 2. Please state whether you are applying for a renewal as:

- a) an individual  please complete section (A)
- b) a company or other corporate body  please complete section (B)
- c) a partnership or other unincorporated body  please complete section (C)

### (A) INDIVIDUAL APPLICANT (fill in as applicable)

You must complete and submit the form at Annex A for the individual named in this section

<b>Full Name of Applicant</b>	Sandra Chan	Annex A completed? <input checked="" type="checkbox"/>
-------------------------------	-------------	---

<b>Former name (if applicable) <sup>1</sup></b>	██████████
---	------------

<sup>1</sup> If the Applicant has been formerly known by a different name, please provide details

### (B) A COMPANY OR OTHER CORPORATE BODY

You must complete and submit the form at Annex A for all individuals named in this section

<b>Applicant Name<sup>1</sup></b>	
<b>Address</b>	
<b>Registered number<sup>2</sup></b>	
<b>Telephone number</b>	
<b>E-mail address</b>	
<b>Previous Name (if</b>	

<sup>1</sup> If your business is registered, use its registered name

<sup>2</sup> If business is not registered, put "none"

applicable) <sup>3</sup>	
--------------------------	--

<sup>3</sup> If the Applicant has been formerly known by a different name, please provide details

<b>Please state the names of:</b>		
(i) the Applicant's Directors;		
(ii) Company Secretary;		
(iii) any other persons responsible for the management of the Applicant; and		
(iv) any persons with a shareholding of greater than 10% in the Applicant		
<u>Position</u>	<u>Name of Individual</u>	Annex A completed?
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

<b>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</b>		
Name		
Place of registration		
<b>Names of Directors and Company Secretary</b>		
<u>Position</u>	<u>Name of Individual</u>	Annex A completed?
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

### (C) A PARTNERSHIP OR OTHER UNINCORPORATED BODY

You must complete and submit the form at Annex A for all individuals named in this section

<b>Applicant Name</b>	
-----------------------	--

<b>Names of Partners</b>	Annex A completed?
	<input type="checkbox"/>
	<input type="checkbox"/>

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

**Please state the names of than other persons responsible for the management of the Applicant other than the partners.**

<u>Position</u>	<u>Name of Individual</u>	Annex A completed?
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

---

**Questions 3-6 to be completed in all cases**

<b>3</b>	<b>Does the applicant have a different trading name from that given above in (A), (B) or (C)? If yes, please provide details.</b>
	Long Legs

<b>4</b>	<b>What is the Applicant's trading address?</b>
	46A George Street, Manchester, M1 4HF

<b>5</b>	<b>Will the business be carried on for the benefit of a person other than the applicant? If yes, please provide full details.</b>
	No

<b>6</b>	<b>Does the applicant operate any other sex establishment? If yes, please provide full details.</b>
	No



### Part 3 – Operation of the Business

I confirm that the following matters related to the Operation of the Business have <b><u>not</u></b> changed since the last grant of the licence, as below:	Tick to confirm
The name of the Business from that stated on the licence	<input checked="" type="checkbox"/>
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 agreement.	<input checked="" type="checkbox"/>
Any requirement of the business to purchase merchandise from a particular person or body	<input checked="" type="checkbox"/>
The identity of the person responsible for the day to day management of the business at the premises, vehicle, vessel or stall ('the Manager')	<input checked="" type="checkbox"/>
The identity of the person(s) responsible for the day to day management of the business in the absence of the Manager ('the Relief Manager(s)')	<input checked="" type="checkbox"/>
The system for checking the age and right to work in the UK for all employees.	<input checked="" type="checkbox"/>
The exterior signage and advertising, including the nature, content and size of such signage and any images used.	<input checked="" type="checkbox"/>
The means taken to prevent the interior of the premises being visible to passers-by.	<input checked="" type="checkbox"/>
The window displays exhibited at the premises.	<input checked="" type="checkbox"/>
Methods for solicitation of business in public areas, e.g. through fliers, business cards, billboard advertising, personal solicitation or advertising on motor vehicles.	<input checked="" type="checkbox"/>
The age restrictions applied in respect of admissions, and how these are enforced.	<input checked="" type="checkbox"/>
The arrangements for CCTV (including the location of cameras). and for retention of recordings	<input checked="" type="checkbox"/>
The arrangements for private booths or areas for sexual entertainment, including supervision for such areas. (SEV only)	<input checked="" type="checkbox"/>
The nature of the entertainment, e.g. lap-dancing, pole dancing, stage striptease. (SEV only)	<input checked="" type="checkbox"/>
The Code of Practice for performers, as well as the methods for monitoring and enforcing compliance in it. (SEV only)	<input checked="" type="checkbox"/>



The Rules for Customers as well as the methods for monitoring and enforcing compliance in it. (SEV only)	<input checked="" type="checkbox"/>
The Policy for the Welfare of Performers as well as the methods for monitoring and enforcing compliance in it. (SEV only)	<input checked="" type="checkbox"/>
<p><b>If there are changes to any of the matters listed above, please provide full details.</b></p> <p><i>Where the Code of Practice for Performers, Rules for Customers, or Policy for the Welfare of Performers have been amended, copies must be provided.</i></p>	

## Part 4 – Further Information

Please include any further information which you wish the authority to take into account here.

## Part 5 – Checklist and Declaration

Checklist	Mark as appropriate
I have completed all relevant section of the application	<input checked="" type="checkbox"/>
I declare that a public notice advertising this application shall be displayed upon the premises where it may be conveniently read by the public and shall remain displayed for a period of no less than 21 consecutive days. A copy of the notice and completed statutory declaration shall be provided to the Licensing Unit.	<input checked="" type="checkbox"/>
I declare that within seven days of the date of this application a public notice advertising this application will be publicised in the legal notices column of the Manchester Evening News and an original copy of the published advertisement shall be forwarded to the Licensing Unit at Manchester City Council forthwith.	<input checked="" type="checkbox"/>
I understand that if I do not comply with the requirements above that my application shall be rejected.	<input checked="" type="checkbox"/>
I declare I have served a copy of this application on Greater Manchester Police.	<input checked="" type="checkbox"/>

I have completed Annex A for each person whose details have been included in this application	<input checked="" type="checkbox"/>
I have enclosed the relevant fee	<input checked="" type="checkbox"/>

### Declaration & Signature

The following declaration must be signed in all cases

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 our/my 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	████████████████████
Position in organisation	██
Date	██████████
Signature	████████████████████

### Contact Details

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
██			
Post town	██████████	Post code	██████████
Telephone number (if any)	████████████████████		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			
████████████████████			

### DOCUMENTS EVIDENCING PUBLIC NOTICE AND SERVICE *(for office use only)*

Complete copy of newspaper circulating in this area of the authority, containing advertisement of this application to be provided upon publication	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Copy of notice of application displayed on	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

or near the premises		
Copy of affidavit or statutory declaration that notice has been displayed as required by Schedule 3 paragraph 10(10) Local Government (Miscellaneous Provisions) Act 1982.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Evidence of service of this application form and all enclosures upon <i>Licensing Partnership Office at Bootle Street Police Station, Bootle Street, Manchester, M2 5GU</i> within 7 days after the date of this application.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

*When the application is made electronically, including all enclosures, the licensing authority will serve the Chief Officer of Police.*

**ANNEX A: INFORMATION ON INDIVIDUALS**

Name	Sandra Chan
Former name (if applicable)	██████████
<i>If you have ever been known by a different name, please provide details above</i>	

Position in relation to Applicant (e.g. Director, Partner, Manager)	Applicant		
Date of birth	██████████		
Age	██		
Gender	██████	Female	██
Contact telephone number	██████████		
Email	██████████████████		
Permanent residential address	██		
If resident at the above address for less than three years, state previous address(es)			
Previous residential addresses and dates at which you were resident at them			

Have you been resident in the United Kingdom for more than six months prior to the date of the application?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>



<b>Have you ever been involved in the management of a business which has had any of the following types of licence refused, refused on renewal, reviewed or revoked?</b>				
Sex establishment licence	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Licence for the supply of alcohol	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Licence for the provision of entertainment, whether sexual or otherwise	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Personal licence under the Licensing Act 2003	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Have you ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
To your knowledge are you currently the subject of any criminal investigation?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Have you had any civil legal action taken against you?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Have you ever been served with a winding up order?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Have you ever been declared bankrupt or entered into an arrangement with creditors or an Individual Voluntary Arrangement?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Have you ever been disqualified from acting as a company director?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Is there any information in this Annex which you do not wish to be seen by members of the public?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
---	---	-----------------------------

**If you have answered 'yes' to any of the above questions please provide full details below.**


Declaration			
<b>I declare that the information on this form and true and complete to the best of my knowledge and belief</b>			
Signature		Date	



**MANCHESTER  
CITY COUNCIL**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

**PART II, SCHEDULE 3**

**STATUTORY DECLARATION**

**Notice is hereby given** that I (full names): Sandra Chan

applied on (date):

to **Manchester City Council** in respect of the premises known as:

Name: Long Legs

Address (including postcode):

Basement  
46A George Street  
Manchester  
M1 4HF

**under the provisions of the Local Government (Miscellaneous Provisions) Act 1982, Part II, Schedule 3, for the renewal of a Licence to use the premises as a Sexual Entertainment Venue**

A. I certify that a copy of the required notice was displayed on the premises to be licensed (or nearby), where it could be read by the public from the outside of the building for a period of 21 (twenty one) days from 22 December 2020 up to and including 11 January 2021 and I attach a copy of that notice.

B. I attach a copy of the statutory notice published in:

THE MANCHESTER EVENING NEWS on: 29 December 2020

Signature of Applicant:

████████████████████

Date: 13 January 2020

**Note:** This statutory declaration must be completed, signed and returned to:

**Premises Licensing Team, Level 1 Town Hall Extension, Albert Square,  
PO Box 532, M60 2LA**



Long Legs  
Basement, 46-46a George Street, Manchester, M1 4HF

Premises Licensing  
Manchester City Council

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Ordnance Survey10001956



<b>PREMISE NAME:</b>	Long Legs
<b>PREMISE ADDRESS:</b>	Basement, 46-46a George Street, Manchester, M1 4HF
<b>WARD:</b>	Deansgate
<b>HEARING DATE:</b>	15/02/2021



By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# MANCHESTER CITY COUNCIL

## LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982, PART II, SCHEDULE 3

### SEX ESTABLISHMENT LICENCE

<b>Licence number</b>	<b>241453</b>
<b>Effective Date</b>	<b>09/01/2020</b>
<b>Expiry Date</b>	<b>08/01/2021</b>

#### Part 1 - Premises details

Name and address of premises		
<b>Long Legs</b> Basement, 46-46a George Street, Manchester		
<b>Post town</b>	<b>Post code</b>	<b>Telephone number</b>
Manchester	M1 4HF	0161 237 3977

#### Activities authorised by the licence

##### 1 Operation as a sexual entertainment venue –

- a Provision of relevant entertainment before a live audience for the financial gain of the organiser or the entertainer. "Relevant entertainment" means –
- i any live performance; or
  - ii any live display of nudity;
- which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).

#### Hours premises are open to the public

##### Standard timings

Day	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Start	1200	1200	1200	1200	1200	1200	1200
Finish	0230	0230	0230	0230	0230	0230	0230

##### Seasonal variations and Non standard Timings:

From the start time on New Year's Eve to the terminal hour on New Year's Day.

#### Designated areas permitted for performances of sexual entertainment

Performances of sexual entertainment may only take place in areas of the premises as outlined in blue on the plans attached to the licence.

#### State whether full nudity is permitted or restricted

Full nudity is permitted in the public areas of the premises, save for the bar areas and the stages, where performers may only be topless whilst performing.

#### Part 2

##### Name and (registered) address of holder of licence

Ms Sandra Chan

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

Not applicable

**Annex 1 – Licence conditions****External Appearance of the Premises and Public Displays of Information**

1. The exterior of the premises must be presented in a manner appropriate for the character of the area. There shall be no advertisement or promotional material used by the premises that is unsuitable to be viewed by children, for example, by way of sexually provocative imagery. Any exterior signage shall be discreet and shall not display any imagery that suggests or indicates relevant entertainment takes place at the premises. Any external displays or advertising may only be displayed with the prior approval of the Licensing Unit Manager of Manchester City Council.
2. The prices for entrance and any compulsory purchases within the venue, shall be clearly displayed on the exterior of the premises.
3. All charges for products and services shall be displayed in prominent areas within the premises, and at each customer table and in the bar area.
4. Rules for customers shall be displayed in prominent areas within the premises, and at each customer table and in the bar area.
5. No charge shall be applied unless the customer has been made aware of the tariff of charge by the performer in advance of the performance.
6. There shall be no performers or persons employed at the premises in a state of undress, or scantily-clad, outside the premises at any time it is open.
7. The use of cruising cars by the premises to solicit for custom and/or transport people to or from the premises is prohibited.
8. The use of flyers and similar promotional material for the premises is prohibited.

**Control of Entry to the Premises**

9. The Challenge 25 proof of age scheme shall be operated at the premises whereby any person suspected of being under 25 years of age shall be required to produce identification proving they are over 18 years of age. The only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
10. The premises shall maintain a Refusals log whereby any occasion a person is refused entry shall be recorded and available upon request by the Police or an authorised officer of the Council.
11. All individuals employed on the premises to conduct a security activity (within the meaning of paragraph 2(1) (a) of Schedule 2 to the Private Security Act 2001) must be licensed by the Security Industry Authority.
12. Any person who appears to be drunk / intoxicated or under the influence of illegal drugs shall not be permitted entrance to the premises.
13. A policy of random searches of persons entering the premises shall be operated.
14. Any person found to be in possession of illegal drugs upon entry shall be prevented entry and, where possible, restrained until the Police can take such person into custody. Any persons found using illegal drugs on the premises shall be removed from the premises or, where possible, restrained until the Police can take such person into custody.
15. The licensed premises shall be so arranged by screening or obscuring windows, doors and other openings so that the interior of the licensed premises shall not be visible to persons outside the building.

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

**Conduct of performers and Rules relating to performances of sexual entertainment**

17. There shall be a written code of conduct for performers. All performers shall be required to certify their agreement to comply with the code and a record shall be kept on the premises and be made available upon request by the Police or an authorised officer of the Council. The code shall include the following:
18. There shall be no intentional physical contact between performers and customers at any time, before, during or after the performance, with the exception of leading a customer by the hand to, or from, an area permitted for performances of sexual entertainment in advance of, or following, a performance.
19. The performer may not simulate any sexual act during a performance.
20. Performers must not use any inappropriate, lewd, suggestive or sexually graphic language in any public or performance areas of the premises.
21. Performers must not touch the breasts or genitalia of another performer, at any time as part of a performance.
22. There shall be no use of sex articles (as defined by paragraph 4(3) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982) at any time.
23. There shall be no nudity by performers in public areas of the premises, unless the Council has agreed in writing that area may be used for performances of sexual entertainment.
24. Performers must fully dress (i.e. no nudity) at the end of each performance.
25. Performances of sexual entertainment may only take place in designated areas of the premises as agreed in writing by the Council
26. There shall be no photography permitted by customers on the premises.
27. Customers must remain seated for the duration of a performance.
28. Performers shall not arrange to meet, or have further contact with, customers outside of the premises.

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

29. Performers shall be provided with secure and private changing facilities.
30. All entrances to private areas to which members of the public are not permitted access shall have clear signage stating that access is restricted.
31. Any exterior smoking area for use by performers shall be kept secure and separate to any public smoking area.
32. The licence holder shall implement a written policy to ensure the safety of performers when leaving the premises following any period of work.
33. Private booths must not be fully enclosed. There must be a clear sight-line from outside the booth so that any performance of sexual entertainment can be directly monitored.
34. There must be a minimum of one member of security staff present on any floor where a performance of sexual entertainment is taking place.
35. Any private booths shall be fitted with a panic button or security alarm.
36. There shall be no alterations to the layout plan of the premises without the prior written approval of the Council.

### **Record Keeping and Management**

37. All performers shall be required to provide valid identification prior to first employment at the premises. Acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or national ID card.
38. All performers and staff shall be eligible to work in the UK and proof of eligibility records shall be kept on the premises. Management shall ensure that such records are regularly checked to ensure compliance.
39. Employment records for performers and staff shall be kept for a minimum of 6 months following the cessation of their employment.
40. Accurate payment and remuneration records shall be maintained and shall be made available upon request to the Police or an authorised officer of the Council. All fees and charges for performers shall be stated in writing and prominently displayed within the changing area.
41. No films may be shown at the premises unless they have been passed by the British Board of Film Classification. No films classified as R18 shall be shown on the premises.

### **CCTV**

42. The CCTV system must comply with:
  - a. British Standard 7958:2009 - Closed circuit television (CCTV). Management and operation. Code of practice.
43. Where CCTV system incorporates a digital recording function, it must also comply with:
  - a. British Standard 8495:2007 - Code of practice for digital CCTV recording systems for the purpose of image export to be used as evidence.
44. The DPS / premise owner must maintain an annual registration with the Information Commissioners Office - as stipulated under the Data Protection Act 1998.
45. At all times, the CCTV system and recordings must be kept in a secured environment under the control of the DPS or other nominated responsible named individual. Also a full instruction manual for the CCTV system must be available to the Police and other Responsible Authorities.
46. The CCTV system must be maintained in good working order to:
  - a. Operate on 'real-time' at a minimum rate of 20 frames-per-second, with constant, correct time/date generation.
  - b. Have a recording capability capable of providing individual pictures.
  - c. Provide clean, clear and unobstructed camera views of evidential quality in all lighting conditions.
  - d. Provide correctly timed and date stamped recordings - which must be stored in date order, numbered sequentially and kept for a period of 31 days and handed to the Police on request.
  - e. Export footage to a removable storage medium with a time and date integral to the image – where possible, to also include any software needed to replay the footage.
  - f. Ensure exported footage at the same, or similar quality to that recorded on the system recording.
47. During all periods of licensable activity a nominated and trained 'CCTV Operator' must be on duty, in order to:
  - a. inspect the CCTV system on a daily basis, and ensure that all cameras are in full working order.

- b. record each inspection on a 'CCTV maintenance' log sheet, and endorse with their signature.
- c. facilitate the downloading CCTV footage.

48. During all periods of non-licensable activity, a 'CCTV Operator' must be contactable by the police on a designated emergency-only telephone number. This number must be registered with the local police licensing officer.

49. The CCTV system must:

- a. Incorporate at least one camera on every entrance and exit to the premises - individuals must identifiable, and occupy at least 120% of the available screen height.
- b. Incorporate at least one camera on all areas where the sale/supply of alcohol occurs - individuals must recognisable, and occupy at least 50% of the available screen height.
- c. Incorporate at least one camera on any potential queue area external to the premises, and car parking area within the boundary of the premises - individuals must be detectable, and occupy at least 10% of the available screen height.
- d. Ensure that all other cameras at the premises allow for individuals to be recognisable, and occupy at least 50% of the screen height.

50. In the event of a technical failure of the CCTV system, the nominated CCTV Operator or DPS will ensure the matter is reported to the MCC Licensing Unit within 24 hours.

51. A camera which records a facial picture of customers entering the premises shall be situated at the reception and a monitor situated there so customers entering can see same.

52. CCTV shall cover all public areas of the premises including all areas where performances of sexual entertainment are conducted.

#### **Dress Code**

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

#### **Annex 2 – Plans**

See attached.

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of the Local Government Act 1972.

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Long Legs  
Basement, 46-46a George Street, Manchester, M1 4HF

Premises Licensing  
Manchester City Council

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