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Application for the grant, renewal or transfer of a Sex Establishment Licence pursuant to: Schedule 3, Local Government (Miscellaneous Provisions) Act 1982

PLEASE READ THE FOLLOWING NOTES FIRST

1. All questions must be answered except where otherwise stated. If relevant questions are not answered, the application will be deemed inappropriate and returned to the Applicant.
2. Any person who, in connection with an application for the grant, renewal or transfer of a sex establishment licence makes a false statement which he knows to be false in any material respect or which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000.
3. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and in black ink. Use additional sheets if necessary.

Once completed please send your application to: **Licensing Service, Portsmouth City Council, Civic Offices, Guildhall Square, Portsmouth, PO1 2AL. Telephone: 023 9283 4604 Fax: 023 9283 4811 Email: Licensing@portsmouthcc.gov.uk**

Part 1 – THE APPLICANT

please tick ✓

Q1. Is the applicant:	
a) An individual	✓
b) A company or other corporate body	
c) A partnership or other unincorporated body	
If the applicant is an individual, answer question 2. If the applicant is a company or other corporate body, answer questions 3 and 4. If the applicant is a partnership or other incorporated body, answer question 5.	
Q2. Answer only where the applicant is an individual:	
Full name of Applicant:	Jaspal Singh Ojla
Has the Applicant ever been known by a different name: (If "Yes" please provide the Applicant's former name below)	No
Former name of Applicant	
PLEASE GO TO QUESTION 5	

Q3. Answer only where the Applicant is a company or other corporate body:

Name of Applicant:

Where is the Applicant registered:

Registered number of Applicant:

Has the applicant previously been known by any other name and if so provide name below:

Has the Applicant:

please tick

Been convicted of a criminal offence?

Yes

No

Been refused the grant or renewal of a sex establishment licence?

Had a sex establishment licence revoked?

Been served with a winding up petition?

If the answer to any of the above questions is Yes, please provide full details on a separate sheet of paper.

Names of the Applicant's Directors:

Name:

Position:

Are there persons responsible for the management of the Applicant other than the Directors?:

Yes

No

If yes, please provide details of their names:

Please provide below the names of all persons with a shareholding greater than 10% in the Applicant:

Is the Applicant a wholly owned subsidiary of another company or corporate body?	Yes	No
If yes, please provide below the name, place of registration and details of its Directors?		
Name:		
Place of Registration:		
Directors:		
PLEASE GO TO QUESTION 5		
Q4. Answer only where the Applicant is a partnership or other unincorporated body:		
Name of Applicant:		
Names of Applicant's partners:		
Are there persons responsible for the management of the Applicant other than the partners?	Yes	No
If yes, please provide details of their names:		
Has the Applicant ever been refused the grant or renewal of a sex establishment licence:	Yes	No
Has the Applicant ever had a sex establishment licence revoked?		
If the answer to any of the above questions is Yes, please provide full details on a separate sheet of paper.		
PLEASE GO TO QUESTION 5.		
Q5. Does the Applicant have a trading name different from that given in answer to questions, 2, 3 or 4 above? If so, please state the trading name below:		
No		

Q6. What is the Applicant's trading address:

149 Albert Road, Southsea

Post Code:	PO4 0JW	Daytime Contact Number:	Not yet available
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Email address:

Q7. Will the business for which a licence is required be carried on for the benefit of a person other than the applicant:

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

No

Q8. Does the Applicant operate any other sex establishments, whether licensed or not? If so please state the name, address and type of sex establishment (e.g. sex shop, sexual entertainment venue or sex cinema).

Wiggle, Surrey Road, Portsmouth (Sexual Entertainment Venue)
Wiggle, 159 Old Christchurch Road, Bournemouth (Sexual Entertainment Venue)
Wiggle, 188 Above Bar St, Southampton SO14 (Sexual Entertainment Venue)
Elegance, Granada Road Southsea (Sexual Entertainment Venue – currently closed)

Q9. For each of the individuals named in the answers to questions 2, 3, 4, 7 and 8, please confirm that the form at Appendix A to this application form has been completed and submitted as part of this application.

Yes

Part 2 – THE PREMISES, VEHICLE, VESSEL OR STALL

please tick ✓

Q10. Is this application in respect of:			
a) Premises			✓
b) Vehicle			
c) Vessel			
d) Stall			
Q11. If the application relates to a vehicle, vessel or stall, where is it proposed to be used:			
Q12. If the application relates to a premises, please provide the full address of the premises for which a licence is required:			
149 Albert Road,			
Post Town:	Southsea	Post Code:	PO4 0JW
Q13. Is the whole of the premises to be used as a sex establishment:			No
If not, please state below:			
<ul style="list-style-type: none"> • the use of the remainder of the premises; and • the names of those who are responsible for managing the remainder of the premises. 			
The licence will only apply to the first floor. The ground floor will be leased for retail use which is currently subject to contract.			
Q14a. State the nature of the Applicant's interest in the premises, vehicle, vessel or stall, e.g. owner, lessee, sub-lessee:			
Owner			

Q14b. If the Applicant is a lessee or sub-lessee, state:

(i) The name and address of the landlord:

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

(iii) The amount of the annual rental:

(iv) The length of the unexpired term:

(v) The length of notice required to terminate the tenancy:

Q15a. State the current use of the premises:

The premises is not currently used and is unoccupied

Q15b. Is there a planning permission for the use of the premises, vehicle, vessel or stall as a sex establishment?:

Yes

Q15c. If so, state the date of the planning permission:

29.11.2016

Q15d. If not, state whether and why the use as a sex establishment is lawful, e.g. because there is a certificate of lawful use, giving full details:

Q16a. Are the premises, vehicle, vessel or stall licensed under any other Act, e.g. the Licensing Act 2003?:

No

Q16b. Please provide full details including the name of any Designated Premises Supervisor :

An application has been submitted for a premises licence in the applicants company Wellhot Limited with Jaspal Singh Ojla named as the DPS.

Q16c. Does the Applicant intend to obtain a licence under any other Act or to apply to vary any existing licence under any other Act?:	Yes	
Q16d. Does the Applicant intend to operate the sex establishment in conjunction with any other licence? If so, provide full details below:	Yes	
As above an application for a premises licence to permit regulated entertainment, the sale of alcohol and the provision of late night refreshment.		
Q17a. Is each customer access to the premises, vehicle, vessel or stall:		
• Directly from the street or a public thoroughfare?		Yes
• From other premises?		
If from other premises, please provide full details below:		
The entrance to the premises will be at ground floor from the street but customers will ascend a flight of stairs to the first floor		
Q17b. Is each customer access from the street to be supervised at all times the premises are open to the public?:	Yes	
If the answer is No, give full details of proposed door control and supervision:		
Q17c. State whether all door supervisors are to be licensed with the SIA:	Yes	
Q18. Are the premises, vehicle, vessel or stall constructed or adapted so as to permit access to, from and within the premises (including WC facilities) for disabled members of the public?		No
If the answer is No, please state the Applicant's proposals for affording such access?		
Reasonable adjustments will be made to facilitate disabled access but this would not include the provision of wheelchair access.		

Q19. Are the premises, vehicle, vessel or stall being used as a sex establishment at the date of this application?:		No
If the answer is yes, please state the name and address of the person or body now operating the business:		

Part 3 – THE BUSINESS

Q20. Under what name will be business be known?:	
Elegance	
Q21. Is the application in respect of:	
• A sex shop	
• A sex cinema	
• A sexual entertainment venue	√
Q22. Has the Applicant entered into any agreement (whether written or oral) in connection with the business, other than a tenancy agreement or lease, for example:	
<ul style="list-style-type: none"> • a management agreement; • partnership agreement; • profit share arrangement. 	
If so, please provide full details together with a copy of any such agreement?:	
No	
Q23. Give the name and addresses of any lenders, mortgagees or others providing finance with the full terms of such agreements:	
No finance is required.	

Q24. Is the business required to purchase merchandise from a particular person or body? If so provide full details.

No

Part 4 – MANAGEMENT OF THE BUSINESS

Q25a. State the identity of the person who will be responsible for the day to day management of the business at the premises, vehicle, vessel or stall (“the Manager”):

Jaspal Singh Ojla

Q25b. Will the Manager be based at the premises, vehicle, vessel or stall and that management of the business there will be his/her sole and exclusive occupation?:

Yes

Q25c. State which person(s) will be responsible for the day to day management of the business in the absence of the Manager (“the Relief Manager”)?:

A duty manager yet to be appointed

Q25d. Will the Relief Manager(s) or one of them be based at the premises full-time in the absence of the Manager?:

Yes

Q25e. In respect of the Manager and Relief Manager(s), please confirm that the form at Annex A to this application has been completed and submitted as part of this application.

Yes

Q26. THIS QUESTION NEED NOT BE ANSWERED IN RESPECT OF RENEWAL APPLICATIONS.

Please give details of the days and times during which it is proposed that the business will be open.

2100 until 0400 each day

Q27. Please state the proposals in respect of exterior signage and advertising, including the nature, content and size of such signage, and any images to be used. (please note that a colour photo/ plan of the exterior showing such signage and advertising is required to be submitted with this application):

See attached conditions. The signage will be agreed with the Local Authority.

Q28a. What means are to be taken to prevent the interior of the premises being visible to passers-by?:

The premises are on the first floor and the windows are permanently covered.

Q29b. What, if any, window displays are to be exhibited? Please indicate the size and nature of any intended display:

There will be no window displays

Q30. State what age restrictions are to be applied in respect of admissions and how are these to be enforced?: (Please state as part of your answer what forms of ID will be accepted and whether it is proposed to use electronic systems. For sex shops, please provide details of arrangements for preventing proxy sales)

No person under the age of 18 will be permitted into the premises. There will be a SIA security person at the door. A challenge 25 policy will be applied and only photographic ID complying with the mandatory Licensing Act 2003 condition will be accepted as proof of age.

Q31. Please state the arrangements for CCTV at the premises and for the retention of recordings: (Please state as part of your answer whether all public areas are to be covered by CCTV at all times the business is open and whether the feed from all cameras will be recorded)

See attached conditions. CCTV will be provided throughout the premises.

Q32. ANSWER THIS QUESTION ONLY WHERE THE APPLICATION RELATES TO A SEXUAL ENTERTAINMENT VENUE.

Q32a. Is the proposal to allow full nudity at the premises?

YES

Q32b. Provide full details of the nature of the entertainment intended to be provided, e.g. lap-dancing, pole dancing, stage strip-tease:

Lap dancing, pole dancing and strip-tease will be performed both on the stage and in the private booths.

Q32c. Please state what, if any, separation between performers and audience is proposed. E.g. performers on stage; 1 metre; no contact; or full contact:

There is no contact between the performers and the customers. This is in the code of conduct for both performers and customers.

Q32d. Is it intended to provide private booths or areas?

Yes

If yes, please provide full details including proposals for supervision of such areas:

The private booths will have CCT cameras installed in each both which will be monitored by the management.

Q33. THIS QUESTION NEED NOT BE ANSWERED IN RESPECT OF RENEWAL APPLICATIONS.

Q33a. Please state the proposals for preventing nuisance to residents and businesses in the vicinity:

There is external CCTV cameras and an SIA security guard to both act as a deterrent for a preventing nuisance. There were no complaints of nuisance from Elegance in Granada Road. See conditions proposed.

Q33b. Please state the proposals for promoting public safety:

See conditions proposed.

Q33c. Please state the proposals for preventing crime or disorder:

There is extensive CCTV throughout the premises and SIA security. All members of staff are trained in their responsibilities. Elegance in Granada Road was well managed and the police did not express any concerns about crime and disorder. See conditions proposed.

Q33d. Please state the proposals for protecting children from harm:

No person under the age of 18 will be permitted in the premises and a challenge 25 policy will be adopted. See conditions.

Q33e. Please state the Applicant's systems for checking the age and right to work in the UK for all staff and dancers/performers.

The applicant uses the gov.uk website to run through the checks and requires to see proof of identity as required and makes a copy of the ID document produced by the applicant. This is done in the presence of the member of staff.

Q33f. IN RESPECT OF SEXUAL ENTERTAINMENT VENUES ONLY, please set out the system for training all staff in the Code of Practice for performers and for monitoring and enforcing compliance: (Please note that the Code of Practice must be attached to this form)

The applicant is responsible for training staff which is undertaken on a 1:1 basis.

Q33g. IN RESPECT OF SEXUAL ENTERTAINMENT VENUES ONLY, please set out the system for notifying customers of the Rules for Customers and for monitoring and enforcing compliance: (Please note that the Rules for Customers must be attached to this form)

The SIA security tell customers on arrival. There is a code of conduct displayed at the entrance. That code is also displayed at the reception desk where again the customers attention is drawn to the code. The performers remind the customer of the code before they dance.

Q33h. IN RESPECT OF SEXUAL ENTERTAINMENT VENUES ONLY, please set out the system for monitoring compliance with the venue's Policy for Welfare of Performers. (Please note that the Policy for Welfare of Performers must be attached to this form)

There is CCTV within the premises, SIA security and other members of staff, including the applicant to monitor the welfare of all performers. All staff are trained.

Q34. Set out any further information which you wish the Licensing Authority to take into account: (Include here any proposed conditions (you may attach a schedule of such conditions) or any reason relied upon to provide an exception to the Authority's Sex Establishment Licensing Policy).

A schedule of conditions are attached to this application. Conditions are also proposed for the premises licence under the Licensing Act 2003.

Q35. Is there any information on this form which you do not wish to be seen by members of the public? If so, please state which particular information you wish to remain private and provide reasons why you do not wish it to be seen.

Part 5 – APPLICANT CONTACT DETAILS

PLEASE GIVE THE CONTACT DETAILS WHICH YOU WOULD LIKE TO BE USED FOR THE PURPOSES OF THIS APPLICATION.

Name:	Mr Jon Wallsgrove
Organisation:	Blake Morgan LLP
Address:	New Kings Court Tollgate Chandlers Ford
Telephone Number:	
Mobile Number:	

Fax Number:	
Email Address:	

Part 6 – SIGNATURE AND DECLARATION

<p>The following declaration must be signed in all cases:</p> <ul style="list-style-type: none"> • If the Applicant is an individual, by that individual; • If the Applicant is a partnership, by all individuals who are partners; • If the Applicant is a company, by a director; • In any other case, by a duly authorised officer of the Applicant. 			
<p>Should the information provided in relation to this application cease to be correct, or if there are any changes in the information provided as part of the application 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.</p>			
<p>I/We certify to the best of my/our knowledge and belief that the information given in this application is complete and correct in every respect.</p>			
<p>I/We agree to notify the Licensing Authority should any of the information given in this application change.</p>			
Name:	JASPAL OSLA.		
Position in Organisation:	DIRECTOR.		
Signature:		Date:	23-01-2018



Part 7 – INFORMATION ON INDIVIDUALS

Name:	Jaspal Singh Ojla		
Former Name (if any):			
Position in relation to Applicant: (e.g. Director, Partner, Manager)			
Date of Birth:			
Gender:	Male √	Female	
Permanent Residential Address:			
If resident at this address for less than 3 years, state previous address:			
Have you been resident in the UK for more than six months prior to the date of the application?:	Yes		
Have you ever been disqualified from holding a sex establishment licence under Schedule 3, paragraph 17 of the Local Government (Miscellaneous Provisions) Act 1982. If yes, give full details.		No	
Have you ever been involved in the management of a business, whether as proprietor, director, company secretary, partner, manager, supervisor or otherwise which has had any of the following types of licence refused, refused on renewal, reviewed or revoked?			
Sex establishment licence		No	
Licence for the sale or supply of alcohol		No	
Licence for the provision of entertainment, whether sexual or otherwise		No	

Personal Licence under the Licensing Act 2003			No
If so, please provide full details:			
Have you ever been convicted of a criminal offence, whether in the UK or elsewhere?:			No
If so, please provide the following details:			
Date:	Convicting Court:	Offence:	Penalty Imposed:
To your knowledge, are you currently the subject of any criminal investigation?:			No
If so, please provide full details:			
Have you ever had any civil legal action taken against you?			No
If so, please provide full details:			
Have you ever been declared bankrupt or entered into an arrangement with creditors or an Individual Voluntary Arrangement?:			No
If so, please provide full details:			
Have you ever been disqualified from acting as a company director?:			No
If so, please provide full details:			
Is there any other information which you believe the Licensing Authority would reasonably need to know or you would like the Licensing Authority to take into account when considering the			No

information you have supplied?:			
If so, please provide full details:			
Is there any information in this Annex which you do not wish to be seen by members of the public?:			No
If so, please state which information and the reasons why you do not wish it to be seen.			
I DECLARE THAT THE INFORMATION PROVIDED IN THIS ANNEX IS TRUE AND COMPLETE.			
Signed:		Dated:	23.01.2018



Part 8 – DOCUMENTS TO BE SUPPLIED WITH THIS APPLICATION

Site Scale Plan (1:1250).	Yes	
Drawings showing the front elevation as existing.		No
Drawings showing the front elevation as proposed (including proposed signage, advertising and window display.		No
Scale Layout Plan of Premises. (Note the requirements of the layout plan are set out below).	Yes	
Planning Permission.	Yes	
Certificate of Lawful Use or Development.		No
If the Applicant is a company, copies of the Memorandum and Articles of Association of the Company.		N/A
If the Applicant is a partnership, a certified copy of the Partnership Deed.		N/A
A copy of any other licences for the premises, vehicle, vessel or stall.		N/A
Code of Practice for Performers.	Yes	
Rules for Customers.	Yes	
Policy for Welfare of Performers.		No

Part 9 – REQUIREMENTS FOR LAYOUT PLAN

The Layout plan must show:
1. The layout of the premises including, stage, bars, cloakroom, WCs, performance area, dressing rooms.
2. The extent of the boundary of the premises outlined in red.
3. The extent of the public areas outlined in blue.
4. Uses of different areas in the premises, e.g. performance areas, reception
5. Structures or objects (including furniture) which may impact on the ability of individuals to use exits or escape routes without impediment.
6. Location of points of access to and egress from the premises.

7. Any parts used in common with other premises.
8. Position of CCTV cameras.
9. Where the premises include a stage or raised area, the location and height of each stage or area relative to the floor.
10. Where the premises includes any steps, stairs, elevators or lifts, the location of the same.
11. The location of any public conveniences, including disabled WCs.
12. The position of any ramps, lifts or other facilities for the benefit of disabled people.
13. Any level changes at the entrance to or within public parts of the premises which may be inaccessible to disabled people.
14. The location and type of any fire safety and any other safety equipment.
15. The location of any kitchen on the premises.
16. The location of emergency exits.

Part 10 – DOCUMENTS EVIDENCING PUBLIC NOTICE AND SERVICE

Complete copy of newspaper circulating in the area of the authority, containing advertisement of this application.	Yes	
Copy of notice of application displayed on or near the premises.	Yes	
Copy of affidavit or statutory declaration that notice has been displayed as required by Schedule 3, paragraph 10(10) of the Local Government (Miscellaneous Provisions) Act 1982.	Yes	
Evidence of service of this application form and all enclosures upon the Chief Officer of Police within 7 days after the date of this application.	Yes	
<p><u>Contact Details for the Police:</u></p> <p>Hampshire Constabulary Licensing Unit Portsmouth City Council Civic Offices Guildhall Square Portsmouth PO1 2AL</p> <p>Email: force.licensing@hampshire.pnn.police.uk Tel: 0845 045 4545 Direct Dial: 023 9289 9080 Fax: 023 9289 3285</p>		
<p>NOTE: WHEN THE APPLICATION IS MADE ELECTRONICALLY, INCLUDING ALL ENCLOSURES, THE LICENSING AUTHORITY WILL SERVE THE CHIEF OFFICER OF POLICE.</p>		

Proposed conditions for Elegance SEV

- 1 The Licence holder, or some responsible person nominated by him and approved in writing by the council for the purpose of managing the sex establishment (“the manager”), shall have personal responsibility for and be present on the premises at all times when the premises are open to the public.
2. In accordance with section 14 of the 1982 Act, the Licence holder shall display, on the licensed premises in a conspicuous position, a copy of the licence and/or any special conditions attached.
3. The name of the person responsible for the management of the sex establishment, whether the licence holder or manager, shall be displayed in a conspicuous position within the premises throughout the period during which he is responsible for the conduct of the premises.
4. The licence holder shall retain control over all parts of the licensed premises as set out on the approved premises plan and shall not let or part with possession of any part.
5. No person under the age of 18 shall be admitted to the premises and rigorous identity checks **SHALL** be made on any person who appears to be under the age of 18.
 - a) To ensure compliance of 5 above, the licence holder shall exhibit appropriate warning notices as to the minimum age requirements on both the exterior (frontage) door and also conspicuously on the appropriate inner lobby door.
6. No person under the age of 18 shall be employed to work at the premises in any capacity .
7. Where the Licence holder is a body corporate or an unincorporated body, any change of director, or other person responsible for the management of the body is to be notified in writing to the council within 14 days of any such change. In addition, the Licence holder shall provide any details as the council may require in respect of any new director, officer or manager upon request in writing from the council.

Conduct of the Premises

8. No change from one type of sex establishment to another shall be made without the written consent of the council.
9. No part of the premises shall be used by prostitutes for the purpose of solicitation or otherwise exercising their calling.

Premises Interior and Layout

10. The premises layout shall comply with deposited plans unless otherwise approved in writing by the council.

11. External doors shall be closed at all times other than when persons are entering or leaving the premises. The external doors shall be fitted with a device to provide for their automatic closure and such devices shall be maintained in good working order.

12. The premises shall be fitted with an inner entrance lobby door or partition screen so that no part of the interior of the premises or any of the contents of the premises shall be visible when persons are entering or leaving the premises.

13. No access shall be permitted through the premises to any other premises adjoining or adjacent except in the case of emergency.

14. No part of the interior of the licensed premises shall be visible whatsoever to persons outside the premises.

15. No external advertising, words, signs, displays or illuminations shall be permitted unless previously approved by the council.

16. The external fabric, appearance and look of the licensed premises shall consist of materials and colours approved by the council in order to:

(a) Ensure that the frontage is of a discreet nature

(b) Ensure that it is appropriate to the character of the locality.

CCTV

17- The CCTV system must be fully operational whilst the venue is open to the public.

The recording equipment shall be stored and operated in a secure environment with limited access.

The system shall be regularly maintained and serviced.

The system clock shall be checked regularly for accuracy taking account of GMT and BST.

Digital systems shall have sufficient storage capacity for 31 days good quality pictures.

The images produced will be date and time stamped.

Access

It is important that the Police are able to access data from the systems quickly and easily and therefore provision shall be made for someone to have access to the secure area and also be able to operate the equipment.

Ensure all operators receive training from the installer when equipment is installed and that this is cascaded down to new members of staff.

Have a simple operator's manual available to assist in replaying and exporting data (particularly important with digital systems).

At all times that the premises is open for trade a person shall be on site that is able to work the CCTV system and provide a copy of any footage to the Police or officers of the Licensing Authority on request.

CCTV shall cover the following areas:

- Full licensable area including the entrance to the premises.
- Any point where payment is agreed for services.
- Each individual private booth used for private dances

18. The premises shall not be operated pursuant to the grant of a licence until such time as the CCTV System has been approved by the Police. The CCTV must be maintained in a satisfactory working condition and subject to police approval in order to remain operating under the licence.

External Appearance of the Premises and Public Displays of Information

19. Any external displays or advertising may only be displayed with the prior approval of the Council.

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

21. 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.

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

23. 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.

24. The use of cruising cars by the premises to solicit for custom and/or transport people to or from the premises is prohibited.

Control of Entry to the Premises

25. 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.

26. 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.

27. 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.

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

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

The premises shall provide a written policy on how the premises shall tackle and deal with drugs and drug prevention. This policy shall be implemented following the agreement with the Police.

The premises shall provide a written policy on the ejection of customers and the refusal of entry of customers. This policy shall be implemented following the agreement with the Police.

30. 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.

31. The premises shall subscribe to an approved 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

32. There shall be a written code of conduct for performers that has been agreed in writing by the Licence holder, the council and the Police.

33. 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 basic criteria as set out in Appendix B to this policy.

34. No changes shall be made to the Dancer's Code of Conduct without the prior written consent of the council and the Police.

35. The Dancer's Code of Conduct must include a statement that any dancer who does not comply with the Code of Conduct will face disciplinary proceedings.

36. All management and staff (including security staff) must be aware of and familiar with the content of the Dancer's Code of Conduct and shall ensure it is complied with at all times.

37. A copy of the Dancer's Code of Conduct shall be prominently displayed in each area of the premises where the public have access, which shall include toilet areas as well as in any area used as a changing/dressing room for dancers.

Code of Conduct for Customers

38. There shall be a written Code of Conduct for Customers that has been agreed in writing by the Licence holder, the council and the Police.

39. The code shall include the basic criteria as set out in Appendix C to this policy.

40. The Code of Conduct for Customers shall be displayed in prominent positions throughout the licensed premises so that it is visible to all patrons.

41. No changes shall be made to the Code of Conduct for Customers without the prior written consent of the council and the Police.

42. The Code of Conduct shall include a statement that any customers who fail to comply with the Code of Conduct will be required to leave the premises.

43. All management and staff (including security staff) must be aware of and familiar with the content of the Code of Conduct for Customers and shall ensure it is complied with at all times.

44. On any occasion whereby a customer breaches the Code of Conduct, such details shall be recorded in the incident log.

45. Any customer breaching the rules of the Code of Conduct shall be asked to leave the premises. Any customer who has previously been asked to leave the premises and again breaches the Code of Conduct shall be banned from the premises.

Disciplinary Procedure for Performers

46. The Licence holder shall ensure that a written disciplinary procedure is in force so as to take appropriate action against performers who breach the Code of Conduct and that a copy of the procedure is provided to each performer who works at the premises.

47. All performers shall sign an acknowledgement that they have received a written copy of the disciplinary procedure and have read and understood its contents.

48. Any disciplinary procedure shall NOT make any provision for financial penalties against performers who breach the disciplinary procedure. Any sanctions shall be limited to verbal or written warnings, suspension or revocation of the performer's right to dance at the premises.

The Protection of Performers and the Prevention of Crime on the Premises

49. Performers shall be provided with secure and private changing facilities.

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

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

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

53. 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.

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

55. Any private booths shall be fitted with a panic button or security alarm.

Record Keeping and Management

56. 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.

57. 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.

58. Employment records for performers and staff shall be kept for a minimum of 6 months following the cessation of their employment.

59. 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.

60. 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.

Dress Code

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

Statement in support of applications for a Sexual Entertainment Venue Licence and Premises Licence

Introduction

Paul Ojla seeks a sexual entertainment venue licence and a premises licence for the first floor premises at 149 Albert Road, Southsea.¹

Mr. Ojla proposes conditions for each licence. The conditions are attached to this statement, These conditions have been discussed and agreed with the Police.

Mr. Ojla currently holds a premises licence and sexual entertainment venue licence for Elegance, 1 Granada Road, Southsea which operated between 2000 and 2016. His intention, should these new licences be granted, is to surrender the licences for the premises at Granda Road and effectively "remove" the venue to 149 Albert Road, Southsea.

Mr. Ojla also holds a premises licence and a sexual entertainment licence for Wiggle in Surrey Road, Portsmouth.

Sex establishment legislation

The relevant legislation sets out a number of mandatory and discretionary grounds on which an application for a Sex Establishment licence might be refused. These are repeated in the Portsmouth City Council Sex Establishment Licensing Policy.

As for the mandatory grounds, none of these apply to Mr. Ojla.

As to the discretionary grounds, the first is the unsuitability of the applicant. Mr Ojla has not had a licence refused or revoked and is a man of good character who has an excellent working relationship with the police and Local Authority licensing team. He has successfully operated two Sexual Entertainment Venues in Portsmouth for nearly two decades.

The Council's sex establishment licensing policy states that the the Licensing Authority will wish to be satisfied that:

- The applicant is sufficiently trustworthy to run the sex establishment in accordance with the terms and conditions imposed on any licence granted, as well as the law;
- The welfare of the performers at the licensed premises will be protected;
- That the safety of the public attending the premises will be provided for; and
- The needs and rights of persons/businesses living or working in the area, and indeed the area itself, are recognised and respected.

The applicant's honesty, integrity, trustworthiness and ability to run the establishment in accordance with the licence and the law is demonstrated by his having run two such establishments in Portsmouth over a long period.

Mr. Ojla places emphasis on the welfare of the performers. Performers will be protected by security and management staff at the premises and by codes of conduct for customers and performers which will at a minimum comply with the codes set out in the Council's policy. They will have secure, acceptable changing facilities. Management will take care to ensure that they safely reach their transport home at night. The Council's Standard Conditions for The Protection of Performers and the

¹ In the case of the premises licence, the application is made in the name of Mr. Ojla's wholly owned limited company.

Prevention of Crime on the Premises (Standard Conditions 73-79) are accepted and will be complied with.

The safety of the public attending the premises will be protected by a health and safety risk assessment, by experienced management of the venue and by any proportionate conditions added to the premises licence.

The needs and rights of persons / businesses living or working in the area will be fully respected. There will be no signage or language outside the premises with any sexual language or imagery, or reference to lap dancing. There will be a single sign at first floor level, in a form approved by the Council pursuant to its standard conditions for sexual entertainment venues. The sign will simply state the name of the premises. There will be no view into the premises from outside. At night, there will be security staff at the front of the premises, as there are with many licensed premises. Customers attend sexual establishment venues in comparatively low numbers. They do not leave en masse at closing time, as is the case with some pubs and clubs. They generally pose no risk to the environment in terms of nuisance or crime and disorder, not least because sexual entertainment venues tend to be attended by more mature adults and they are not alcohol-led venues. Security will be maintained outside the premises until the vicinity is clear of customers.

The second ground is that the premises would be managed by or for the benefit of a person other than the applicant who would be refused a licence if they made an application themselves. The previous trading history of Mr Ojla in Portsmouth demonstrates that this is his business and he is a Director and shareholder of the company. He will be involved in the management of the business on a day to day basis and no other person will derive financial benefit from its operation.

The third ground is that if granted the number would exceed the number the authority consider appropriate to the locality. Paragraph 7.10 of the Council's policy states that the "Licensing Authority has reached the preliminary conclusion that there is no place within the City of Portsmouth of which it could be said that it was situated in a locality in which it would be appropriate to licence a sex establishment."

However, paragraph 7.10a states "the presumption to refuse shall not apply to the renewal, transfer or variation of an existing sex establishment."

In this case, if the proposed sex establishment venue licence is granted, the licence for Elegance will be surrendered. Therefore, the grant of the licence will not increase the number of sex establishments in the City. Furthermore, given the mixed commercial nature of the vicinity of the proposed venue, and its presence on the first floor only, also commented upon by the Planning Inspector, the proposed venue is more suitably located than the existing venue. The final ground is that the grant would be inappropriate having regard to:

- i) The character of the relevant locality
- ii) The use to which any premises in the vicinity are put
- iii) The layout, character or condition of the premises.

The proposed premises have been unoccupied for approximately the last 4 years. Mr Ojla is proposing that Elegance operates only from the first floor, and then only at night, and that the ground floor will have a separate retail use unconnected to Elegance. This will therefore see full occupation of the premises, with Elegance trading unobtrusively from the first floor during night-time hours

In the decision to grant planning permission on appeal for the proposed use, the Planning Inspector specifically accepted that the proposal is not out of character with the area, by virtue of the eclectic mix of day and night time uses, the very limited physical presence of the proposed use on the street and its operation only as a late night venue.

The premises will have no adverse impact on the locality and is not in an area where there are significant issues with crime and disorder in any event. Furthermore, as stated above, because of the

more diverse mix of commercial properties and licensed premises on Albert Road, the new premises are more suitably located than the old.

With regard to the "old" Elegance Mr Ojla was in discussions with a national retailer to convert the premises to a convenience store. His current intention is to convert the premises into residential accommodation consisting of a mixed development of flats and houses, subject to an application for planning permission. This will also deliver affordable housing where people want to live.

The "new" Elegance will be managed with the same level of controls as the "old" with a similar capacity of approximately 100 persons. The access to the premises is from the ground floor and therefore there is no impact to persons on the street. The applicant has further consulted with the police and agreed a substantial number of conditions with regard to the management of the premises. The premises themselves will be fitted out comfortably and to a high specification, in accordance with the licence plan. They will be amply covered by CCTV and will in any event be constructed so as to permit adequate supervision by management at all times.

Licensing Act 2003

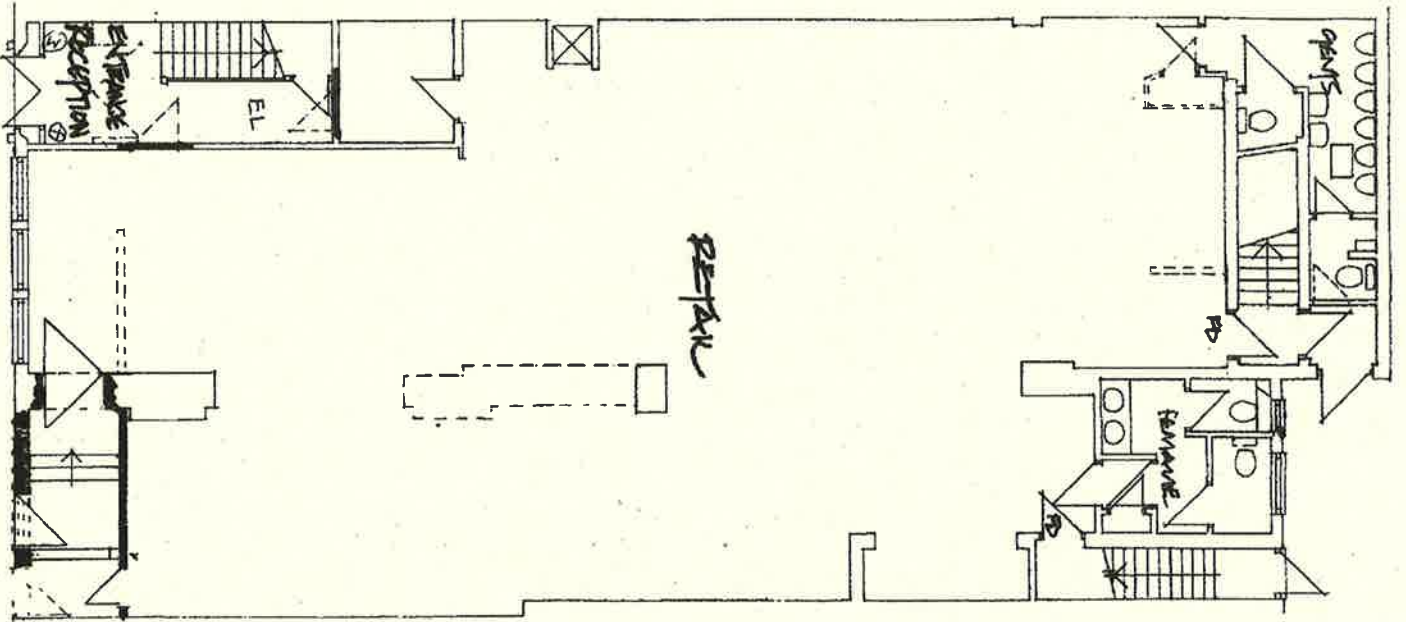
The licence will be subject to the mandatory conditions and also to the conditions attached, which are proposed as agreed with the Police.

The use of the premises is approved by a planning permission ref. APP/Z1775/W/16/3153456, which is also subject to conditions that: customers shall only be permitted on the premises between the hours of 21:00 and 04:00 Monday to Sunday and notwithstanding the provisions of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 no adverts or signs that would be covered by those regulations shall be displayed on the building without the prior written approval of the local planning authority.

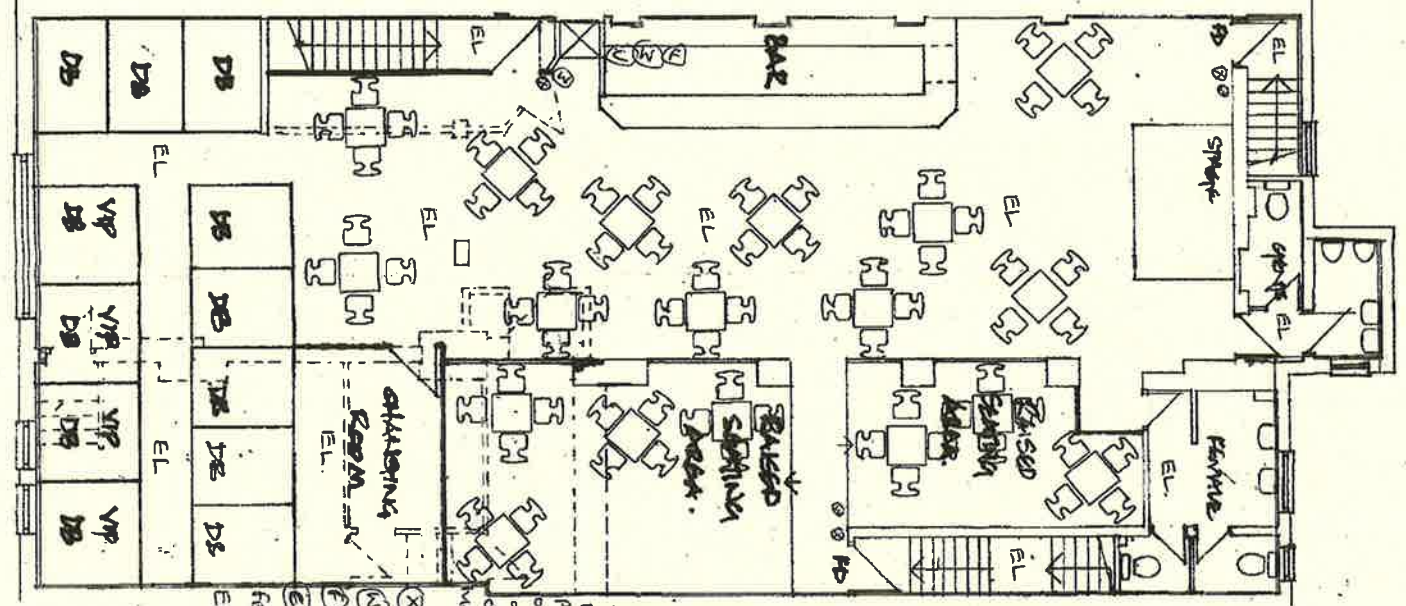
Sexual entertainment venues have very little impact on the licensing objectives, as stated above. It is submitted that the conditions proposed for the premises licence, the sexual entertainment venue licence and those on the planning permission are sufficient and proportionate to promote the licensing objectives.

The applicant will consider the terms of any representations to this application and will, at their option, meet with any persons making such representations.

GROUND FLOOR

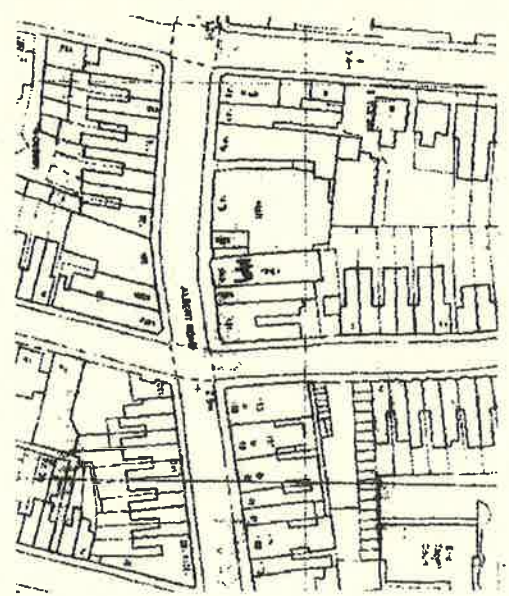


FIRST FLOOR



- ⊙ where alcohol is sold or consumed
- ⊙ Recorded music is played, where hot food or drink may be supplied and where other kinds of regulated entertainment takes place.
- ⊙ Fire extinguisher
- ⊙ Water fire extinguisher
- ⊙ Focus fire extinguisher
- ⊙ CO2 fire extinguisher
- ⊙ Fire Exit
- ⊙ EL Emergency light

LOCATION PLAN
SCALE 1:250 AS LIAISON



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Project	149 ALBERT ROAD, PORTSMOUTH, HAMPSHIRE
Client	Mr P Olla
Subject	License Drawing
Date	Sept 2017
Rev	Dwg. No. 17/643/01
<p>Scale: 1:1000 @ A3</p>	
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