

Agenda

Licensing Sub Committee 1

Monday 24 April 2023 at 10.00 am
in Committee Room 2 - Sandwell Council House, Oldbury

This agenda gives notice of items to be considered in private as required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

- | | | |
|----------|--|----------------|
| 1 | Apologies for Absence | 7 - 8 |
| | To receive any apologies for absence. | |
| 2 | Declarations of Interest | 9 - 10 |
| | Members to declare any interests in matters to be discussed at the meeting. | |
| 3 | Renewal of Sexual Entertainment Venue Licence for Angels Gentlemen's Club, 303 High Street, West Bromwich, B70 8ND | 11 - 40 |
| | The Sub Committee to consider the application for the renewal of a sexual entertainment venue licence in respect of Angels Gentlemen's Club, 303 High Street, West Bromwich B70 8ND. | |



4 Exclusion of the Public and Press

“That the public and press be excluded from the rest of the meeting. This is to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006 relating to any individual”.

5 To consider Local Government (Miscellaneous Provisions) Act 1976 - Private Hire and Hackney Carriage Drivers/Vehicles/Operator's Licence related matters

41 - 230

Shokat Lal
Chief Executive
Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution
Councillor Allen (Chair)
Councillors M Gill, Mayo, N Singh and Wilkes

Contact: democratic_services@sandwell.gov.uk

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Members who cannot attend the meeting should submit apologies by contacting Democratic Services (democratic_services@sandwell.gov.uk)



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Licensing Sub Committee 1

Apologies for Absence

To receive any apologies for absence from the members of the Committee.



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Licensing Sub Committee 1

Declarations of Interests

Members to declare any interests in matters to be discussed at the meeting.



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Report to Licensing Committee 1

24 April 2023

Subject:	Renewal of Sexual Entertainment Venue Licence for Angels Gentlemen’s Club, 303 High Street, West Bromwich, B70 8ND
Director:	Director – Borough Economy – Alice Davey
Contact Officer:	Balbir Dhugga Licensing Officer Email: licensing_team@sandwell.gov.uk

1 Recommendations


- 1.1 The Sub Committee is requested to consider the application (Appendix 1) made by WB2 Anchor Ltd of 114 Holly Lane, Smethwick, B67 7LA for the renewal of a sexual entertainment venue licence in respect of Angels Gentlemen’s Club, 303 High Street, West Bromwich B70 8ND.

2 Reasons for Recommendations

- 2.1 The Licensing Sub Committee is asked to make a decision on the application based on any evidence presented at the hearing taking into account the Guidance issued under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and the Council’s Licensing Policy and to give reasons for their decision.



3 How does this deliver objectives of the Corporate Plan?

	<p>A strong and inclusive economy Investing in people and jobs. Licensed premises provide employment in the Borough and help to support the Borough's economy.</p> <p>It is the Authority's aim to offer a wide choice of high quality and well managed entertainment and cultural venues within a safe, orderly and attractive environment; valued by those who live here, work here and come to visit. We want to ensure that businesses operate responsibly and safely so that our residents live in decent neighbourhoods and have a good quality of life.</p>
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4 THE CURRENT POSITION

- 4.1 The premises has traded as a licensed sex establishment at this address for many years and the licence has been renewed each year.
- 4.2 On grant of the initial application, the Committee decided to vary the standard condition 45 to allow advertising by the use of vehicles.
- 4.3 In November 2017, the premises were transferred to the current applicant.
- 4.4 If the licence is renewed, it will run for a period of 12 months commencing 1 April 2023 and will expire on 31 March 2024.
- 4.5 A copy of the current licence and conditions are attached for information as Appendix 2.
- 4.6 A map of the area showing the location of the licensed premises is attached for information as Appendix 3.
- 4.7 There is also a premises licence under the Licensing Act 2003 in force at these premises authorising the sale and supply of alcohol, late night refreshment and regulated entertainment between the hours of 10.00am



until 5.00am Monday – Sunday. The premises opening hours are 10.00am until 5.30am Monday – Sunday.

4.8 Each application must be considered on its merits taking into account the evidence presented at the hearing, and the Guidance issued under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and the Council’s Licensing Policy. The options that can be considered once evidence has been heard are detailed at section 6.

4.9 If approved, the licence will run for a period of 12 months.

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

5.1 The applicant has complied with all the statutory requirements with regard to the application process.

5.2 The applicant is required to advertise the application in a paper circulating in the vicinity of the premises within 7 days of submitting the application and to also display a public notice outside the premises for 21 days. The application was received on 10th March 2023, and it has been confirmed that the advert appeared in the Express and Star on 16th March 2023 and Officers checked that the advert was also displayed outside the premises during the consultation period.

5.3 No objections have been submitted by West Midlands Police and no other objections have been received for this application.

6. ALTERNATIVE OPTIONS

6.1 The grant, renewal and transfer of sex establishment licences are subject to the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.

6.2 An application for renewal may be refused on one or more of the following grounds:



- 6.2.1 The applicant is unsuitable to hold the licence by reason of having been convicted of an offence or any other reason.
- 6.2.2 That if the licence were to be renewed, 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 renewal of the licence if he made the application himself.
- 6.2.3 That the number of sex establishments in the relevant locality at the time the application is determined is equal to or exceeds the number which the Panel considers is appropriate for that locality.
- 6.2.4 That the renewal of the licence would be inappropriate, having regard to
- The character of the relevant locality
 - The use to which any premises in the vicinity are put
 - The layout, character or condition of the premises in respect of which the application is made.
- 6.3 An applicant whose application for renewal is refused on any of the grounds specified in paragraphs 6.2 above does not have the right to appeal that decision. In such cases, the applicant could only challenge the Panel's decision by way of judicial review.
- 6.4 An applicant must be given the opportunity of appearing before the body making the decision before an application is refused.

7 Implications

Resources:	There are no direct strategic resource implications associated with this application. In respect of premises licence applications, we do not foresee any issues in respect of sustainability of proposals. The application relates to a privately owned property.
Legal and Governance:	1.1 Members of the Sub-Committee should not allow themselves to predetermine the application or to be prejudiced in favour or opposed to the applicant and/or the licence holder and shall only



	<p>determine the application having had an opportunity to consider all relevant facts.</p> <p>1.2 In 1983, the Council resolved to adopt the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 in relation to the control of sex establishments, including sex shops.</p> <p>1.3 Article 6 of the Human Rights Act 1988 states that, in determination of a person’s civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.</p> <p>1.4 Article 8 states that everyone has the right to respect for his private and family life, his home and his correspondence.</p> <p>1.5 Part II, Article 1 states that 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.</p>
Risk:	<p>The Police are a statutory consultee for sex establishment applications under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. They consider the crime and disorder and risk assessment.</p> <p>The Police have been consulted on this application and have not identified any concerns regarding this application. Therefore, no representation has been received.</p> <p>Whilst full details of the application and any representations have been shared with the committee members, only information that is in the public domain has been made available for the reports that have been made public online, in line with data protection protocols.</p>
Equality:	<p>The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.</p>



	The operators of this premises are responsible for complying with all relevant legislation.
Health and Wellbeing:	This is not applicable to applications for premises licences submitted under the Local Government (Miscellaneous Provisions) Act 1982.
Social Value	This is not applicable to applications for premises licences submitted under the Local Government (Miscellaneous Provisions) Act 1982.

8. Appendices

- Appendix 1 – Application
- Appendix 2 – Current Licence
- Appendix 3 – Map of Location

9. Background Papers

Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended)



**Local Government (Miscellaneous Provisions) Act
1982 (Schedule 3)**

RECEIVED
10 MAR 2023
BY

RECEIVED
MAR 2023

**Application For Grant / Renewal / Transfer / Variation
of a Licence For A Sex Establishment (Sexual
Entertainment Venue, Sex Shop or Cinema)**

Section 1 – Application Details:

Is this Licence for: Grant Renewal Transfer Variation

Is the Application made by: An Individual A Partnership or other unincorporated body
Or a Company or other corporate body

Section 2 – Applicant Details:

Full Name of Applicant (ie the individual, company or unincorporated body). If the applicant is an individual, please also give any former names:
WBZ ANCHOR LTD

Permanent Residential Address of Applicant (if an individual) or registered or principal office (if a body corporate or unincorporated body): ANGELS GENTLEMENS CLUB
303 HIGH STREET, WEST BROMWICH
B70 3ND

If Applicant is an individual please give details:

Date of Birth: Place of Birth:

Date Became Resident in the UK: National Insurance No.:

Telephone/Mobile Number (during normal office hours):

Email Address:

Name and address to which correspondence to be sent (if different from above):

N/A

Has the applicant a financial interest in the business which is the subject of this application?

Yes No If "yes" to what extent LEASE HOLDERS AND
SHARE HOLDERS OF WBZ ANCHOR LTD.

Is the whole business owned by the applicant? Yes No

Section 2 – Application Details :

If the applicant is a body corporate or an unincorporated body or partnership, complete the table in respect of each of the Directors, the Company Secretary or other persons responsible for the management of the body. In the case of a partnership, details of all the partners must be given.

Name (in full): Mr/Mrs/Miss/Other	Date of Birth:	Address of permanent residence throughout six months immediately preceding this application:	Date became resident of United Kingdom (if applicable):
MR KULWANT SINGH	[REDACTED]	[REDACTED]	N/A
MR BALJIT SINGH	[REDACTED]	[REDACTED]	N/A

If the applicant is a company, what type of company is it? (e.g., public or private, limited by share or guarantee, etc) LIMITED.

In which country is the company incorporated? ENGLAND U.K.

What is the date of incorporation of the company? 23 / JULY / 2017

What is the registered number of the company? 10889166.

What is the registered office address? 114 HOLLY LAWE SMETHURCK
B67 7LA

Please give details of the person who is to be responsible for the management of the premises in the absence of the licence holder:

First Name BALJIT Surname SINGH.

Former Name (if any) N/A National Insurance Number N/A.

Permanent Address: [REDACTED]

Date of Birth: [REDACTED] Place of Birth: [REDACTED]

Does the Applicant use any other trading names? If so, please state the trading names(s).

..... ANGELS GENTLEMENS CLUB.

What is the Applicants trading address: 303 HIGH STREET
WEST BROMWICH B70 8ND.

Has any person named at any place in this application been associated in any way with any other application for a licence for a sex establishment? Yes No

If "yes" give full details:

Has the Applicant or any persons named in this form been convicted of a Criminal Offence whether in the UK or elsewhere? Yes No
 If so, please give details below:

Convictions:

Forenames:	Surname:	Former Name (if any)	Court:	Date:	Offence:	Penalty or Sentence:
		N / A				

Has the Applicant or any persons named in this form been cautioned whether in the UK or elsewhere? Yes No
 If so, please give details below:

Cautions:

Forenames:	Surname:	Former Name (if any)	Offence:	Date of Caution:	Where caution administered
		N / A			

Has any Person or the Corporate or unincorporated body referred to in this application:-

Been disqualified from holding a Licence for a Sex Establishment? Yes No

Been refused the Grant / Renewal / Transfer of a Licence for a Sex Establishment? Yes No

Been the holder of a Sex Establishment Licence when that licence has been revoked? Yes No

Been associated in any way with any other application for a Sex Establishment Licence? Yes No

Is there in force against the applicant or any of the persons whose names appear in this application form a disqualification from holding a licence for a Sex Establishment under the Local Government (Miscellaneous Provisions) Act, 1982? Yes No

If "yes" to any of the above please provide full details:

.....
..... N/A

Please disclose any Forfeiture Order made under the Obscene Publications Act, 1959, made in respect of articles seized from premises where the applicant or any person named in this form was carrying on business:-

..... N/A

Section 3 – Premises Details:

Is this Licence for: Premises Vehicle Vessel Stall

Is the Premises, vehicle, vessel or stall in use as a sex establishment at the date of this application?
Yes No

If the answer is yes, state the name and address of the person or body currently operating the business: WB2 ANCHOR LTD

Are the premises, vehicle, vessel or stall in use as a sex establishment at the date of this application?
Yes No

Under what name is, or will the premises be known: ANGELS GENTLEMENS CLUB.

If Application is in respect of a premises please give full address 303 HIGH STREET, WEST BROMWICH
..... BIRMINGHAM B70 8ND

If application is in respect of a vehicle, vessel or stall, please state where it is to be used as a sex establishment: N/A

Are the whole of the premises described above to be used under the licence? Yes No

If no, please state:

- a) which part of the premises is to be used for the purposes of the licence
..... GROUND FLOOR
- b) the use to which the remainder of the premises are to be put
..... VACANT ROOMS ON 1st FLOOR
- c) the names of those responsible for the management of the remainder of the premises
..... MR DARJIT SINGH

If the applicant's interest in the premises is a leasehold one, please state:

- a) whether a head-lease or a sub-lease Head-lease Sub-lease
- b) the name and address of the landlord and of the superior landlord where applicable
..... [REDACTED]
- c) the length of the unexpired term [REDACTED]

Section 3 – Premises Details:

Is the application in respect of a sex shop, a sex cinema, or Sex Entertainment Venue (please tick box)? Sex Shop Cinema Sexual Entertainment Venue

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

WINDOWS ARE CURTAINED AND TINTED. NOTHING CAN BE SEEN FROM OUTSIDE. SECURITY STAFF AT FRONT DOOR

Give details of the proposed operation times and activities. (Give the times during which it is proposed to open the premises for the purposes of the Licence):

DAY	START	FINISH	State any Seasonal variations or non standard timings where you intend to use the Premise, which are different to those listed in the column on the left.
Monday	10.00	05.00	
Tuesday	10.00	05.00	
Wednesday	10.00	05.00	
Thursday	10.00	05.00	
Friday	10.00	05.00	
Saturday	10.00	05.00	
Sunday	10.00	05.00	

Please give full details of the nature of the relevant entertainment e.g. Lap-dancing, pole-dancing, stage strip show etc.

LAP DANCING IN PRIVATE BOOTHS, POLE DANCING AND STRIP SHOWS TOPLESS ONLY.

Is there any further information which the applicant would wish the Council to take into account when considering this application?

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

N/A

Please complete the checklist below and tick to confirm you have enclosed all of the required information / documents:

I have made or enclose payment of the Fee of ^{£3,300.00}~~£2,405.50~~ (fee is same for all application types)

I have enclosed a Scale Plan of the Premises showing all means of ingress and egress to and from the Premises, the interior layout of the premises, parts used in common with any other building, and where relevant entertainment will take place for consideration by the Licensing Authority:

I have enclosed a copy of the "Club Rules" (if applicable). Such rules must contain the required conduct of performers which shall include for example, no sex acts, no giving or taking of phone numbers (including exchange of business cards):

I understand and agree that I must send a copy of my completed Application to the Chief Officer of Police no later than seven days after the date of the application. I also understand that I must produce evidence of due service of the Notice of Application upon the Chief Officer of Police * as required by paragraph 10(14) of the Third Schedule of the Local Government (Miscellaneous Provisions Act 1982.

* For this purpose, the Notice of application must be served on the Police by sending it to :
Licensing Administration Unit
LPU Headquarters
Moor Street
West Bromwich
B70 7AQ

I understand that I must advertise my Application on or near the Premises for 21 days starting with the date of application.

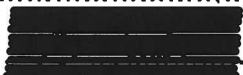
I understand that I must advertise the Application in a Local Newspaper within seven days after the date of the application and that a copy of the Notice of Application which has been published must be given to the Licensing Authority in accordance with paragraph 10(8) of the Third Schedule of the Local Government (Miscellaneous Provisions) Act 1982.

DECLARATION

I declare that the details of this Application are true to the best of my knowledge and belief and acknowledge that if there are any omissions or incorrect statements of a serious nature this may result in the application being refused.

I further declare that I have read and agree to abide by any Conditions of Licence made by the Council in accordance with Section 2 Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 should my Application be granted.

Date: 9/3/2023

Signature: 

Name of Signatory: RAJIT SINGH

Designation of Signatory: DIRECTOR

Applicants are informed that any person who, in connection with an application for the grant, renewal or transfer of a 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.

This Application should be Completed and Returned to:

**Licensing Team
Trading Standards and Licensing
Sandwell Council House
PO Box 2374
Oldbury
B69 3DE**

CERTIFICATE

Address of Premises: 303 HIGH STREET
WEST BROMWICH B70 8ND

Name of Proposed Licensee: WS2 ANCHOR LTD.

~~B~~/ WE* hereby certify that:

1. On the 10th day of MARCH 20 23, affixed a copy of the Notice upon the:**
303 HIGH STREET
WEST BROMWICH B70 8ND

being a place where the Notice could be conveniently read by the public and that the said Notice was kept displayed as aforesaid for 21 days thereafter.

2. On the 16th day of MARCH 20 23, caused a copy of the Notice shown overleaf to be Published in the:
EXPRESS & STAR NEWSPAPER

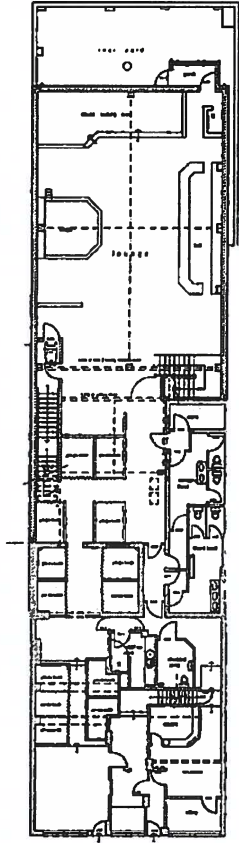
Being a Local Newspaper circulating in the SANDWELL Area, the relevant extract from which is attached hereto***.

Signed: [Redacted Signature] Dated: 9/3/2023.

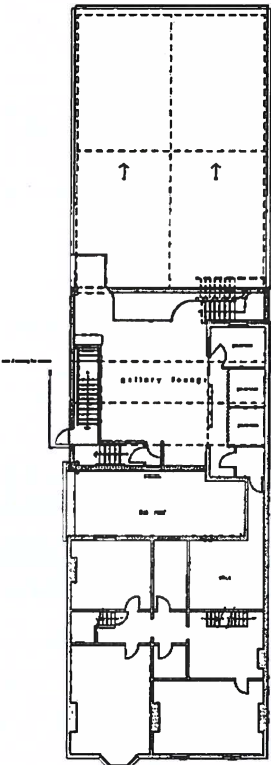
Note:

- * Delete As Applicable
- ** Describe The Part Of The Premises Or Other Nearby Location Upon Which The Notice Was Affixed
- *** Attach A Copy Of The Local Newspaper Showing The Notice

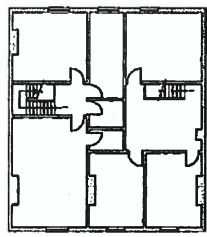
0.9.



Ground Floor Plan



First Floor Plan



Second Floor Plan

T·A·Y·L·O·R W·E·L·L·S D·E·S·I·G·N <small>ARCHITECTS</small> <small>100 High Street, Birmingham</small> <small>0121 616 0000</small>	Project Proposed 2 storey, single storey rear extension	Address The Anchor, 303 High Street, West Bromwich, B70 8ND	Drawing Title Layout Plans	<table border="1"> <tr> <td>Scale</td> <td>1:100</td> <td>Proj No</td> <td>1071.04</td> </tr> <tr> <td>Date</td> <td>Jan 2012</td> <td>Drawing No</td> <td>L0001</td> </tr> </table>	Scale	1:100	Proj No	1071.04	Date	Jan 2012	Drawing No	L0001
Scale	1:100	Proj No	1071.04									
Date	Jan 2012	Drawing No	L0001									

ANGELS CLUB

WEST BROMWICH

TERMS AND CONDITIONS FOR DANCERS (REF 2020 +)

Please ensure that you read the following conditions carefully before signing this contract.

If you suffer any health conditions that may affect the way you work please let the management know, eg. Epilepsy (as we do have flashing / strobe lights in the club)

SECTION 1

- I. I will provide a form of Photo ID before I can start work. This will show my real full name; DOB and photograph. I agree that AM OVER 18 years of age.
- II. Upon arrival to work I agree I will report to reception to sign in.
- III. I agree to book my shifts either at reception or with a member of the management to keep things organised & fair to management as well as the dancers
- IV. I will need to give 24 hours' notice if I am going to cancel a shift. I realize that my replacement requires fair notice to fill in for me.
- V. I will not leave my shift early; I realize I am needed at the club during "working hours" should important customers or large parties show up randomly & at any given anytime.
- VI. I promise not to touch the customers in a sexual way. I will not allow kissing between us other than on the cheek. I will not allow customers to make sexual contact with me using their hands or mouth while I am dancing; I will not exploit myself nor compromise the club's reputation while I am dancing at Angels
- VII. I agree to greet customers and make polite conversation. I will not walk straight up and offer them a dance. If the customer is not interested in having dances I will move on and let another dancer the opportunity to speak with the customer.

SECTION II

- I. I agree to start work at 9pm, unless I have permission to come late from management; I realize that I may only leave "before the end of the shift" if the manager agrees.
- II. I agree not to perform any sex acts.
- III. I agree not to exchange contact details with customers

SECTION III

- I. I will not invite my friends, my partners, or friends of partners into the club while I am working, because I realize this can sometimes cause friction between partners & their mates. I do not want others to experience our feuds or intense drama.
- II. I will not engage in heated arguments with co-workers & customers & management; nor will I publicly swear, cuss, fight; nor act in an aggressive and/or intimidating way towards other performers, customers and/or staff & management. I realize this type of behaviour will not be tolerated and I may asked to leave."
- III. I promise not to bring my mobile phone into the club to make & receive calls. I will make my calls in the change room only. I understand that I am also not allowed to give or take telephone numbers from customers.
- IV. I will not meet or leave with any customers from the Angels Club outside of club hours.
- V. I will not smoke inside the club. (No more than 2 girl can smoke outside at one time.)
- VI. I will not purchase, and/or bring drugs and/or alcohol on club premises. I also will not take alcohol outside the club premises.
- VII. I promise not to use/buy/nor sell drugs nor bring them in to the club.

SECTION V -

DECLARATIONS

I HAVE READ AND UNDERSTOOD THE TERMS AND CONDITION OF THIS CONTRACT, I AGREE TO WORK UNDER THESE CONDITIONS AS LONG AS I AM DANCING AT THE CLUB. I WILL BE WORKING AS SELF EMPLOYED AND WILL NOT BE PAID A WAGE. I AM RESPONSIBLE FOR MY OWN TAX AND NATIONAL INSURANCE TO THE INLAND REVENUE.

NAME.....

MOBILE NUMBER.....EMAIL.....

PHOTO I.DI.D NUMBER.....

D.O.B.....

SIGNED.....

DATE.....

National Insurance Number.....

ATTACH BELOW
PHOTOCOPY OF I.D



Licence No. **SEV/31/3/2022**

SANDWELL METROPOLITAN BOROUGH COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
SEXUAL ENTERTAINMENT VENUE LICENCE

RENEWED – 29th APRIL 2022

The Sandwell Metropolitan Borough Council by virtue of their powers under the Local Government (Miscellaneous Provisions) Act 1982 hereby grant to: -

WB2 ANCHOR LTD, 114 HOLLY LANE, SMETHWICK, B67 7LA

a licence to use the place known as "**ANGELS GENTLEMANS CLUB**" and situated at **303 HIGH STREET, WEST BROMWICH, WEST MIDLANDS, B70 8ND** as a:

SEXUAL ENTERTAINMENT VENUE

subject to the following conditions and restrictions: -

1. The Licence shall, unless revoked in the meantime, be in force from **1st April 2022** to the **31st March 2023**.
2. The licensed premises shall not be used for the purpose of which this licence is granted contrary to the Council's approved policy in relation to sexual entertainment venues.
3. This Licence is also subject to the Regulations made under paragraph 13(1) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982. These Regulations set out the Council's standard terms and conditions which apply to sexual entertainment venue licences.
4. The terms and conditions are set out below and must be observed at all times with the exception of condition 45.

5. Operating hours

Day	Start	Finish
Monday to Sunday	10.00 am	05.00 am

General Licensing Team, Regulated Services, Borough Economy
Sandwell Council House, PO Box 2374, Oldbury, B69 3DE

SANDWELL METROPOLITAN BOROUGH COUNCIL
STANDARD CONDITIONS FOR SEXUAL ENTERTAINMENT VENUES EFFECTIVE
FROM 1st OCTOBER 2011

These regulations are made under paragraph 13(1) of schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (the "1982 Act") as amended by the Policing and Crime Act 2009 (the "2009 Act") to prescribe conditions. In these Regulations, except when the context otherwise requires, the following expressions shall have the following meanings:

- (i) "The Council" shall mean Sandwell Metropolitan Borough Council and all enquiries concerning these Regulations and its conditions shall be directed to General Licensing Team, Regulated Services, Borough Economy Sandwell Council House, PO Box 2374, Oldbury, B69 3DE, by email: licensing_team@sandwell.gov.uk or telephone: 0121 569 6740.
- (ii) These conditions apply to all premises licensed as a "sexual entertainment venue" as defined by the 1982 Act, and set out the terms, conditions and restrictions on or subject to which licences under Schedule 3 of the 1982 Act are in general to be granted, renewed, varied or transferred.
- (iii) "Sexual Entertainment Venue" ("SEV") means any premises at which relevant entertainment is provided before a live audience, directly or indirectly for the financial gain of the organiser or the entertainer.
- (iv) "Premises" includes any vessel, vehicle or stall but does not include any private dwelling to which the public is not admitted.
- (v) 'Relevant Entertainment' means any live performance or 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).
- (vi) The Council may at any time waive, modify or vary these conditions or impose additional special conditions in any particular case.
- (vii) If the Licensee wishes any of the terms of the licence to be varied at any time an application must be made to the Council.
- (viii) In the event of a conflict between these prescribed conditions and any specific additional conditions imposed by the Council on a SEV licence those additional conditions shall prevail.

OPENING HOURS

1. The licensed premises shall not be open nor used for the purposes for which the licence is granted except between the hours prescribed within the licence or those hours of operation determined by the Licensing Committee.

WINDOW, FASCIA BOARD ADVERTISEMENT AND DISPLAYS

2. The licensee shall ensure that those areas of the premises in which relevant entertainment is offered shall not be capable of being seen from outside the premises.
3. The windows, doors fascia board, walls and other external parts of the premises including the roof shall not contain any form of writing, sign or display save for:
 - (a) The address of the premises.
 - (b) The licensed name of the premises.
 - (c) A notice stating the opening hours of the establishment.
 - (d) In the case of a licence granted to a body corporate:
 - (i) If the premises name is not the same as the full name of the body corporate, then such corporate name and;
 - (ii) If the premises are also the body's registered office for the purposes of the Companies Acts then an indication in a form acceptable to the company that such is the case.
4. The lettering used in respect of such permitted items shall be of such colour and style as may be approved by the Council.
5. With the exception of the requirements of condition 30 the licensee shall not permit the display outside of the premises of any advertisement, photographs or other images other than those specifically authorised by the licence.

LICENSED NAME

6. At the time of granting the SEV licence the Council will approve a name, referred to as "The Licensed Name", by which the premises shall be known, and the licensee shall ensure that the premises are known solely by that name and by no other, subject to paragraph 7 below.
7. To change the licensed name, a minor variation application shall be made to the Council not less than 28 days prior to the proposed change. Any such change of name shall be at the discretion of the Council.

DISPLAY OF LICENCE

8. A copy of the Licence and the conditions shall be on display in the premises at all times and in a position that can easily be seen by all persons frequenting the premises.
9. A copy of the conditions of the Licence insofar as they relate to performances (ie, conditions 27 to 39) shall be given to all performers prior to them performing at the premises, and a copy shall be on display in the performers changing rooms at all times the premises are open for business.

RESPONSIBILITY OF THE LICENSEE

10. The licensee shall take all reasonable precautions for the safety of the public and employees on its premises and, except with the consent of the Council, shall retain control over all parts of the premises. Any request to sublet the premises following the granting of the licence will need to be determined by an application to the Council to vary the licence.
11. If the premises are used for other forms of regulated entertainment not connected with the relevant sexual entertainment, it will be necessary for a premises licence to be granted under the Licensing Act 2003.
12. The licensee shall be responsible for ensuring compliance with these and any special additional conditions of the licence and will be held responsible for any breach of the conditions.
13. The licensee or a responsible person over 18 years of age nominated by them in writing for the purpose of managing the SEV in their absence shall be in charge of and upon the premises during the whole time they are open to the public.
14. The written nomination referred to in condition 13 above shall be maintained in a daily register, kept on the premises and made immediately available for inspection by an authorised officer of the Council or a police officer.
15. The person in charge shall not be engaged in any duties which prevents them from exercising general supervision of the premises, in particular those areas where relevant entertainment takes place, and they shall be assisted as necessary by a suitable number of persons so as to ensure proper supervision.
16. A notice showing the name of the person responsible for the management of the SEV shall be prominently displayed within the premises throughout the period during which they are responsible for its conduct.

17. The licensee must ensure that there is a current insurance policy in force to cover the performers whilst the premises are open and that a copy is displayed in all areas where staff have access.

EMPLOYEES AND MANAGEMENT STAFF

18. The licensee shall at all times keep and maintain at the licensed premises a written record of the names, addresses, and copies of photographic proof of age documents of all persons employed or performers contracted to operate within the licensed premises whether upon a full or part time basis and shall, upon request by an authorised officer of the Council or police officer, make such records immediately available for inspection to them.
19. The term contracted does not relate to persons engaged to carry out repairs or provide services from external companies to the premises, however, such persons must be aged 18 years and over if the premises are open for business.
20. The licensee shall ensure that all persons employed or contracted to work within the licensed premises hold the appropriate rights to work and shall keep copies of any documentation used to verify the details of these rights where necessary. The necessary documentation shall be available for inspection on request.
21. The licensee or a responsible person purporting to act upon their behalf must provide the Council with written notification as to the names, addresses and dates of birth of such person or persons (whether employees or otherwise connected with the business) who have authority to manage the premises in the licensee's absence, and shall produce the same, on request, to any authorised officer of the Council or a police officer.
22. Where the licensee is a body corporate or an unincorporated body any change of director, company secretary or other person responsible for the management of the body is to be notified by way of a minor variation application to the Council within 14 days of such change.

ALTERATIONS TO PREMISES

23. Any alterations or additions, either internal or external and whether permanent or temporary, to the structures, lighting or layout of the premises, including any change in the permitted signs on display shall not be made except with the prior approval of the Council by way of a variation application.

RULES RELATING TO PERFORMANCES

24. Any rules imposed on the performers shall be displayed in a prominent position

within the premises for all employees to have easy access to whilst at work and on the company's web site.

25. A copy of the club rules shall be provided to performers engaged by the premises by means of a written contract signed by the recipient. The signed copies shall be retained on the premises and be available for inspection on request.
26. Copies of the same must be retained on the premises and produced to an authorised officer of the Council or police officer on request.

PERFORMANCES

27. No person under the age of 18 shall be on the licensed premises at any time during the hours of operation stated. A notice shall be clearly displayed at the entrance to the premises in a prominent position advising customers that no one under the age of 18 will be admitted and that they may be asked to produce evidence of their age in accordance with condition 28 below.
28. The premises shall operate a 'Challenge 25' policy whereby any person who appears to be under the age of 25 must be asked to produce on request, and before being admitted to the premises, identification showing that they are over 18 years of age. The identification must contain their photograph, date of birth and a holographic mark and shall be either a passport, photographic driving licence or a proof of age card carrying a 'PASS' logo.
29. Each area where relevant entertainment is conducted shall be effectively supervised at all times and shall contain a panic alarm for the safety of performers.
30. All areas within the premises, especially those areas where performances are permitted to take place, shall display signs advising clients of the rules and conditions of the licence regarding improper performances.
31. All performers must be at least 18 years old.
32. Relevant sexual entertainment shall only be permitted in the approved designated areas, as stipulated or shown on the plan attached to the licence. With the exception of the designated areas, in all other areas within the premises the performers and employees must at all times be dressed in such a way so that no nudity or underwear is visible under their clothes.
33. During any performance (including performances usually termed 'private dances') there must not be any deliberate contact by the performer, with any customer or other person within the viewing audience except:

- a. Leading a patron hand in hand to and from a chair or private room or designated dance area.
 - b. Simple handshake greeting at the beginning and/or end of the performance.
 - c. A customary (“peck on the face”) kiss at the end of the performance.
 - d. The placing of monetary notes or dance vouchers into the hand of, or garter worn by, the performer.
34. No performances shall perform any sex act with any other performers, patrons, employees, contractors, or with the use of any objects.
 35. A price list shall be displayed in a prominent position giving the price and the time allowed for any of the performances.
 36. All persons connected with or employed by the business who can be seen from outside the premises must be dressed in such a manner so that no nudity or underwear is visible under their clothing.
 37. No fastening or lock of any description shall be fitted upon any booth or cubicle or other area within the premises except within the toilets or within the performers dressing rooms and staff areas.
 38. At all times during a performance, performers shall have direct access to a dressing room without passing through or in close proximity to the audience or other customers. Access to dressing rooms shall be restricted to performers only at all times.
 39. Customers and/or members of the audience shall not take photographs or record digital images of performers within the premises via a camera or mobile phones or any other equipment.

SECURITY STAFF

40. The licensee shall ensure all door supervisors employed or contracted to work on the premises are properly licensed by The Security Industry Authority or other appropriate agency with statutory responsibility for licensing door supervisors.
41. An adequate number of door supervisors or other security staff, based on a risk assessment undertaken by the licensee, shall be on duty on the premises at all times during the hours of operation, so as to ensure proper supervision of the performances and also to prevent entry to the premises by those under 18 years of age.

CCTV

42. CCTV shall be installed in each room within the premises where the public have access, except for the toilets and staff areas. All cameras shall continuously record whilst the premises are open to the public and video or digital recordings shall be kept available for a minimum of twenty-eight days.
43. A member of staff who is fully trained in the use of the CCTV system shall be on duty at all times when the premises are open until the premises are clear of customers, cleared of all staff and closed.
44. The premises will provide any footage of any recordings immediately upon request by a police officer or an authorised officer of the Council.

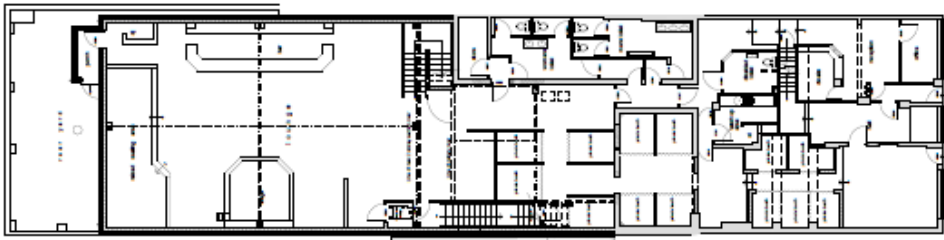

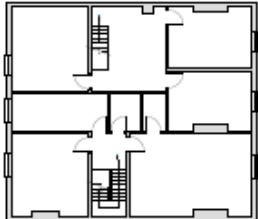
TOUTING FOR BUSINESS AWAY FROM THE PREMISES.

45. The licensee shall not allow the use of vehicles whether mobile or stationary, (including limousines), for the promotion of the relevant entertainment unless otherwise authorised by the licence.
46. The licensee or its agents, servants, employees, contractors or performers shall not tout for business and/or customers outside of, or away from, the licensed premises by any means unless specifically authorised by the licence.
47. The licensee shall ensure that any marketing communications associated with the SEV or any relevant entertainment shall comply with the code of practice as issued by the Advertising Standards Authority.

ADMISSION OF AUTHORISED OFFICERS

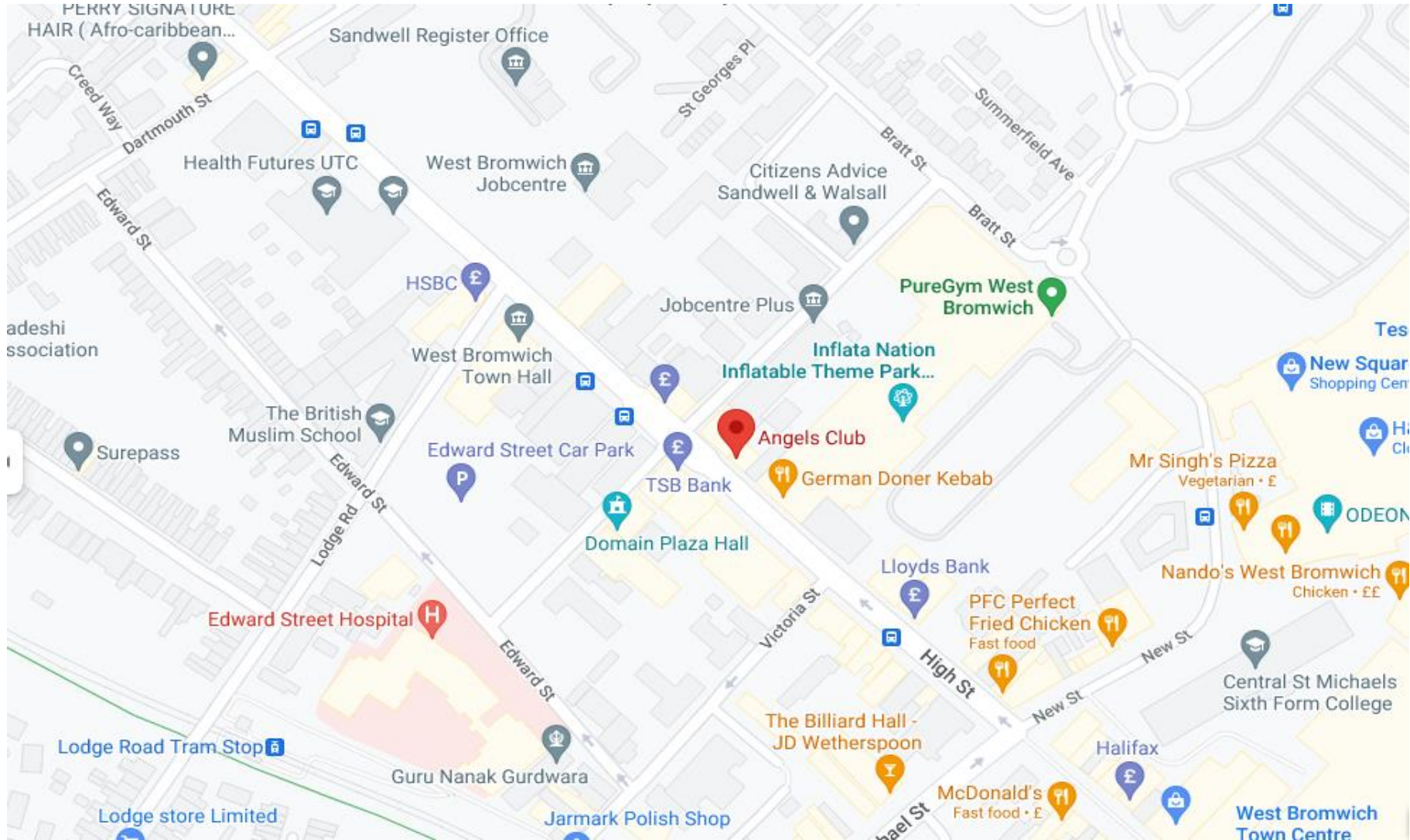
48. Police officers and authorised officers of the Council shall be admitted without obstruction at all reasonable times to all parts of the premises and, in any event, at any time the premises are open for business.

Annex - Plan

 <p style="text-align: right;">Ground Floor Plan</p>	 <p style="text-align: right;">First Floor Plan</p>	 <p style="text-align: right;">Second Floor Plan</p>
<p>T·A·Y·L·O·R W·E·L·L·S D·E·S·I·G·N</p> <p style="font-size: small;">ARCHITECTS</p> <p style="font-size: x-small;">100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000</p>	<p>Project Proposed 2 storey, single storey rear extension</p>	<p>Address The Anchor, 303 High Street, West Bromwich, B70 8ND</p>
<p>Drawing Title Layout Plans</p>		
<p>DATE: 17/05/2017 TIME: 10:00 JOB NO: 1014</p>	<p>DATE: 17/05/2017 TIME: 10:00 JOB NO: 1014</p>	<p>DATE: 17/05/2017 TIME: 10:00 JOB NO: 1014</p>

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Appendix 3 – Location of premises (Angels Gentlemen’s Club, 303 High Street, West Bromwich, B70 8ND)



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Report to Licensing Sub Committee 1

24 April 2023

Not for Publication

Exempt information: relating to any individual

The information contained in this report is strictly confidential and in accordance with the appropriate Codes of Conduct, must not be disclosed to unauthorised persons.

Subject:	Private Hire/Vehicles/Operators Licence related matters
Director:	Director of Borough Economy - Alice Davey
Contact Officer:	Fiona Gee – Licensing Manager Fiona_gee@sandwell.gov.uk David Elliott – Solicitor David_Elliott@sandwell.gov.uk

1 Recommendations



That the Committee take appropriate action in respect of individual licence applications and current licences in view of the information presented.



2 Reasons for Recommendations

To allow the Licensing sub-committee to make an informed decision in respect of individual licence applications and current licences in view of the information presented to them.

3 How does this deliver objectives of the Corporate Plan?

	Best start in life for children and young people: Our workforce and young people are skilled and talented geared up to respond to changing business needs to win rewarding jobs in a growing economy locally.
	Strong resilient communities: Our communities are built on mutual respect and taking care of each other, supported by all the agencies that ensure we feel safe and protected in our homes and local neighbourhoods.

4 Context and Key Issues

4.1 Section 51 of the Act provides that a district council shall on receipt of an application from any person for the grant to that person of a licence to drive private hire vehicles, grant to that person a licence:

- a) unless they are satisfied that the applicant is not a fit and proper person for the grant to that person of a licence to drive private hire vehicles, grant to that person a licence;
- b) to any person who has not for at least twelve months been, and is not at the date of application for a driver's licence, the holder of a licence granted under part III of the Act of 1972, 1988 (not being a provisional licence) authorising him to drive a motor car.

4.2 Section 61 (1) of the Act states that a district council may suspend, revoke or refuse to renew a private hire/hackney carriage driver's licence on any of the following grounds:

- a) the holder has, since the grant of the licence;
 - i) been convicted of an offence involving dishonesty, indecency or violence, or



- ii) been convicted of an offence or failed to comply with the provisions of this part of the Act, or
- iii) any other reasonable cause.

(2A) Subject to subsection (2B) of this section, a suspension or revocation of the licence of a driver under this section takes effect at the at the end of the period of 21 days beginning with the day on which notice is given to the driver under subsection (2)(a) of this section.

(2B) if it appears that the interest of public safety requires the suspension or revocation of the licence to have immediate effect, and the notice given to the driver under subsection (2)(a) of this section includes a statement that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver.

4.3 Section 48 of the Act states that a district council may on the receipt of an application from the proprietor of any vehicle for the grant in respect of such vehicle of a licence to use the vehicle as a private hire vehicle, grant in respect thereof a vehicle licence:

Provided that a district council shall not grant such a licence unless they are satisfied:-

- (a) that the vehicle is:-
 - (i) suitable in type, size and design for use as a private hire vehicle;
 - (ii) not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage;
 - (iii) in a suitable mechanical condition;
 - (iv) safe; and
 - (v) comfortable;
- (b) that there is in force in relation to the use of the vehicle a policy of insurance or such security as complies with the requirements of part VI of the Act of 1972.



Section 55 of the Act states:-

(1) Subject to the provisions of this Part of this Act, a district council shall, on receipt of an application from any person for the grant to that person of a licence to operate private hire vehicles grant to that person an operator's licence:

Provided that a district council shall not grant a licence unless they are satisfied that the applicant is a fit and proper person to hold an operator's licence.

(2) Every licence granted under this section shall remain in force for such period, not being longer than five years, as a district council may specify in the licence.

(3) A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary.

(4) Any applicant aggrieved by the refusal of a district council to grant an operator's licence under this section, or by any conditions attached to the grant of such a licence, may appeal to a magistrates' court.

4.4 Section 56 of the Act states:-

(1) For the purposes of this Part of this Act every contract for the hire of a private hire vehicle licensed under this Part of this Act shall be deemed to be made with the operator who accepted the booking for that vehicle whether or not he himself provided the vehicle.

(2) Every person to whom a licence in force under section 55 of this Act has been granted by a district council shall keep a record in such form as the council may, by condition attached to the grant of the licence, prescribe and shall enter therein, before the commencement of each journey, such particulars of every booking of a private hire vehicle invited or accepted by him, whether by accepting the same from the hirer or by undertaking it at the request of another operator, as the district council may by condition prescribe and shall produce such record on request to any authorised officer of the council or to any constable for inspection.



(3) Every person to whom a licence in force under section 55 of this Act has been granted by a district council shall keep such records as the council may, by conditions attached to the grant of the licence, prescribe of the particulars of any private hire vehicle operated by him and shall produce the same on request to any authorised officer of the council or to any constable for inspection.

(4) A person to whom a licence in force under section 55 of this Act has been granted by a district council shall produce the licence on request to any authorised officer of the council or any constable for inspection.

(5) If any person without reasonable excuse contravenes the provisions of this section, he shall be guilty of an offence.

4.5 Section 62(1) of the Act states a district council may suspend or revoke, or (on application therefore under section 55 of this Act) refuse to renew an operator's licence on any of the following grounds:-

- (a) any offence under, or non-compliance with, the provisions of this Part of this Act;
- (b) any conduct on the part of the operator which appears to the district council to render him unfit to hold an operator's licence;
- (c) any material change since the licence was granted in any of the circumstances of the operator on the basis of which the licence was granted; or
- (d) any other reasonable cause.

4.6 Section 60 of the Act states that a district council may suspend or revoke or refuse to renew a vehicle licence on any of the following grounds:-

- (a) that the hackney carriage or private hire vehicle is unfit for use as a hackney carriage or private hire vehicle;
- (b) any offence under, or non-compliance with, the provisions of the Act of 1847 or of this part of this Act by the operator or driver; or
- (c) any other reasonable cause.



- 4.7 Individual case details are appended which refer to unspent convictions. Unspent convictions are those not covered by the Rehabilitation of Offenders Act 1974.
- 4.8 If an application is refused, suspended or revoked the applicant has the right of appeal to the Magistrates Court.

5 Alternative Options

There are no alternative options.

6 Implications

Resources:	There are no resource implications in this report
Legal and Governance:	Article 6 of the Human Rights Act 1998 state that in determination of a person's civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Article 8 states that everyone has the right to respect for his private and family life, his home and his correspondence. Part II, Article 1 of the Act states that 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 on international law.
Risk:	The Licensing sub-committees help to deter and prevent disorder by exercising its quasi-judicial powers.
Equality:	It was not necessary to undertake an Equality Impact Assessment.
Health and Wellbeing:	There are no direct health and wellbeing implications from this report.
Social Value	Implications for social value and how the proposals are meeting this (for e.g. employment of local traders, young people)



7. Appendices

Cases for consideration attached.

8. Background Papers

- Local Government (Miscellaneous Provisions) Act 1976
- Council Policy and Guidelines
- Human Rights Act 1998



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Licensing Committee

Consideration with regard to granting licences for private hire vehicle and hackney carriage drivers and operators falls within the remit of the Licensing Committee and is delegated to the Sub Committee.

This requires the Sub Committee to receive personal information about the licence applicants that cannot be made publicly available under Access to Information and Data Protection legislation. Consequently the information cannot be released.

The Council would like to apologise to you for any inconvenience that the unavailability of this information may cause you.

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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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