

1982 ACT HEARING PANEL

14 FEBRUARY 2012

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 SCHEDULE 3 POLICING AND CRIME ACT 2009 SECTION 27

APPLICATION FOR THE GRANT OF A LICENCE FOR A SEXUAL ENTERTAINMENT VENUE TENSHI AT THE CASINO ROOMS BLUE BOAR LANE ROCHESTER ME1 1EH

Report from: Angela Drum, Head of Legal Services

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1. Summary of the application

- 1.1 An application has been received from APS Casino Properties Ltd in respect of Tenshi at The Casino Rooms, Blue Boar Lane, Rochester, which is primarily used as a nightclub and function venue.

Particulars -

- The part of the building to which this application relates is an area of the ground floor (known as the red rooms) shown edged in red on the attached plan at **appendix A** ("The Premises")
- It is proposed that people attending will share the same toilets as the nightclub facilities in a shared lobby area.
- The application seeks the following hours/days to trade for the activities of lap dancing/stripping, retail of alcohol and dancing music/sporting events -

Wednesday	2000 to 0300
Thursday	2000 to 0300
Friday	2000 to 0300
Saturday	2000 to 0300

- 1.2 The relevant additional documents required under section 6 of the application form have been supplied to the Licensing Unit as part of this application.

- 1.3 Plans showing the site location, site layout, (both of which have been verified by the licensing unit) can be found at **appendix A**;
- 1.4 The background-operating schedule & risk assessment with Crime Prevention Strategy and supplementary information can be found at **appendix B**.

2. Background

- 2.1 Medway Council adopted Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (“the 1982 Act”), on 19 July 2000 with an effective date of 1 September 2000 and adopted the amended Schedule 3 on 13 January 2011.

When dealing with an application for a sex establishment licence, the panel are not acting as the licensing panel under the Licensing Act 2003 (“the 2003 Act”) but are instead exercising the Council’s functions under Schedule 3.

The Policing and Crime Act 2009 (“the 2009 Act”) gives local communities a stronger say over the establishment and location of venues such as lap dancing clubs and similar establishments in their area, and gives Local Authorities more power to regulate sexual entertainment venues. The 2009 Act brought the licensing of venues such as lap dancing clubs in line with other sex establishments such as sex shops and sex cinemas.

Where the amended Schedule 3 of the 1982 Act has not been adopted sexual entertainment venues remain regulated under the 2003 Act and require a Premises Licence under Section 1 of the 2003 Act.

From April 2010 sexual entertainment venues may be regulated under the 1982 Act, where a local authority has resolved to adopt the revised Schedule 3 to the 1982 Act. This Local Authority resolved to adopt Schedule 3, as amended, on 13 January 2011 and must therefore consider this application under the provisions of the 1982 Act. The 1982 Act enables the Council to consider a wider range of matters in determining whether or not to grant a licence and gives the Council the ability to impose a wider variety of conditions e.g. relating to opening hours, advertisements and the visibility of the interior to passers by. The Council has the ability under the 1982 Act to refuse to grant or renew a Licence on the grounds that such a venue would be inappropriate having regard to the character of the area, the use of other premises in the area and can also have regard to the number of similar premises in the area.

Similarly, local residents are able to make written representations to the Council on these grounds, rather than being limited to making representations based on the four licensing objectives found in the 2003 Act (which are prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm).

With the new legislation, there are no “grandfather rights” for existing clubs. If they wish to continue trading they need to apply for a Licence

under the new regime. A transitional period of 12 months was given to existing clubs to apply for a new Licence.

Existing clubs or those wishing to operate new sexual entertainment venues needed to make an application for a new licence to the Local Authority and are required to give public notice of the application in a local newspaper and at the premises. Any persons wishing to object to the application must give written notice within a statutory 28-day consultation period stating the general grounds of their objection.

3. Objections (Home Office Guidance)

- 3.1 When considering an application for the grant, renewal or transfer of a licence the appropriate authority should have regard to any observations submitted to it by the chief officer of police and any objections that they have received from anyone else within 28 days of the application. Any person can object to an application but the objection should be relevant to the grounds set out in paragraph 12 of Schedule 3 for refusing a licence (para 3.2 below). Objections should not be based on moral grounds or values and local authorities should not consider objections that are not relevant to the grounds set out in paragraph 12.

Paragraph 12 of Schedule 3 sets out the grounds for refusing an application for the grant, renewal or transfer of a licence.

- 3.2 A licence **must not** be granted:

- (a) to a person under the age of 18;
- (b) to a person who is for the time being disqualified due to the person having had a previous licence revoked in the area of the appropriate authority within the last 12 months;
- (c) to a person, other than a body corporate, who is not resident in an EEA State or was not so resident throughout the period of six months immediately preceding the date when the application was made; or
- (d) to a body corporate which is not incorporated in an EEA State; or
- (e) to a person who has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

A licence **may be** refused where:

- (a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- (b) if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;

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

A decision to refuse a licence must be made on one or more of the above grounds.

4. Relevant Representations

- 4.1 Comments and observations have been received from two members of the public and a residents association stating in the main that
- this type of venue would be inappropriate for the character of the area
 - the location is unsuitable for this type of business

Copies of the above providing full details of the comments and observation received can be found at **appendix C**.

- 4.2 If any representations are withdrawn prior to the hearing they cannot be taken into account.

The hearing will be advised verbally of any subsequent withdrawals between the dispatch of this agenda item and the date of the hearing.

5. Further Information

- 5.1 The locality, character and layout of the premises –

Locality

The Premises are located in a building (known as the Casino Rooms) in the historic part of Rochester, well within the relevant conservation area.

The building is located on the corner of Corporation Street, which forms part of the A2 and Blue Boar Lane: -

- one side is directly opposite the Blue Boar Lane car park
- on the other side opposite residential properties and a social club on Corporation Street.

There are numerous licensed premises (Licensing Act 2003) in the vicinity of the premises that also form part of the nighttime economy.

There are shops/businesses that operate during the day immediately around the premises.

There are residential properties above the nearby shops/businesses and a large residential building opposite the premises.

The building in which the Premises are located operates solely as a business (i.e. there are no residential units within the building).

Further types of building near to the location of the premises: -

- The nearest church is in Crow Lane.
- The nearest school is Kings School, Boley Hill / Crow Lane.
- The nearest public recreation space is in Crow Lane
- The nearest historic buildings are Rochester Cathedral and Rochester Castle.

There is one licensed sex establishment already in the vicinity of these premises. There are other premises in Rochester that are providing relevant entertainment that will be limited to 11 per calendar year through the exemption or will have to apply for a licence by April 2012.

Character

The premises is well known for trading as a night club but has and will continue to provide a multi-purpose entertainment venue.

The venue offers a number of facilities and can hire part or all the venue for a variety of events which includes:

- Corporate functions
- Sporting Awards Nights
- Sporting Events (such as Worlds Dart Tournament)
- Live TV broadcasting of sporting events
- Wedding Receptions
- Birthday parties
- Craft and Collectors Fairs
- Trade Fairs
- Fashion Shows
- Cabaret nights
- Ladies and Gentlemen nights (providing adult entertainment)
- Under 18's night club
- Night Club
- Live Music Events

Layout of the Building in which the Premises are located

The building in which the Premises are located has 3 floors. The trading areas are the Ground Floor and First Floor. The basement is used for storage/cellar.

The First Floor

Large function room with a number of bars the entrance to the first floor can be from the Corporation Street lobby entrance or Blue Boar Lane lobby entrance.

The Ground Floor can be split into 2 separate venues:

- Dance Floor (night club room) with separate entrance/lobby from Blue Boar Lane.
- Red Rooms/Bar area (the Premises which is the location of the proposed Sexual Entertainment Venue) accessed by a separate entrance/lobby from Corporation Street.

The Premises (Red Rooms)

This room has 3 entry points/doors of which 2 will be in operational for customers: These are the doors from the lobby on from the Corporation Street entrance and the doors from the lobby from the Blue Boar Lane entrance. The doors between the main dance floor (night club room) and the Red Rooms are fire doors and cannot be opened by the public from either side. The doors are magnetic and can only be released when the fire alarm system is activated. There is an internal door near to the curtained booth areas, which is the entrance to the performers changing room and facilities. Staff and management will monitor this door.

APS Casino Properties Limited has not made any alterations to the venue before they applied for a Sexual Entertainment Licence. The applicant has advised that they it undertake work on the layout if a licence is granted prior to trading.

These include: -

- Black out curtains/black out windows within all the internal doors that have entry/exit from and to the Red Room to public areas to stop those who are in the building from seeing into the area providing adult entertainment.
- Staff changing area and toilet for performers to be refurbished.
- Increase and updating of CCTV system in the Red Room including cameras in the changing area. (Cameras are highlighted on the plan)
- Provide 4 separate booths with curtains for privacy of private lap dancing that includes nudity. CCTV will be in operation in each booth. (These are outlined in the plans).

The times of operation

The times applied for relevant entertainment are:

Wednesday	20:00 to 03:00
Thursday	20:00 to 03:00
Friday	20:00 to 03:00
Saturday	20:00 to 03:00

Under the Licensing Act 2003 the premises is authorised for the following:

Sale of Retail of Alcohol and Regulated Entertainment

Monday to Sunday 09:00 to 03:30

Opening Hours

Monday to Sunday 09:00 to 04:00

The suitability of the applicant

The freeholder and applicant of the premises is APS Casino Properties Ltd.

The following are named in the application as the persons responsible for management of the establishment.

- Aaron Stone (Operations Manager of Casino Rooms)
- Peter Roue (Operations Manager of Circus Tavern who will cover Mr Stone in his absence).
- Joseph Stone (Director of the company who liases over policy and procedures with operation managers)

Kent police have confirmed that they have no objections to these individuals and have not submitted a representation on this application.

Experience

Aaron Stone

Mr Aaron Stone has informed us that he has been in the licensed trade for 25 years and held a justices licence, converted to a personal licence following changes in legislation since 1990.

- In 1990 he started as a manager at a Snooker Club in Maidstone and also at the Casino Rooms, which was at that, time Snooker.
- He also worked at the Circus Tavern in Essex in the running of cabaret events and adult entertainment.
- In 1992 he took over the Casino Rooms, which was converted into a multi-purpose entertainment venue.

Mr Aaron Stone has/is:

- A personal licence with Medway Council and has undertaken the new BIIAB Levels 2 Award for Personal Licence Holders. He is also the designated premises supervisor (DPS) under the Licensing Act at the Casino Rooms.
- A current SIA Door Supervisor licence
- Qualified First Aider.
- Attended Health and Safety courses.

Mr Aaron Stone also participates on a voluntary basis on the following: -

- Founding Chairman of the Safer Medway Partnership since 2006
- Board member of the Medway Alcohol Partnership
- Provides a trade point of view on the Strategic Executive Group chaired by Councillor Mike O'Brien.
- Board member of the Business Advisory Group, which looks at Crime Prevention, held at Kent Police Force Headquarters.

Mr Aaron Stone has confirmed that these meetings are held every 2-3 months on a voluntarily basis during the daytime and do not impact on the operations of the Casino Rooms.

Peter Roue

Mr Peter Roue has informed us that he has been in the licensed trade for 42 years and held a justices licence, converted to a personal licence following changes in legislation for 39 years, which has all been at the Circus Tavern in Essex as General Manager.

Mr Roue has/is:

- Holds a personal licence (under grandfather rights) and is the designated premises supervisor (DPS) at the Circus Tavern in Essex.
- Holds a current SIA Door Supervisor licence
- Attended Food Hygiene courses.
- Attended Health and Safety courses.

Mr Roue has been running adult entertainment events at Circus Tavern since 1990/1991. At the time of setting up the venue to provide adult entertainment the only other venues offering such entertainment were based in London. Mr Roue attended venues so that he could learn how best to provide such entertainment in Essex.

Mr Roue has fully trained a team in running such events at the Circus Tavern which now provides him more time to provide support to the Casino Rooms as it is only 25 minutes drive away during the evenings. Mr Roue has confirmed that he will be at the venue when it is operating in Mr Stone absence.

Joseph Stone

Mr Joseph Stone has informed us that he has been in the licensed trade for 6 years and worked up through the different positions at different venues.

- Worked at Amadeus for 6 years.
- Worked at Circus Tavern for 4 years.

Mr Joseph Stone has/is:

- Holds a personal licence.
- Holds a current SIA Door Supervisor licence.
- First Aider.

Mr Joseph Stone role is now Director of APS Casino Properties Ltd and liases with the different operations managers at a number of licensed venues that include adult entertainment.

Should the panel decide to grant this application attached at **appendix D** are suggested conditions that officers would recommend the panel to impose.

6. Policy Considerations

- 6.1 Local Government (Miscellaneous Provisions) Act 1982.
Policing and Crime Act 2009.
The Council Policy on Sex Establishments

7. Recommendations

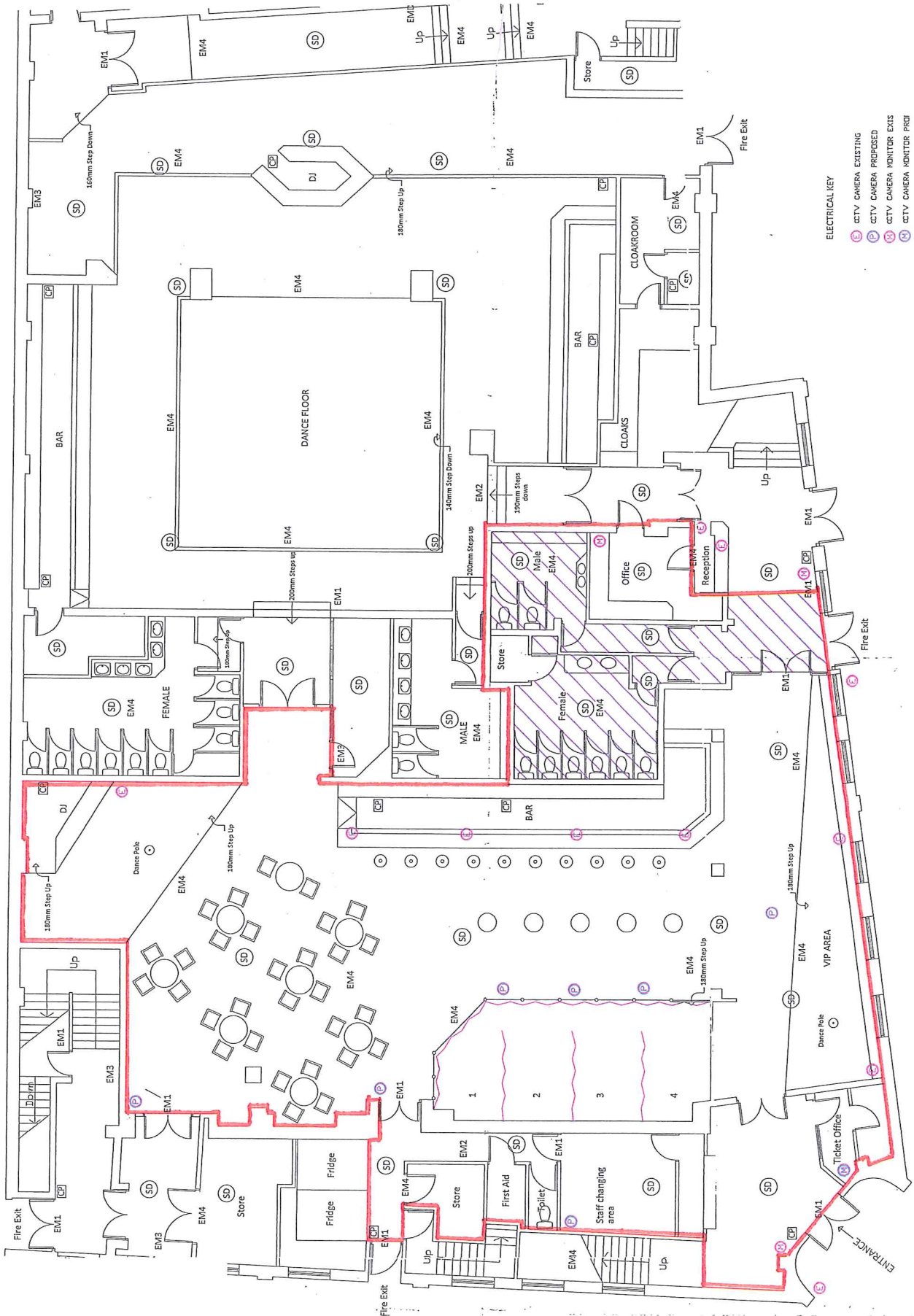
- 7.1 That the Panel considers and determines the application.

Background papers

Local Government (Miscellaneous Provisions) Act 1982.
Policing and Crime Act 2009.
The Council Policy in respect of Sex Establishments

Lead officer contact:

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- ELECTRICAL KEY**
- (E) CCTV CAMERA EXISTING
 - (P) CCTV CAMERA PROPOSED
 - (M) CCTV CAMERA MONITOR EXIS
 - (N) CCTV CAMERA MONITOR PROJ
 - EM1 EMERGENCY EXIT ARROW
 - EM2 EMERGENCY EXIT ARROW
 - EM3 EMERGENCY EXIT ARROW
 - EM4 EMERGENCY EXIT ARROW
 - SD SMOKE DETECTOR
 - HD HEAT DETECTOR
 - CP CARD PRINTER
 - EM4S ELECTRO-MAGNETIC-DOOR STAY SYSTEM
- GENERAL NOTE: FIRE ALARMS INTERGAL SYSTEM



APS Casino Properties Limited

The Casino Rooms

Blue Boar Lane

Rochester

Kent ME1 1PD

Background
Operations Schedule
&
Risk Assessment with
Crime Prevention Strategy

December 2011

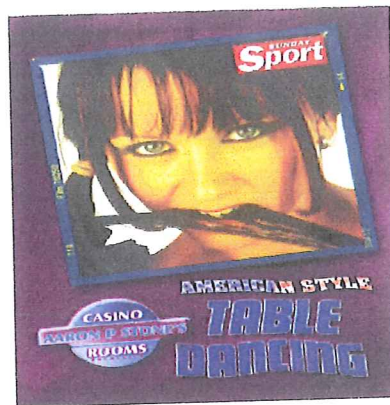
Contents

- Background
- Club Description
- Location
- Management Structure
- Day to Day Operations Schedule
- Guidelines for Safe Operation
- Dancer Code of Conduct including Dancer Welfare Policy
- Customer Code of Conduct
- Risk Assessments & Crime Prevention Strategy
- Supplementary current photos of proposed licensed area

Background

The Casino Rooms has historically played host for many forms of entertainment in the last 18 years ranging from the PDC World Darts to Freddy Starr and is more regularly known today for its nightclub and function events.

In the late 1980's the UK was introduced to 'American Style' Table dancing which grew in popularity and many premises played host to this form of entertainment.



Moving to the 1990's this then developed to what is more commonly known as 'Lap dancing'

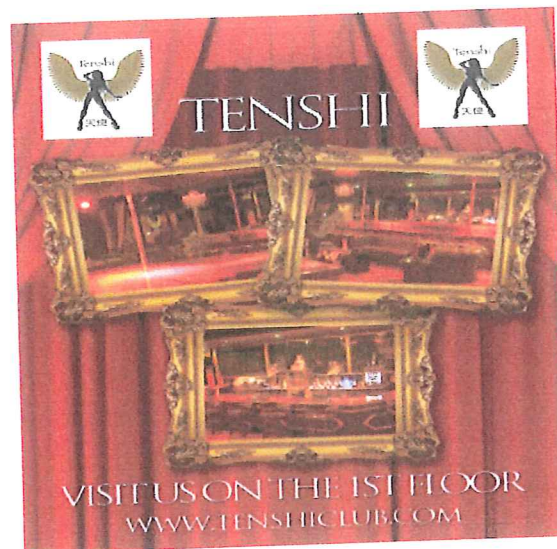


The Casino Rooms historically operated in the adult entertainment market and from the start the operator has had a wealth of experience in this sector in the entertainment industry as demonstrated in this document.

In 2009 a fire took place at venue closing it until February 2010 due to an unpreventable electrical fault. Prior to the fire several of the areas were purpose built to accommodate lap dancing events that

took place on a weekly basis. A variation of the premises license was sort and approved prior to reopening. Then redesign of the club allowed for the continued use of this entertainment and we have operated these events on a less frequent basis. When the new regulations come into force this type of entertainment can be provided without restriction for 11 events a calendar year. The current use of the premises is for frequent than that hence the application.

We seek flexibility to be licensed to allow Lap Dancing, Pole Dancing and Strip Shows of both a male and female nature.



This venue was granted a Premises License in 2005 and previous to that a council entertainment licence that included this licensable activity. Dancing of this adult nature has for many years gone unnoticed by the majority of the public at this location by a discreet marketing strategy and strict operational rules and guidelines.

No problems have arisen with regard to the use of the premises for this purpose.

Many of our operational rules and guidelines have developed from Metropolitan Police procedures.

Club Description

In its current form the Casino Rooms primarily operates as a nightclub venue several nights a week. This can often be supported by supplementary sporting, musical and stage events.

The premises are laid out over 2 floors with a capacity in excess of 1600 supported by substantial CCTV and Fire Exits and systems.

These 2 floors are divided in to 3 trading areas as shown on the plan.

We currently trade a purpose built venue at the Circus Tavern in Essex know as 'Tenshi'. This is licensed to APS CT Properties Limited of which Mr. J Stone is a director and Mr. P Roue is the DPS and Manager of the Venue.

Our objective subject to the grant of the SEL would to use the 'Red Room' area for dual purpose use. The operator is experiences and the Casino Room operation will run along the same lines as its sister site in Essex.

- ***Tenshi Essex***

Tenshi Essex operates as one of the premier Gentlemen's clubs in the UK. The Club prides itself on providing a high standard of furnishing and fittings. This reflects the quality of the custom we aim to achieve.



The main floor area consists of a pay desk and cloaks facility, 2 Bar areas, a dance stage, DJ Box, performers changing area with private toilets and smoking area , Male and Female Toilets and dance booths.



The venue is subject to CCTV throughout the premises. This included the dance booth areas that are subject to individual cameras.

This CCTV is available for 31 days and is always available for Police and Local Authority representatives to view.

The performers as detailed have private secure changing facilities including toilets to ensure that no unsupervised contact can occur with patrons.

The trading area has no exposed windows or areas where persons in the vicinity could see licensable activity taking place similar to the proposal for the Casino Rooms.

Location



The Casino Rooms that proposes to host Tenshi is located on the Blue Boar Lane in Rochester.

It is set back from the main High Street thorough fair and although substantial in size in the area it has no windows into the property apart from the 2 main reception areas.

Although the premises is located in the centre of a historic town it has always ensured that there is no evidence of entertainment of an adult nature taking place in its marketing of events.

The venue is located on its own footprint and has the benefit of substantial car parking opposite the property.

The venue is placed in around a mix of commercial and residential property. It has always attempted to live harmoniously with its neighbours and has always welcomed feedback from the public towards and concerns.

Management Structure

- ***Joseph Stone – Director***

Mr. Stone has been the director of the applicant company for over 6 years. He has actively worked in the licensed sector and holds a personal license. He has also previously worked as General Manager for a large licensed premise with a capacity of 2270. He is currently also the director of several companies that operate venues which were licensed for adult entertainment under the licensing act of 2003.

- ***Aaron Stone – General Manager***

Mr. Stone has worked in the licensed sector from a young age from the bar to company director. He brings a wealth of experience to the application as he has managed adult entertainment from the point of its inception in the UK Market at both the Circus Tavern in Essex and the Casino Rooms in Rochester. He is currently the holder of personal license, a front line SIA License and a First Aid certificate and responsible for day to day operations at the Casino Rooms.

He is a key figure in the relationship between the police, local authority, licensed and retail businesses as the Chair of the Safer Medway Partnership and is also a member of several key multi agency committees that determine the management of the licensed sector in Medway.

Furthermore he is the designated premises supervisor for several venues in the immediate vicinity in Rochester High Street that were licensed for adult entertainment under the licensing act of 2003.

- ***Peter Roue – Tenshi Manager at Circus Tavern***

Mr. Roue has been the GM at the Circus Tavern for over 20 years and again brings a wealth of experience to this application through his experience through the years within adult entertainment. He is currently the Designated Premises Supervisor for the Circus Tavern and responsible for the day to day operations of this venue and also holder of a frontline SIA Door Supervisor badge. He has been responsible for the operation of Tenshi since its opening in 2008 and has established an excellent relationship with the Police and local authority.

The Casino Rooms is further supported by the duty management team that currently has 30 years combined experience in the licensed sector and experience in adult entertainment.

Day to Day Operations

Operating Schedule

Relevant Entertainment- Lap Dancing, Pole Dancing, Strip Shows
(Male or Female)

Hours of operation- Wednesday to Saturday 20:00 to 03:00

SEL License Manger to be present at all times during operations.

- The premises would normally commence trade around 9pm except for special events.
- Performers are expected to arrive prior to opening to minimise outside contact with patrons.
- All performers must sign the attendance register prior to changing and any new performers must complete induction explaining the house rules, codes of conduct and the provision of documents to support eligibility to work.
- The premises are inspected by the Duty Manger prior to opening including checking of CCTV systems.
- A Security Industry Authority approved door supervisor greets all patrons and directs their attention to rules of conduct and patrons are asked to pay subject to their agreement to terms.
- Patrons may approach the bar areas to purchase drinks and waitress service is available at peak times.

- Patrons may stand at the bar area or be seated in the seating provided around the stage area.
- Performers will dance on the main stage area to music as called by the DJ and directed by the Duty Manager.
- Performers may interact verbally with patrons in the main floor area. Patrons who request a personal dance are escorted to the dance bay area which is covered by monitored CCTV and staff.
- On completion of a dance the performer and patron will return to the main floor area immediately.
- This operation will continue until closing time where patrons are asked to leave.
- Once the patrons have cleared the car area performers are escorted to transport.
- The venue is then secured.
- During the operation the Duty Manager is either present on the operational floor area or monitoring the areas on CCTV.

Guidelines for Safe Operation

- 1) Lap Dancing and Pole Dancing will only take places in the areas as approved by plans from the local authority.
- 2) Patrons are only permitted in areas as licensed by the local authority.
- 3) No Person under 18 shall be permitted and a Challenge 25 policy will be in force only accepting government approved photo ID.
- 4) No person under 18 will be permitted to work at the premises.
- 5) No solicitation or prostitution is permitted in the premises or its immediate perimeter. Any indication that this is occurring Council CCTV operators and/or police will be informed.
- 6) No displaying or advertising of the activities regulated by the SE License will be visible from the outside of the premise except exemptions specified in the local authority policy. Further more staff are not permitted to 'tout' verbally for customers.
- 7) The premises will be subject to the presence of a Duty Management including staff and door supervisors at all times during operation. This includes the regular inspections of public toilet areas.
- 8) Access will not be permitted to any other areas of the building by passing through SE licensed areas during operation.
- 9) All windows and openings will be blocked from public view from the external areas of the premises.
- 10) The duty manger will ensure that on all external access doors that closers are operational to ensure that public view in external areas is restricted

11)The SE License will be clearly on display available for inspection at all times during operations.

12)CCTV will be installed and in operation during the hours of operations as agreed with local Police. Prominent signs will remind customers of the use of CCTV.

13)CCTV preview monitors will be available in the reception area to assist with licensing inspections.

14)Performers may not stand in the lobby area nor may it be permitted for them to be visible in any way from the exterior of the premises.

15)The duty manager will be named on a sign for each operational shift when SE license is in use which will be displayed in the reception area to assist police or council officers inspecting the premises.

16)The duty manager will ensure that the premises operates in accordance any specific conditions outlined by the SE license.

17)The duty manager shall remain on the premises except in the case of an emergency or when relieved of duty by an alternative duty manager.

18)The duty manager will ensure that the appropriate levels of SIA approved door supervisors are present on a ratio of 1 to 100 for the purpose of monitoring the premises and its upstairs entrance.

19)The duty manager and SIA door staff will actively monitor the licensed area to ensure conditions of the SE license are upheld and the Dancer and Customer codes of conduct are complied with.

20)Signs in the entry area must display the customer code of conduct and all patrons entering the venue and these must be pointed out to patrons entering.

- 21) Any customer found to be breaching the code of conduct will be safely ejected from the premises and recorded in an incident register.
- 22) The premises will produce a 'Code of Conduct for Dancers' to be agreed in writing by Kent police. No changes may be made to this document unless agreed with Kent police.
- 23) The dancer's code of conduct will be displayed in the entrance area and customers arriving will be directed to review it.
- 24) All dancers will be subject to the code of conduct (as detail in separate section). This will include details of a disciplinary procedure to deal with breaches in the code of conduct.
- 25) All managers, staff and security staff must sign to acknowledge understanding of the 'Code of Conduct for Dancers'. Any breaches should be reported to the Duty Manger immediately.
- 26) Duty Manager will check documents regarding proof of age and eligibility to work in the UK and retain photocopies in employment files signing and dating each copy. Employment files to include full facial photograph of all dancers, proof of ID e.g. Passport or driving license, proof of residence and eligibility to work in the UK.
- 27) Employment files to be retained for 6 months after the employment ends and to be made available to Police and relevant authorities upon demand.
- 28) A signed and dated copy of the Dancer's Code of Conduct and Disciplinary procedure must be retained on the employment file.
- 29) The Duty Manager shall not permit any dancer to perform if they are clearly under the influence of alcohol or drugs.
- 30) The license holder must retain a incident log at the premises to record any of the following:

- a. Ejections from the premises
- b. Refused admissions
- c. Refused Sales
- d. Breaches of Dancer Code of Conduct
- e. Inappropriate customer behaviour
- f. Failure of CCTV
- g. Incidents of Crime and Disorder
- h. Any complaint made by public, customer or dancer
- i. Any disciplinary action taken against dancers

This log must included the date, details of staff involved and brief summary of the incident.

31)The license holder will on a monthly basis inspect the incident log to ensure the quality of the record.

32)The incident log must be available at all times for Police or the local authority to inspect.

33) The Duty Manager will ensure that all performers/dancers complete the register of attendance for each shift. This register must be available for inspection by the police and local authority.

Dancer Code of Conduct

- a) Dancers may not intentionally touch a customer during a performance.
- b) Dancers may not permit a patron/customer to touch them during a performance. The only contact may be during the exchange of cash or token as payment for the dance in advance.
- c) If a patron/customer attempts to touch or speak to a dancer inappropriately, the dancer shall stop the performance and advise the customer of the rules of the Code of Conduct. If the customer persists in inappropriate behaviour the dancer shall stop the performance and inform the Duty Manager immediately.
- d) Only dancers engaged by the company can perform striptease/erotic dance.
- e) No striptease/erotic dance to take place at the bar or to standing customers.
- f) No photography or videoing to be permitted on the premises.
- g) There shall be no physical contact with other dancers during erotic dancing.
- h) Dancers to re-dress at the conclusion of dance.
- i) No dancers under the age of 18 years of age.
- j) Dancers shall not solicit for gratuities or payment for sexual favours or any act that would constitute prostitution.
- k) Dancers may not be in the company of a patron unless it is in an area of the premises that is open to the public.

- l) Dancers shall not perform if under the influence of alcohol or drugs.
- m) If a customer engages in the act of masturbation or other sexual behaviour, the dancer shall cease the performance immediately and inform the premises manager.
- n) Dancers may not intentionally perform any sexually explicit or lewd acts during performances.
- o) Dancers will use the dressing room area facilities to change into and out of performance outfits at the start and end of each shift.
- p) Dancers may only use the specifically dedicated toilet area.
- q) Dancers must arrive and leave the premises in suitable attire e.g. outdoor wear consisting of a coat or top and skirt or trousers so no element of performance costume is visible.
- r) All dancers shall comply with this code of conduct. Any failure to adhere to it shall result in the dancer becoming subject to the house Disciplinary Rules.

All Dancers will be made aware of 'Dancer's Welfare Policy' that will state at minimum:

- i. Any dancer concerned about the behaviour of a customer shall report the incident to the Duty Manager who will take immediate action to investigate and take appropriate resolution.
- ii. Staff members must constantly supervise the behaviour of customers at the premises and shall intervene where any customer is breaching the 'Code of Conduct for Customers' or otherwise causing alarm or distress to a dancer.

- iii. Any customer behaving inappropriately will be ejected from the venue.
- iv. Dancers shall be provided with free drinking water on request.
- v. Dancers will use the dressing room facilities for rest breaks as agreed with the Duty Manager.
- vi. Dancers will be escorted from their transport on arrival and departure from the premises.

Customer Code of Conduct

1. Customers should be aware that CCTV is in force throughout the premises during operational hours. This may be reviewed by police and the local authority at any time in line with our statutory obligations.
2. Management reserves the right of admission to the venue
3. Customers may not touch dancers during a performance.
4. Customers may not make lewd or offensive remarks to dancers.
5. Customers may not harass or intimidate dancers.
6. Customers may not ask dancers to perform any sexual favour.
7. Customers may not perform acts of masturbation or indulge in other sexual behaviour.
8. No photography or videoing to be permitted on the premises this includes the use of mobile phones that is restricted to the lobby area only.
9. Any customer failing to adhere to the above will be ejected from the premises.

Risk Assessment & Crime Reduction Strategy

CRIME & DISORDER

RISKS	Public Disorder/Violence/ASB Large Groups of patrons Use or supply of drugs in venue Theft Solicitation/Prostitution Drunkenness
GROUPS AT RISK	Staff/Customers/General Public
CONTROL MEASURE	Well Trained Management Team Venue staff and management at appropriate level to manage patrons Statically placed CCTV Regular Toilet Checks Staff training in relation to the dispense of alcohol Regular collection of glasses and bottles Appropriate First Aid facilities Use of Safer Medway/Council CCTV radio during operation Use of SIA Door Supervisors Operation of Challenge 25 policy for the dispense of alcohol Dance and Customer code of conduct Use of internal radio system Use of internal CCTV monitors to manage licensed areas Drug Awareness training for staff Searching of Customers as required Large Groups are asked to contact venue in advance and details retained from ID as condition of entry Incident report records and active exclusion of know or previous 'trouble makers'

PROTECTION OF CHILDREN FROM HARM

RISKS	<p>Under Age Entry ASB from Customers in area of building Under age Dancers</p>
GROUPS AT RISK	<p>Persons Under 18</p>
CONTROL MEASURE	<p>Well Trained Management Team Venue staff and management at appropriate level to manage patrons Strategically placed CCTV Regular Toilet Checks Upon arrival SIA Door supervisors or Management will inspect ID of any person looking under 25. The only accredited ID would be acceptable. Staff training in relation to the dispense of alcohol including the operation of a challenge 25 policy Use of Safer Medway/Council CCTV radio during operation to report concerns Use of SIA Door Supervisors Dance and Customer code of conduct Inspection and copy records of any Dancer identity records Use of internal radio system Use of internal CCTV monitors to manage licensed areas Incident and refusal report records and active exclusion of know or previous 'trouble makers' or repeated attempts of underage persons to gain entry</p>

PUBLIC NUISANCE

RISKS	<p>Excessive Noise Break Out</p> <p>Large Groups of patrons dispersing ASB/Noise from customers arriving and leaving premises</p> <p>Littering</p>
GROUPS AT RISK	<p>General Public/Nearby Residents</p>
CONTROL MEASURE	<p>Well Trained Management Team</p> <p>Venue staff and management at appropriate level to manage patrons</p> <p>Actively monitoring noise breakout during operation</p> <p>Ensuring all doors closed except for entry of exit.</p> <p>Use of SIA Door Supervisors to monitor perimeter of building area to ensure patrons arrive and leave quietly including queue if present.</p> <p>Any marketing material will carry the message to arrive and leave quietly.</p> <p>Refusing entry to those who are in a noisy manner and report to police/council CCTV as required</p> <p>Posters will be displayed on the exit route from the venue encouraging patrons to leave quietly and to respect our neighbours.</p> <p>A notice will display taxi numbers should the taxi rank be empty.</p> <p>Staff to check perimeter as required for rubbish collection.</p> <p>All staff to leave the premises in a quiet manner.</p>

PUBLIC SAFETY

RISKS	<p>Poor House Keeping including Fire Safety</p> <p>Violence/ASB</p> <p>Personal Injury</p> <p>Uncontrolled dispersal</p> <p>Excessive alcohol consumption</p> <p>Slips, trips, falls including broken glass</p> <p>Drug use on the premises</p>
GROUPS AT RISK	General Public/Staff/Customers
CONTROL MEASURE	<p>Well Trained Management Team</p> <p>Venue staff and management at appropriate level to manage patrons.</p> <p>Regular inspections of the premises by staff including annual risk assessments and fire risk assessment.</p> <p>Use of SIA Door Supervisors to monitor premises and perimeter of building area to ensure patrons arrive and leave quietly including monitoring of queue if present.</p> <p>First Aiders and facilities available.</p> <p>Strategic use of CCTV.</p> <p>Daily inspection of validity of SIA Door staff Badges</p> <p>SIA Door supervisors to monitor dispersal of large groups of customers and will contact police/council CCTV should concern arise.</p> <p>Regular inspection or areas for spillages or broken glass by staff.</p> <p>Drug awareness training for staff.</p> <p>Regular toilet inspections.</p> <p>Dancer & Customer code of conduct</p> <p>Staff training in relation to dispense of alcohol and identifying drunkenness or excessive or rapid consumption.</p>

Supplementary current photos of proposed licensed area



Entrance Doors

Side of Entrance



Entrance to Main Floor Area

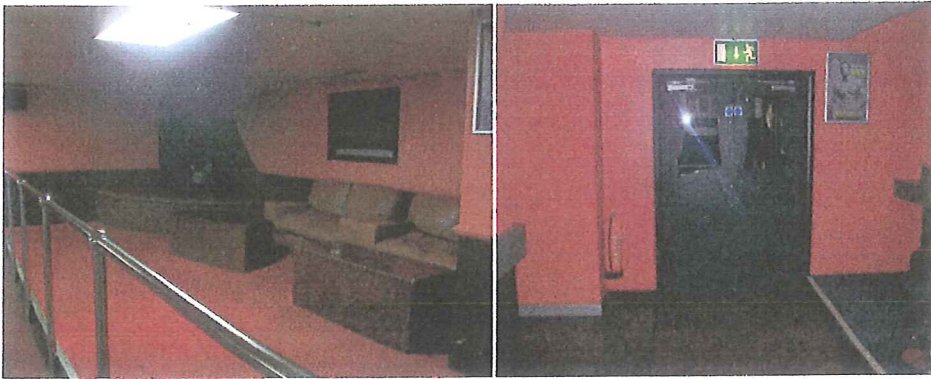
Pay Desk Area



Main Floor Area and Bar



Main Floor/Bar & DJ/Stage Area



Dance Bay Area

Entry to Toilet Lobby



Entry Area to Male and Female Customer Toilets



APS Casino Properties Limited

The Casino Rooms

Blue Boar Lane

Rochester

Kent ME1 1PD

Supplementary Information

February 2012

Management of Smoking for Patrons and Performers

● *Patrons*

- a) Customers will be permitted to smoke in a designated area near the main Tenshi entrance.
- b) Customers who wish to exit to smoke will be stamped on their hand as security vetting procedure for re entry.
- c) SIA door staff from the Tenshi door area will supervise the smoking area to ensure primarily that public nuisance is not caused.
- d) Signage will be displayed reminding customers to keep noise to an absolute minimum while smoking. Ash can bins will also be provided to prevent littering. To assist maintaining clean streets staff will sweep the area used at the close of business.
- e) No drinks of an alcoholic nature may be removed from the SEL venue area nor shall they be consumed in the smoking area. This is to ensure that customers do not dwell in the area.
- f) SIA door staff and management will actively monitor smoking and ensure that all customers who have finished smoking are encouraged to re enter the venue immediately.
- g) SIA Door staff and management will at times as required consider limiting the number of patrons smoking outside the venue.
- h) Patrons re-entering the property will have their security stamp re inspected. Patrons may also be subject to additional voluntary searching should it be required.
- i) Only Tenshi patrons will be permitted to smoke in this area. Should The Casino Rooms be in operation patrons from this will not be permitted in this area and will be directed to the dedicated gated smoking area.

● *Performer Smoking*

- a) Performs will be permitted breaks for smoking subject to approval of the Duty Manager.
- b) Performers must re dress to an appropriate level prior to leaving the building.
- c) Performers will be permitted to smoke to the side of the door area covered by CCTV and monitored by SIA door staff.
- d) Performers on duty may not use the patrons smoking area.
- e) Performers will re-enter the venue at the earliest opportunity.
- f) A maximum of two performs may have a smoking break at any one time.

- g) SIA door staff will ensure that performers do not actively engage in conversation with customers in the door entrance area except for the exchange of verbal greetings.
- h) Performers must advise the duty manager of their return from a smoking break.

Use of Toilet Area for Patrons

As shown on the drawing provided in the application male and female toilets are provided in a shared lobby area.

To ensure the control of patrons from both Tenshi and The Casino Rooms a member of SIA Door Staff will actively monitor this area as will CCTV.



Entry Area to Male and Female Customer Toilets

Furthermore a curtain will be provided that will be closed across during operation to ensure that patrons may not see in to the SEL area. This curtain would be across the line of the blue rope in the right hand picture above.

Windows (shown below) in the doors prior to entering the toilet lobby area will be 'blacked' to ensure that non-Tenshi patrons may not view the SEL activities.



Other Visual and Door Controls

The SEL area is connected to The Casino Rooms 'Club Room' area. To prevent customers entering the SEL area electromagnetic door locks will be fitted to the doors and be active during operation of the SEL. (These locks disengage to the fire alarm as a safety procedure)

Windows in connecting door areas to The Casino Rooms will be 'blacked' during operation of the SEL. (Similar to the doors shown on previous page)

If both the Main (Upstairs) room of The Casino Rooms and Tenshi are in operation SIA door staff will actively control the upstairs door to ensure that customers do not use this staircase. SIA door staff in the Tenshi Lobby area will ensure that SEL patrons do not enter the club area via the stairs.

Should an emergency situation arise in the building SEL activity will cease immediately and patrons from both Tenshi and Casino Rooms can use all exits as required or directed.

Venue Signage

The doors for both Tenshi and The Casino Rooms will be clearly marked by appropriate signage. SIA door staff will greet patrons on arrival and will ensure that they wish to attend Tenshi and not The Casino Rooms. Any patron who has arrived in the Tenshi Lobby in error would not be able to see SEL activity due to 'blacked' windows and would be immediately re directed by staff.

Hours of Operation

The application is seeking hours of operation of 2000 to 0300 Wed to Sat. We currently have a 7 day license at our sister venue with regular private hire or corporate events in addition to our core trade.

The requested hours for operation are subject to market forces and customer demand. The hours applied for in the SEL application are less than what is previously granted under the Premises License for The Casino Rooms. Under the newly changed regulations the venue is now currently permitted 11 events per calendar year of hours from 0900 to 0400 for adult entertainment.

Other additional information

- This venue is an established multipurpose entertainment venue and has specialised in providing adult entertainment for both male and female patrons.
- Due to specific marketing the venue has operated adult entertainment without complaint or report about the operation or any marketing of events.
- Tenshi Rochester subject to a grant of a license intends to operate the highest standards of operation and patron experience as is provided at the sister venue of Tenshi Essex.
- This application varies from that of the other currently licensed SE venue in the area in that it has greater history of operation with a purpose built experience.
- SEL venues are not specifically marketed at any one consumer group nor are they specific to attracting 'young groups of males'. We have historically operated both male and female performers to a mixed audience of an extensively mixed age. Experience has shown as an historic operator of an SEL and adult entertainment venues often have a decreasing effect on crime.
- The Kent Police to date have provided no representations to the application. Over the last 18 months there has been as considerable drop in anti social behaviour and public order offences that can be verified from Kent Police (KPA) statistics. As a key venue in the High Street area the applicant has played an active part in 'Operation Maximise' with an excellent impact on the night time economy.
- We feel that it is important to have a balanced economy in Rochester with a mix of all commercial areas. We recognise that day time tourism plays a key part in the local economy. The Casino Rooms plays a role in that activity hosting a variety of day time events such as charity events, music nights, fashion shows to name a few. The night time economy from our own operations employs around 200 people directly and indirectly which is important to help balance out the struggling local economy and bring customer spend to the area.

RECEIVED 27 JAN 2012

26th January 2012

Application from the Casino Rooms, Blue Boar Lane Rochester for Lap Dancing, Stripping, Retail of alcohol and dancing - Music/Sporting events on Wednesday, Thursday, Friday and Saturday between 20.00 and 03.00 hours.

Dear Sir,

I write with reference to the above application which I have seen advertised in the aforementioned premises.

I would ask the committee to consider the recent consent issued by them for the Queen Charlotte public house to host identical entertainment events as those now requested by the Casino Rooms on the same nights.

Does the Council consider two premises holding such events on a regular basis within close proximity to each other as conducive to the night time economy of the town, a type of entertainment which excludes large percentages of the community ; particularly a style of entertainment which encourages groups of young males into Rochester town centre, an area which already suffers from a disproportionate amount of anti social behaviour?

I would also ask the panel to reflect and consider the large amount of documentation and complaints held in their files from local residents who have all experienced anti social behaviour and noise disturbance from these premises under the current management.

I would also ask the panel to consider the detrimental effect that these premises are having upon the reputation of Rochester as a tourist destination, I would like to bring to the panel's attention the recent article in the Guardian newspaper <http://www.guardian.co.uk/money/2011/nov/25/lets-move-to-rochester-kent?INTC> Where the Casino Rooms are specifically sited as having a negative effect upon the local community and their quality of life.

I look forward to your positive response in this matter, I would remind you of the obligation that you have towards local residents within close proximity to these premises when making your decision. There must be an equal balance between the rights of residents and the success of commercial ventures within the densely populated area of Rochester town centre.

Yours Faithfully,



Melanie Comber BA hons MA

guardian

CP1

Let's move to: Rochester, Kent

It should be booming, but it's not... yet

Tom Dyckhoff

guardian.co.uk, Friday 25 November 2011 22:59 GMT

[Article history](#)



Let's move to Rochester, Kent: 'It seems the kind of place that always backs the wrong horse.' Photograph: Rex

What's going for it? I feel Rochester could do with a lift. A bit of chutzpah. It needs to fulfil its potential, of which there is much. It has that good old Let's Move To stalwart, bone structure. A beautiful high street tottering with pretty old buildings, a darling cathedral, a dreamy valley and estuary for a setting, the vastly underrated North Downs for a hinterland, brilliant train links, a noble past, with [Charles Dickens](#) and all that jazz. [Restoration House](#), in the centre, is the supposed inspiration for [Miss Havisham's](#) home and, like her, Rochester seems a little stuck. It should be booming. It is not. And it annoys me to my core to find a place as charming in its DNA as Rochester on its uppers. One of you lot needs to set something up here: a cheeky restaurant, a little deli. I don't know, I can't come up with everything. I give you the place. You work out what to do with it. You won't regret it.

The case against The aforementioned. It seems the kind of place that always backs the wrong horse. [The Isle of Grain](#): will its future be wildlife paradise or lorry park? The economy's been worse, but it is still far from former glories.

Well connected? Great rail connections: six or so an hour to London Victoria, St Pancras, London Bridge and Cannon Street (39-50 mins, with some up to 75 mins). But [High Speed 1](#) zuzzes by: around 50 mins with a change to Ashford International (two an hour).

Schools "Good" primaries, says Ofsted, include [Delce](#), [Hilltop](#), [the Pilgrim](#) and [Wainscott](#). Secondaries have a more chequered record in Medway's selective system: [Strood Academy](#) is making "satisfactory" progress; [Rochester Grammar](#) is "outstanding" but oversubscribed; "good" independents include [Rochester Independent College](#).

Hang out at... Hmmm, the rub. Good local ales in the [Man of Kent](#), if you don't mind a bit of heavy metal.

Where to buy Snuffle around the cathedral in the old town first, then across the water to [Strood](#) centre, or south to [Borstal village](#): historic and period properties at good prices. Suburbans should cling to Brompton Farm Road and Cliffe Road in Strood, Frindsbury to Wainscott, Borstal Road or Priestfields near the river; the Esplanade. Nice Edwardians/Victorians off Maidstone Road.

Market values Large detacheds, £350,000-£650,000. Detacheds, £210,000-£350,000. Semis, £130,000-£300,000. Terraces, £100,000-£220,000. Flats, £75,000-£180,000.

Bargain of the week Three-bed semi in Strood, in need of modernisation, £160,000, with [O'Sullivan's](#).

From the streets

Emma Wilcox "The sublime [Deaf Cat cafe](#) for fabulous coffee and constantly changing exhibitions – directly opposite the cathedral, with lovely views from the pavement tables."

Caroline Newbury "Good mix of independent shops and cafes, along with the beautiful castle grounds. Worst things; the [Casino Rooms](#) nightclub, and other clubber-aimed pubs nearby, and the trail of destruction that litters the streets on mornings after. A lot of the district is run-down, economically battered and fairly depressing."

Deborah Carson "My two favourite places are our local [Simply Italian](#) restaurant and the [Dickens House Wine Emporium](#) – legendary wine tastings, especially the informal ones!"

• Live in Rochester? Join the debate below

Do you live in Winchester? Do you have a favourite haunt or a pet hate? If so, please email lets.move@guardian.co.uk by Tuesday 8 November.

Comments

7 comments, displaying [Oldest first](#)

 Staff
 Contributor

[BadleeTypedBoi](#)

26 November 2011 1:01PM

Have lived in Rochester for 6 years now and must say that whilst I love it for many things - good independent shops, great festivals and friendly people, the thing that depresses me the most is the way the local Tory run council have let things slip. It could be so much better - but instead of investing in the heritage that Rochester has, the council pull down architecturally and historically significant buildings (Aveling and Porter in Strood) and tarmac over the ground to create car parks..,aaarghh!!!!

[Recommend](#) (17)

[Responses](#) (0)

[Report](#)

 [Link](#)

[morrestuff](#)


26 November 2011 3:44PM

In Rochester 4 days a week and absolutely agree with the article. I see so much potential and love the Cathedral, view from the Keep and High St quirkiness. There is: an Italian deli, a few decent looking restaurants, as well as the de rigueur Pizza Express for anywhere up-n-coming, a great butchers, green grocers, loads of tea shops - Tony Lorenzo's is the best, free-house pubs, arts and crafts galore and too many charity shops. Locals say that the place to buy property is the 'golden triangle' encompassing Maidstone Road, Borstal Road and Priestfields - you get river views. There are lots of arty types...and lots of people there wear great hats but not obviously many gay guys, so maybe not quite up-n-coming enough yet ;-). If an airport is built off the Isle of Grain, although initially disruptive, I can only imagine huge regeneration of the area encompassing Strood/Rochester/Chatham. Apparently, there is to be massive investment in Chatham to re-engage unemployed youth. Am a bit perturbed now by BadleeTypedBoi's comments

[Recommend](#) (4)

[Responses](#) (1)

[Report](#)

 [Link](#)



29.01.12

Dear Sir /Madam

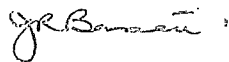
I write to object to the recent application for a licence to use Tenshi, at The Casino Rooms in Rochester, as a sexual entertainment venue. The grounds for my objection are based around one of your four licensing objectives – ‘the protection of children from harm’.

I am a resident on the High Street area in question and also a member of the Historic Rochester Residents Association, The City of Rochester Society and the Neighbourhood Watch.

During the day we have many visitors, ranging from bus parties from around the UK and from abroad to school groups of different ages and individual families, all coming to enjoy the wonderful environment of the High Street and the link with Dickens. There are also green spaces, the walks and the river to explore. There is now a better police presence, some control of street alcohol consumption, and the work of the Neighbourhood Watch, all contributing to the pursuit of a safe ethos for a wide range of people, with their varied interests. So during the daytime children, as part of this collection of visitors, share all this and it helps to develop their understanding of what a healthy society entails. It is sad that because of past decisions about alcohol licensing, for them and many adults most of this ceases in the evening, particularly at the weekend. Then the appeal is mostly to binge drinkers and as the evening develops the behaviour we see resulting from it makes our High Street a place to be avoided by many adults and certainly anybody with children. Yet this need not be so. Other areas have, through sensible planning from their Councils, developed a successful cafe culture where there is something for all.

Granting another licence for sexual entertainment is, I feel, totally inappropriate for the positive development of a family orientated environment here. At the Queen Charlotte pub we already have one establishment offering this. There is something similar on offer at The Star pub. Proportionally, I feel that is enough for the broad development of what is a quite a small area. Additionally, in order to attract customers, advertisements draw the attention of people to this entertainment on offer. As a retired teacher, I know that children do notice these things and that they provide for them a hidden agenda of things that adults do and which their immediate society finds acceptable and/or desirable pursuits. This may or may not be harmful but without question there are better things for them to learn.

Yours faithfully



MRS J. R. BASSETT ,

Licensing Unit
 Business Support Department
 Medway Council
 Gun Wharf
 Dock Road
 Chatham
 Kent ME4 4TR



Wednesday, 01 February 2012

Dear Sir/Madam,

**Rochester casino rooms
 APPLICATION FOR A SEXUAL ENTERTAINMENT VENUE LICENSE**

The Historic Rochester Residents Association (HRRA) represents local residents living in the central area of the town. We, the HRRA committee, believe that the grant of a license for a sexual entertainment venue (SEV) at the 'Casino Rooms' would be inappropriate to the character of and incompatible with the uses within the 'relevant locality', and that the application should be refused

Before outlining the detail of our case in relation to the council's 'Statement on Policy in respect of Sex Establishments', we would like to highlight as background some broader aspects of council policy which pertain to the environment within which the premises is situated:-

1. The Medway Local Plan characterises the area under policy R8 as having a "*specialist and tourism related character*".
2. The premises are located within the *Historic Rochester* conservation area. A conservation area is defined in the Local Plan as "*an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.*"
3. The Historic Rochester Conservation Area Appraisal and Management Plan were adopted by the council in September 2010. The introduction to the appraisal observes that: "*...the City's architectural and historic wealth derives from much more than these two splendid buildings (the castle and the cathedral). Laid out before them is the many layered, multi-styled, multi-cultural, intimately scaled, trading, residential and literary city, of international significance in its own right. All this tangible and intangible heritage is what combines to give the City's conservation areas their unique character.*"

Furthermore, the appraisal recognises under the heading of 'Threats and Pressures' to the High Street that "*Changeable economic activity Discourages confidence and lack of pride, which can impede maintenance, degrade shop fronts, and encourage inappropriate alterations and uses.*"

4. In the recently published Draft Core Strategy of the Local Development Framework, the area profile for Rochester states that:

"Rochester town centre is a nationally renowned historic settlement distinguished by its Norman Castle and Cathedral, which are located on high ground and dominate views from the surrounding area. Its built environment dates from Roman times and the High Street is of the highest architectural importance, containing architectural styles dating back to the medieval period."

The strategy also notes the importance of Rochester to tourism in Medway, and that the council will "seek to secure an improvement of the image and 'brand' of Medway to enhance its awareness (sic) as a visitor destination beyond the South-East".

In contrast to the image evoked by these policy documents, Rochester High Street has witnessed the growth of a culture of bars serving cheap alcohol, resulting in anti-social behaviour and noise pollution. We would argue that the image arising from this culture (and with which the town is associated) is inconsistent with that of an environment valued for its heritage and 'special' retail. We would urge the council to assess the license application against the character of the environment as reflected in its policy objectives for the historic centre of Rochester rather than the culture of the bars, clubs and the night time economy.

The criteria outlined in section 14.6 of the council's "Statement of Policy in respect of Sex Establishments" provide a framework for evaluating the area around the applicant's premises. We note that paragraphs 12(3) (c) and 12(3) (d) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 allow the 'licensing authority' to refuse applications on grounds related to an assessment of the relevant locality. To make our case, we have carried out our own assessment of the portion of the conservation area (character area 1) within which the venue is located. We also make other observations on the wider environment to support our argument that this is an inappropriate location for a Sex Establishment. Adopting the relevant headings from section 14.6:

- The type of location

The venue is located within a mixed environment, the major uses in which include residential (see below), 'special' retail, and visitor attractions. As noted above, the environment is widely recognised as having significant heritage assets.

- The proximity of residential premises

It is generally not appreciated that, as well as being a visitor destination for shopping and sight-seeing, the High Street and its immediate environs is home for many people. Along the High Street itself there are approximately 200 residential addresses, a population of perhaps 500 people. We have carried out an assessment of the area around the venue lying within the conservation area. This figure does not include the flats along Corporation Street and Star Hill nor 'Rochester Gate', the nearby sheltered housing development.

- The proximity of educational establishments

Parts of the King's School as well as Rochester Independent College are both located within 250m of the premises.

- Access routes to and from schools

In addition to the neighbouring schools, the High Street is a popular destination for local school age children as well as groups of children on school trips from further afield, including from the continent. Large groups of students are a regular and welcome sight in the centre of the town, learning from its history and experiencing its rich heritage.

- The proximity of shopping centres

The premises is located amidst what the council describes as an area of 'special retail', in which a diverse range of small independent traders along with coffee bars, restaurants and pubs provide a popular destination for families. The appeal of the High Street as a retail environment is inseparable from the qualities of its historic environment.

- The proximity of community facilities

Within the vicinity of the premises are located the town's library and adult education centre and Eastgate House.

- The proximity to historic buildings and tourist attractions

While the premises are not immediately adjacent to the main historic buildings, it is situated within Character area 1 as defined in the Conservation Area Appraisal. The whole of this area is considered to have particular historic significance, within which all buildings as well as their uses contribute to the character and image of the whole (see the 'Building Analysis' appended to the Conservation Area Appraisal

In conclusion we submit that now Medway Council has granted one SEV licence in Rochester High Street, to grant any more would be going against both the spirit and letter of section 27 of The Police and Licencing Act. To quote the then Home Office Minister, the reclassification 'if adopted by the local authority it will give local people a greater say over where and how many lap dancing clubs open and operate in their neighbourhood', .therefore surly one such club is sufficient and granting further licences will be seen by the residents as just a revenue raising exercise by the council.

Yours faithfully

Philip Ruby

Historic Rochester Residents Association

Conditions

1. The relevant entertainment authorised by this Licence ("Relevant Entertainment") shall be:
2. The hours of operation during which the Relevant Entertainment is permitted is:
3. Relevant Entertainment shall only take place on the Premises, as defined on the attached plan, edged in red.
4. The licence or clear copy shall be prominently displayed within the Premises at all times so as to be readily and easily seen by all persons using the Premises.
5. A notice showing the name of the person responsible for the management of the Premises on that day to be prominently displayed within the Premises throughout the period during which he is responsible for operation of Relevant Entertainment.
6. The Licensee or the responsible person shall maintain a daily register when the Premises is providing Relevant Entertainment to be kept on the Premises and produced to an authorised officer on request. The register to be completed each day within 30 minutes of the Sex Entertainment Venue opening for business and will record the name and contact details of any person who is to be responsible for managing the Premises in the absence of the licensee and details of all staff employed at the Premises including performers.
7. The Licensee shall maintain good order on the Premises and in particular shall take reasonable steps to ensure that
 - no activities provided solely or principally for the purpose of sexually stimulating a person (whether or not for reward) are undertaken or offered on the Premises other than those activities comprised within the Relevant Entertainment
 - no person present on the Premises unlawfully possesses and/or supplies controlled drugs
 - no person on the Premises engages in conduct likely to cause a breach of the peace while on the Premises
 - no person on the Premises engages in acts of violence against person or property and/or the attempt or threat of such acts

and if any of the above activities comes to the attention of the Licensee or a member of his staff the Licensee shall take all reasonable and necessary steps to ensure the cessation of those activities promptly.

8. Black out curtains/black out windows within all the internal doors that have entry/exit from and to the Red Room to public areas to stop those who are in the building from seeing into the area providing adult entertainment.

APPENDIX D

9. The provision of private lap dancing on a one to one basis and including nudity to take place in separate booth areas.
10. A management operation manual detailing all aspects of procedure when the Premises is operating Relevant Entertainment, including the expected conduct of performers, shall be produced and approved by the Licensing Authority. This document shall be kept up to date and any amendments shall be subject to approval by the Licensing Authority.
11. No person under the age of 18 shall be admitted to the Premises or employed within the Premises (including as a performer) while the Relevant Entertainment takes place.
12. A prominent clear notice shall be displayed at each entrance to the Premises advising customers that no person under 18 will be admitted to the Premises and that they may be asked to produce evidence of their age.
13. CCTV must be provided and operational at all times the Premises are open in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition. Cameras shall encompass all entrances to and exits from the premises, including fire exits and all areas where the sale and supply of alcohol occurs. Equipment must be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand.
14. The Licensee must ensure at all times an appointed member of staff is capable and competent at downloading CCTV footage in a recordable format either disc or VHS to the Police and Local Authority on demand. The recording equipment and discs/tapes shall be kept in a secure environment under the control of the Licensee or other appointed individual (who shall be named in the management operation manual). An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded.
15. All television screens used for the purpose of monitoring the CCTV system must be positioned such that no images may be visible to any customer or member of the public.
16. The Licensee shall not exhibit or display outside the Premises (or within the Premises so as to be visible outside the Premises), any display, advertisement, word, letter, model, sign, light, placard, board, notice, device, representation, photographs, drawing, writing or any matter or thing (where illuminated or not) without prior approval by the Licensing Authority. Any such displays, etc shall be exhibit in accordance with the consent given by the Licensing Authority.

APPENDIX D

17. In the event of the Relevant Entertainment being performed for private viewing, the customer shall be informed of the duration and price of the entertainment prior to the performance and such details shall be specified in a clearly visible notice in each area designated for such private entertainment.
18. Any person who can be observed from the outside of the Premises must be properly and decently dressed. Performers shall not exhibit in the entranceway or in an area of the Premises open to the public that is not designated area for Relevant Entertainment.
19. Photographing or videoing of performances is not permitted, except for the sole purpose of crime prevention.